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THE WHITE HOUSE

ACTION

WASHINGTON

Last Day - October 29

October 25, 1974

MEMORANDUM FOR:

THE PRESIDENT

FROM:

KEN COLLE

SUBJECT:

Enrolled Bill H.R. 14217  
National Park System -- Ap-  
propriation ceiling increases  
and other changes

Attached for your consideration is House bill, H.R. 14217, sponsored by Representative Taylor, which provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and authorizes appropriations for additional costs of land acquisition for the National Park System.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

Secretary Morton, the Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 14217 (Tab B).

APPROVED  
OCT 26 1974

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

OCT 23 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14217 - National Park System --  
appropriation ceiling increases and other changes  
Sponsor - Rep. Taylor (D) North Carolina and  
24 others

*Posted 10/28*  
*To Archive 10/29*  
Last Day for Action

October 29, 1974 - Tuesday

Purpose

Provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and authorizes appropriations for additional costs of land acquisition for the National Park System.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of the Army	Approval
Council on Environmental Quality	No objection
General Services Administration	Cites strong objections

Discussion

H.R. 14217 is an omnibus bill affecting eighteen units of the National Park System (NPS). The enrolled bill would authorize appropriations totalling \$106,491,240 as indicated below: (1) increases in appropriations ceilings for land acquisition in existing parks -- \$79,747,500 for nine areas; (2) authorizes acquisition of additional land in established parks -- \$10,227,740 in five areas; (3) increases authorizations



for development programs in established parks -- \$7,976,000 in six areas; (4) authorizes two park studies -- \$140,000; and, (5) provides additional authority to cover relocation assistance benefits for displaced property owners -- \$8,400,000. In addition, the relocation assistance such as that noted above would be essentially limited to cases where acquisition and Federal ownership and possession are generally simultaneous. A summary of the specific changes is attached.

The House Interior Committee, in its report on H.R. 14217, characterized the omnibus bill approach as an expedient and effective vehicle for dealing with "routine and non-controversial" measures which "have arisen as a result of changing needs and conditions requiring adjustments of existing law or the enactment of new legislation." While it contained higher authorization levels for several of the NPS units than had been recommended by the Administration, the Committee's bill did generally conform to what we consider appropriate for omnibus legislation of this type.

Unfortunately, the bill as reported by the Senate Interior Committee and passed by the Congress provides for an appropriation authorization which exceeds the Administration's recommendation by \$56,122,000. The bulk of this increase comes from three NPS unit ceiling increases which the Congress added to the bill without giving the Administration an opportunity to review or to report its position: (1) Sleeping Bear Dunes National Lakeshore (\$37,953,000); (2) Lake Mead National Recreation Area (\$5,900,000); and (3) Apostle Islands National Lakeshore (\$1,000,000). The remaining increases totalling \$11,269,000 are outlined in the attachment.

In its views letter on the enrolled bill, Interior concludes that:

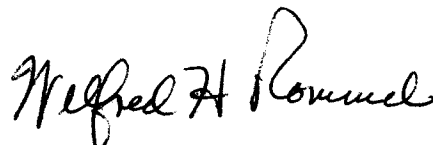
"While this bill represents an increase in authorizations over those recommended by this Department and, in some cases, does not incorporate all of the recommendations suggested by this Department, the authorizations do conform to our best estimates of the current cost of acquiring or developing the units involved. On balance, H.R. 14217 represents boundary changes and/or ceiling increases which we have judged to be necessary or desirable, and accordingly, we recommend that the President approve this enrolled bill."

Although we would have preferred to address the larger authorization increases in separate legislation and after having an opportunity for the Administration to report on the bills, we reluctantly concur in Interior's recommendation for approval of the enrolled bill. Most of the higher authorization can be attributed to Sleeping Bear Dunes National Lakeshore where the government is obligated to buy-out a significant number of improved private properties. The majority of the boundary and authorization changes are worthwhile and will have no impact on fiscal year 1975. We will work with Interior to minimize the subsequent fiscal years' impact.

Finally, it should be pointed out that the General Services Administration, in its views letter on H.R. 14217, voices strong objections to the provision that waives relocation assistance benefits where owners elect to retain a right of use and occupancy on property authorized to be included within a unit of the NPS. GSA appears particularly concerned that relocation assistance benefits could be lost in cases where an owner "requests permission to remain in his property for a limited time of 90 to 180 days."

However, Interior has informally assured us that on the basis of existing park law the loss of benefits would apply only to those cases where use and occupancy is for "a definite term of not more than 25 years, or in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, whichever is later." In this regard, we believe that the Senate Interior Committee's report provided ample reasoning in support of waiving such relocation assistance benefits:

"The committee felt that it was not the intention of the Relocation Assistance Act to enrich persons who were not immediately displaced by the Federal acquisition of their property; consequently, if a landowner elects to retain a limited estate in the acquired property, the committee concluded that he should not be entitled to relocation assistance at the time he vacates the property."



Assistant Director for  
Legislative Reference

Enclosures

APPROPRIATION AUTHORIZATIONNational Park  
System Unit

H.R. 14217\*\*

Administration Position\*

land acquisition/  
development (acreage)land acquisition/  
development (acreage)

1.	Biscayne National Monument, Florida	\$ 3,775,000/-o- (8,738 acres)	\$ 3,775,000/-o- (8,738 acres)
2.	Colonial National Historical Park, Virginia	7,695,000/-o-	5,812,000/-o-
3.	Cumberland Gap National Historical Park, Kentucky and Tennessee	427,500/160,000	427,500/160,000
4.	Fort Necessity National Battlefield, Pennsylvania	607,000/-o- (411 acres)	607,000/-o- (411 acres)
5.	Independence National Historical Park, Pennsylvania	1,592,000/-o- (5 acres)	1,592,000/-o- (5 acres)
6.	Indiana Dunes National Lakeshore, Indiana	7,626,000/-o-	7,626,000/-o-
7.	Moore's Creek National Military Park, North Carolina	243,000/325,000	243,000/325,000
8.	Morristown National Historic Park, New Jersey	1,830,000/-o- (184 acres)	830,000/-o- (19 acres)
9.	Rocky Mountains National Park, Colorado	2,423,740/318,000 (1,556 acres)	2,423,740/318,000 (1,556 acres)
10.	Virgin Islands National Park, Virgin Islands	11,000,000/-o-	5,650,000/-o-
11.	Apostle Islands National Lakeshore, Wisconsin	1,000,000/-o-	No opportunity to comment
12.	Lake Mead National Recreation Area, Arizona	5,900,000/-o-	No opportunity to comment
13.	Sleeping Bear Dunes, Michigan	37,953,000/-o-	No opportunity to comment

\*\* All authorization and acreage numbers represent net increases over presently authorized levels.

14.	Channel Islands National Monument, California	-o-/\$ 2,936,000 (5 acres-donation)	Recommendation - deferral
15.	International Peace Garden, North Dakota	-o-/ 1,302,000	-o-/ 1,302,000
16.	Lava Beds National Monument, California	-o-/-o- (261 acres-Federal land)	-o-/-o- (261 acres- Federal land)
17.	Cape Lookout National Seashore, North Carolina	7,903,000/2,935,000	7,903,000/ 2,935,000
18.	San Juan National Historic Site, Puerto Rico (study)	100,000*	-o-(data already available -- legislation not required)
	Ohio and Erie Canal, Ohio (study)	40,000*	40,000*
	Relocation Assistance	8,400,000	8,400,000
<hr/>			
	Subtotals:		
	land acquisition	89,975,240	36,889,240
	development	7,976,000	5,040,000
	studies	140,000	40,000
	relocation assistance	8,400,000	8,400,000
<hr/>			
	TOTAL . . . . .	\$106,491,240 (11,160 acres)	\$50,369,240 (10,990 acres)

\* These authorizations are for study efforts -- no land acquisition or development is involved.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

OCT 23 1974

Dear Mr. Ash:

This responds to your request for the views of this Department on the enrolled bill H.R. 14217 "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."

We recommend that the President approve this enrolled bill.

H.R. 14217 is an omnibus bill authorizing, among other things, increases in appropriation ceilings and boundary changes in several units of the National Park System.

## Biscayne National Monument, Florida

H.R. 14217 amends the 1968 law which authorized the establishment of Biscayne National Monument, to add some 8,738 acres of land and water area which lie between the Monument boundary and the John Pennycamp Coral Reef State Park on the south. This area, which includes 166.19 acres of private land, consists of Swan and Gold Keys, which were originally excluded by the Congress in its consideration of the 1968 legislation leading up to the establishment of a national monument. The owner of the larger parcel, Swan Key, has now indicated his willingness to sell his property to the Federal Government, whereas earlier he had requested that his property be excluded. The estimated cost of acquiring this approximately 166 acres of private land is \$2,025,000.

H.R. 14217 also provides for additional authorization to pay anticipated deficiencies in condemnation awards. Out of the total 4,261 acres of fast land within the existing national monument, there were 435 acres of private land which had to be condemned. Based on information furnished us recently by the Department of Justice, we estimate that the awards on these condemnation actions will exceed our earlier estimates of value. The anticipated deficiency is in the amount of \$1,750,000.



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H.R. 14217 will revise the boundary of the Monument to include the area between the existing boundary and the State Park on the south and it authorizes an increase of \$3,775,000 in the acquisition ceiling which represents \$2,025,000 for the acquisition of lands added by the bill, as well as the \$1,750,000 needed to satisfy anticipated deficiencies in condemnation awards. This amount conforms with our estimates.

#### Channel Islands National Monument, California

The bill authorizes the Secretary of the Interior to accept not to exceed 5 acres of land within the Ventura Marina for development as a mainland headquarters for the Monument, provided that an acceptable agreement is first worked out. It authorizes \$2,936,000 for development of the facilities.

Channel Islands National Monument consists of some 18,166 acres of land and water area off the coast of California which was created from Federal lands by proclamations in 1938 and 1949. Our existing headquarters and visitor contact facility consists of rented space in downtown Oxnard, California, which is some distance (5.3 miles) from the coast. Since all visitation is via water craft, we have been for some time seeking administrative and visitor contact facilities at a site which is on the waterfront, and more convenient for visitors.

We have reviewed several alternative sites for this purpose, including the Ventura Marina which is referred to in H.R. 14217. The Ventura Port District, which operates the Marina, has offered to donate approximately 4 acres on the waterfront in the Marina for development by the National Park Service as a headquarters and visitor contact site.

#### Colonial National Historical Park, Virginia

Colonial National Historical Park was created by the Act of Congress approved July 3, 1930. The park consists of 4 units: Yorktown, Jamestown, the Colonial Parkway, and the Cape Henry Memorial. The statutory ceiling on appropriations for land acquisition is currently \$2,777,000. This authorization ceiling has been reached, and there remain to be acquired certain inholdings at Yorktown. In addition, a judgement is outstanding for the acquisition of certain access rights which were acquired by

condemnation along the Colonial Parkway. We estimate that an increase in the statutory authorization of \$5,812,000 was needed to complete this part of the acquisition program. This amount would allow the purchase of approximately 115.13 acres in Yorktown. Also included in this figure is \$96,500 needed to satisfy a judgment arising from a condemnation action filed in 1962 on six access rights. H.R. 14217 would authorize an increase of \$7,695,000.

#### Cumberland Gap National Historical Park, Kentucky

Cumberland Gap National Historical Park was created by successive Acts of Congress in 1940, 1943, and 1961. Acquisition of land with appropriated funds is prohibited by the legislation which established the Park. H.R. 14217 would authorize the purchase of certain properties which we have identified as necessary for proper management of the Park.

These lands consist of 3 main parcels: a 5.49-acre tract which was formerly a commercial meat packing and distributing facility now owned by the National Park Foundation; a second parcel consisting of three tracts totalling 43.88 acres that are needed to provide a 100-foot right-of-way for an access road, which properties are also owned by the National Park Foundation; and a third parcel of 5.82 acres owned by the Eastern National Park and Monuments Association, located at the point where Tennessee, Virginia, and Kentucky meet. This latter parcel is strategically located in the line of view of the historic Cumberland Gap itself, and should not be permitted to be developed or adversely modified. It also contains several Civil War fortifications that should be preserved.

The three parcels proposed for acquisition total 55.19 acres, and the bill allows a maximum of 60 acres. The total acquisition cost is estimated to be \$427,500. Development costs of \$160,000 are also contained in this bill.

#### Fort Necessity National Battlefield, Pennsylvania

Originally established pursuant to a 1931 Act of Congress, Fort Necessity National Battlefield currently consists of 350.26 acres. The original 1931 Act authorized the acquisition of property by donation, and the Act of August 10, 1961, authorized a total of up to 500 acres to be acquired by purchase. The 1961 Act also limited amounts to be appropriated for acquisition purposes to \$115,000. We have identified in addition to the existing 350.26 acres of Federal lands, some 560.58 acres which should be acquired

to assure preservation and restoration of the historic scene of the Battlefield, at an estimated cost of \$607,000. To permit expansion of the Battlefield, H.R. 14217 would increase the acquisition authority by 411 acres and the acquisition ceiling by \$607,000. Included in the lands that would be acquired is a portion of the original 235-acre tract which was owned by George Washington from 1769 to 1799. This was a specific goal stated in the 1961 Act that authorized additions to the Battlefield.

#### Independence National Historical Park, Pennsylvania

H.R. 14217 would authorize the addition of 4.67 acres of land for the Historical Park at an acquisition cost of \$1,592,000. This is similar to legislation recommended by this Department.

#### Lava Beds National Monument, California

H.R. 14217 would revise the boundary to add 321.58 acres and delete 60.12 acres from the Monument. The additions are needed to include a number of important archeological sites within the Monument and assure their proper preservation. The lands to be deleted include natural features that are insignificant or duplicated many times within the Monument. The acquisitions and deletions are in the nature of a transfer with other Federal agencies, namely the Fish and Wildlife Service which operates the adjacent Tule Lake National Wildlife Refuge under agreement with the Bureau of Reclamation. These agencies have agreed to this boundary adjustment, and there are no costs involved.

#### Moore's Creek National Military Park, North Carolina

Moore's Creek National Military Park includes part of the area where the battle of Moore's Creek occurred between patriots and loyalists of North Carolina in one of the decisive actions of the opening phases of the American Revolution. The area was authorized by the Act of Congress approved June 2, 1929, to consist of lands donated by the State of North Carolina. Approximately 30 acres of land were donated for this purpose. In the Act of September 27, 1944, the Congress authorized the Secretary to accept additional donations for the Park of not more than 100 acres. Pursuant to that Act about 12 acres have been accepted and made a part of the Park. The Federal lands within the area now total approximately 42.23 acres.

We have identified some 25.02 acres of additional lands which ought to be acquired and made a part of the Park. These lands consist of about 13 acres on the west side of Moore's Creek where a group of patriots first took position, and the site of a narrow bridge across the Creek which played a key role in the battle. The remaining acreage is needed to provide necessary visitor developments and the relocation of a state highway. Acquisition of the land on the west bank of Moore's Creek will permit us to reconstruct the bridge and recreate the historic scene in time for the Bicentennial. Eventually we would expect to relocate State Highway 210, which bisects the Park, and construct a new entrance road.

H.R. 14217 would make possible the acquisition of the additional 35.02 acres needed for the Park by deleting the limitation in the 1944 legislation that requires acquisition only by donation, and substituting authority to acquire by purchase or exchange. We estimate the cost to the United States of acquiring the 35.02 acres to be \$243,000 of which \$68,900 is attributable to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This acquisition cost also includes 9 improvements of which 7 are year-round residences, 1 is a seasonal residence, and 1 is a service station, which is not now in operation. The bill also authorizes \$325,000 for development.

#### Morristown National Historical Park, New Jersey

Morristown National Historical Park contains the sites of important military encampments during the Revolutionary War, including George Washington's headquarters in 1779-80. The Park was created by Act of Congress in 1933, and the Act of September 18, 1964, authorized the acquisition by purchase of 281 additional acres. It now consists of 1,339.78 acres, which include 262 acres acquired under the 1964 authorization.

We believe five tracts of land should be purchased and added to provide space for visitor facilities and interpretive services as well as to protect part of the existing historic scene from possible adverse development. Because the appropriation ceiling established for the purchase of lands in 1964 of \$281,000 has been reached, we supported legislation to increase that authorization in order to provide additional funds necessary for these other lands. H.R. 14217 would also permit acquisition of 37.23 acres that have been identified as essential to the Park.

We estimated the cost of acquiring the additional 37.23 acres for the Park to be \$830,000. H.R. 14217 would increase the authorized area to 465 acres and the acquisition ceiling to \$2,211,000. We had recommended that the ceiling be increased by \$830,000 and that the authorized area be increased to only 300 acres.

#### Ohio and Erie Canal, Ohio

H.R. 14217 authorizes a study of how best to preserve and interpret the historic and natural resources of the Ohio and Erie canal and adjacent lands. The study would consider State and local plans for the Canal and would be submitted to the Congress within one year of enactment. The bill authorizes \$40,000 for the study. We supported such a study of this area.

#### Rocky Mountain National Park, Colorado

H.R. 14217 would authorize an addition of approximately 1,556.21 acres to this Park and would authorize appropriations of \$2,423,740 for land acquisition and \$318,000 for development. We supported these increases.

#### Virgin Islands National Park, Virgin Islands

Virgin Islands National Park was authorized by Congress on August 2, 1956. The boundaries were limited to 9,485 acres on the Island of St. John, and authority to acquire property was limited to donation or purchases with donated funds. On October 5, 1962, Congress revised the boundary of the Park to include offshore lands surrounding the Island of St. John. The 1962 Act also expanded the acquisition authority for the remainder of the Park to acquisition by purchase with appropriated funds. A statutory ceiling for land acquisition of \$1,250,000 was established.

We advised the Congress of our judgment that the most important use of Federal land acquisition funds at this time for Virgin Islands National Park would be to acquire four of the remaining water front properties, a total of 504.29 acres of private land. Completion of the acquisition program as to these properties within the boundaries is necessary to preserve for public use and enjoyment the outstanding natural and beautiful beaches, significant coral gardens, marine life, sea scapes, and other features for which the Park is renowned. Acquisition of these water front properties is necessary to prevent commercialization of this area and degradation of the scenic beauty, such as potential removal of sand from some of the beaches.

We estimate the acquisition of this 504.29 acres of remaining water front to be \$5,650,000. We, therefore, recommended that H.R. 14217 be amended to authorize a new ceiling of \$6,900,000, rather than \$12,250,000. As enrolled the bill incorporates a new ceiling of \$12,250,000.

San Juan National Historic Site, Puerto Rico

H.R. 14217 would authorize and direct a study by the Secretary of the Interior, in cooperation with the Secretary of the Army, of the damage to the foundation of certain historic structures on San Juan National Historic Site, Puerto Rico. The bill further requires the Secretaries to report back to the Congress within one year with recommendations, and it authorizes the appropriation of not to exceed \$100,000 for the purpose of this study.

Since 1956 the National Park Service has been aware of and concerned by the conditions of certain parts of the fortification walls and foundations. Since 1956 several studies have been made as to what can and should be done to repair the damage caused by sea erosion, the most comprehensive of which was a study completed in 1971 by the Corps of Engineers. The Corps found that deterioration of some of the foundations, especially at El Morro and San Cristobal, would require extensive and costly repairs. The Corps recommended that to protect the foundation of these historic structures, an extensive break water should be constructed and gravel and concrete material be used to fill large caverns in the foundation which have been eroded over the years. In 1971, the estimate provided to us by the Corps of Engineers for completing this work was around \$11 million.

Accordingly, we advised the Congress that there is no need for additional studies, but it is a matter of actually protecting the structures for which no new legislation is necessary. Accordingly, while we appreciate the serious erosion program at the historic structures on San Juan National Historic Site, we recommended that this provision of H.R. 14217 be deleted, stating that "funding necessary for protection of the structures is a high priority item in our plans, and we propose in the normal appropriation process to program and request funds in an amount commensurate with overall national priorities and the need to accomplish whatever work is necessary to protect the structures."

#### Apostle Islands National Lakeshore, Wisconsin

H.R. 14217 would add \$1,000,000 to the authorization for land acquisition at Apostle Islands National Lakeshore in Wisconsin. The original authorization of \$4,250,000 to acquire these islands and shoreline area along southern Lake Superior was based on a land cost estimate made in 1970. Escalation of land values in this area have since made the original figure inadequate. While we did not report to the 93rd Congress on this ceiling increase, it will enable the completion of the land acquisition program for the Lakeshore and does conform to our most current estimate of the costs involved.

#### Lake Mead National Recreation Area, Arizona and Nevada

H.R. 14217 would provide for an additional \$5,900,000 to the authorization for land acquisition at Lake Mead National Recreation Area in Arizona and Nevada. The existing authorization for this area is \$1,200,000. A recent condemnation action on a parcel of some 995 acres within the area has resulted in an award of nearly \$2.5 million. This single award exceeds the entire current authorization for Lake Mead. Although we did not report to the Congress on this provision of H.R. 14217, we estimate that this additional authorization will be sufficient to complete the acquisition program planned for this area.

#### Sleeping Bear Dunes National Lakeshore, Michigan

H.R. 14217 would provide for an additional \$37,953,000 in the authorization for land acquisition at Sleeping Bear Dunes National Lakeshore in Michigan. The original authorization for this area was based on the inclusion in the original legislation of zones within the Lakeshore which would not have been acquired in fee. However, the act provided that landowners in these zones could request purchase of these properties if continued ownership would be a hardship for the private owners. This has resulted in numerous requests for purchases being received by the National Park Service. While we did not report to the Congress on this provision of H.R. 14217, this increase in authorization will allow the Park Service to honor these requests, and allow sufficient funds to be appropriated to fully acquire all remaining private lands within the authorized area.

#### Indiana Dunes National Lakeshore, Indiana

H.R. 14217 authorizes an increase in appropriations for land acquisition from \$27,900,000 to \$35,526,000. This provision is similar to legislation proposed by this Department and will enable us to complete acquisition of lands within the authorized lakeshore boundaries.

International Peace Garden, North Dakota

H.R. 14217 would increase the development authorization from \$400,000 to \$1,702,000. This provision is similar to legislation proposed by the Department.

Cape Lookout National Seashore, North Carolina

H.R. 14217 would amend the original 1966 legislation authorizing the National Seashore to permit its establishment upon the Federal Register notification by the Secretary that sufficient lands have been acquired to provide a manageable unit. It also increases the land acquisition authorization by \$7,648,000 to \$7,903,000. This provision conforms to a recommendation made by the Department with respect to this National Seashore, but time did not permit the Office of Management and Budget to review the legislative report to the Congress which contained such a recommendation.

In addition to these provisions, H.R. 14217 would authorize the payment of relocation costs in connection with land acquisition for units of the National Park System notwithstanding the authorized land acquisition ceilings and would authorize an additional appropriation of \$8,400,000 to cover moving, relocation and related costs in connection with the acquisition of lands authorized by P.L. 92-272 (86 Stat. 120) which provided for increases in appropriation ceilings and boundary changes in units of the Park System in 1972. Moreover, H.R. 14217 provides that when an owner of property elects to retain a right of use or occupancy pursuant to any statute authorizing the acquisition of lands for 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). The total authorization in H.R. 14217 is \$89,720,240 for land acquisition and \$7,192,600 for development (including \$140,000 in study funds.)

As enrolled, H.R. 14217 authorizes boundary changes and/or ceiling increases or other provisions with respect to 18 existing units of the Park System (including the International Peace Garden) plus study authority for the Ohio and Erie Canal. While this bill represents an increase in authorizations over those recommended by this Department and, in some cases, does not incorporate all of the recommendations suggested by this Department, the authorizations do



conform to our best estimates of the current cost of acquiring or developing the units involved. On balance, H.R. 14217 represents boundary changes and/or ceiling increases which we have judged to be necessary or desirable, and accordingly, we recommend that the President approve this enrolled bill.

Sincerely yours,

  
Assistant Secretary of the Interior

Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C. 20503



DEPARTMENT OF THE ARMY  
WASHINGTON, D.C. 20310

23 OCT 1974

Honorable Roy L. Ash  
Director  
Office of Management and Budget

Dear Mr. Ash:

This is in reply to your request for the views of the Department of the Army on enrolled enactment H.R. 14217, 93d Congress, "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park Service, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes."

The Department of the Army recommends approval of the enrolled enactment.

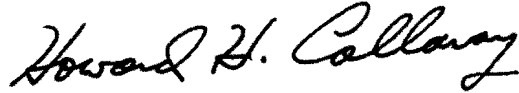
The Act presents in an omnibus legislative package, a number of proposals to authorize additional appropriations for the acquisition of lands at seven units of the National Park System; to authorize additional appropriations for development at six units of the System; to authorize boundary changes for the enlargement of seven units of the System; to authorize studies for an existing unit of the System and for the preservation of the natural resources of the Ohio and Erie Canal, Ohio; to change the authority for the acquisition of lands and/or development of facilities at certain units of the System; and to modify the authority to acquire lands at various units of the System where the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is applicable.

Section 403 of the Act would authorize the Secretary of the Interior, in cooperation with the Secretary of the Army, to conduct 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 Historic Site and to transmit to Congress within one year of the date of 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.

While the historic structures of this complex is for the most part sound, key portions of these structures are threatened by sea erosion. A survey report conducted by the Corps of Engineers in 1971, entitled "Condition Reconnaissance and Study of Required Protection Work for the National

Historic Site in San Juan, Puerto Rico," found that the damage consists of wave excavations in the cemented sand dunes and limestone reef foundation upon which the fortifications were built. The Act would require the Departments of the Interior and the Army to review this report and to consider other alternatives to determine the extent to which repairs to the historic structure can be undertaken in a manner which would not unduly affect their integrity.

Sincerely,

A handwritten signature in cursive script, reading "Howard H. Callaway". The signature is fluid and elegant, with a prominent initial 'H'.

Howard H. Callaway  
Secretary of the Army

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

OCT 17 1974

MEMORANDUM FOR W. H. ROMMEL  
OFFICE OF MANAGEMENT AND BUDGET


ATTN: Mrs. Garziglia

SUBJECT: Enrolled Bills

- (a) H.R. 14217, "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."
- (b) H.R. 13157, "To provide for the establishment of the Clara Barton National Historic Site, Maryland; John Dan 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."

This is in response to your request of October 17, for our views on the two above-mentioned enrolled bills.

The Council has no objection to the approval and enactment of these bills.

  
Gary Widman  
General Counsel

UNITED STATES OF AMERICA  
GENERAL SERVICES ADMINISTRATION  
WASHINGTON, DC 20405



OCT 22 1974

Honorable Roy L. Ash  
Director, Office of  
Management and Budget  
Washington, DC 20503

Dear Mr. Ash:

By referral dated October 18, 1974, from the Assistant Director for Legislative Reference, your office requested the views of the General Services Administration on enrolled bill H.R. 14217, 93rd Congress, 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."

General Services Administration's interest is confined to section 405(b) of the bill which would waive 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) of an owner of property who elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of the National Park System. We have serious problems with this provision.

The term "right of use and occupancy" is not defined in H.R. 14217. It would thus appear that if an owner requests permission to remain in his property for a limited time of 90 to 180 days, he would lose the right to replacement housing payments authorized by section 203 and 204 of the Uniform Act and he would also lose the right to certain advisory services provided by section 205 of the Act. The Administration is strongly committed to the principles of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The President in approving the legislation on January 2, 1971, strongly endorsed the principles of equity and fairness in that law. The intentions of the Administration were further expressed in the President's memoranda of January 4, 1971, and September 6, 1973 to the heads of agencies, when he established the Interagency Relocation Assistance Implementation Committee in 1971 and transferred leadership of that Committee to the Administrator of General Services in 1973.

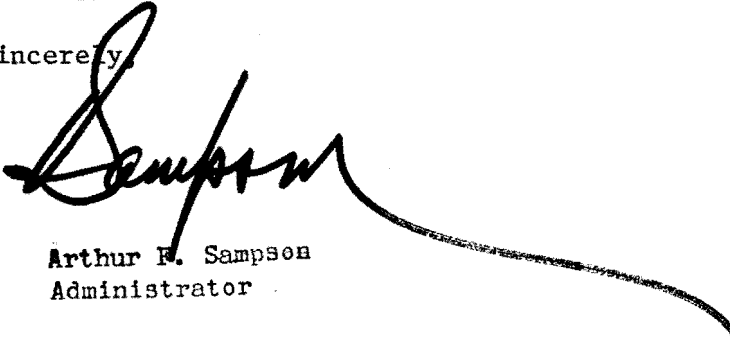
We note that this waiver provision applies to any unit of the National Park System. For example, in the case of a national monument park which might be required for a particular commemoration of a special

event, individuals could be displaced without the benefit of any assurances if they had elected to retain a use and occupancy right for a brief period of time. We also note that there is no provision in the bill requiring that former owners be advised of the waiver if they request the right to use and occupy the property for a limited period. Individuals could lose rights without even being aware of it.

The Comptroller General, in a decision addressed to the Secretary of the Army (B-48044, November 28, 1972) concerning a question arising under the Uniform Act, recognizes that it was Congress' intent that ". . . the date of moving rather than the date of acquisition is determinative in the matter of whether benefits are available under Public Law 91-646." (B-48044 at 6) In practice, displacement generally occurs subsequent to acquisition since former owners are often allowed to retain use of property already purchased by the Government while seeking replacement housing within their financial means. Such an election to retain a right of use does not result in a waiver of benefits under the Act. H.R. 14217 could prevent this procedure in all National Park System displacements thus resulting in inequitable treatment of those displaced, and inconsistent application of the Uniform Act among Federal agencies.

GSA strongly objects to section 405(b) of H.R. 14217 which would repeal the applicable section of the Uniform Act for purposes of acquisition of units of the National Park System. While this objection may or may not be considered sufficient grounds, in itself, for veto of H.R. 14217, we submit it for consideration together with the views of other agencies on the question of Presidential approval of the bill.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to read "Sampson". The signature is written over the word "Sincerely," and extends across the line for the name and title.

Arthur F. Sampson  
Administrator

Last Day - October 29

October 25, 1974

MEMORANDUM FOR:

THE PRESIDENT

FROM:

KEN COLE

SUBJECT:

Enrolled Bill H.R. 14217  
National Park System -- Ap-  
propriation ceiling increases  
and other changes

Attached for your consideration is House bill, H.R. 14217, sponsored by Representative Taylor, which provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and authorizes appropriations for additional costs of land acquisition for the National Park System.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

Secretary Morton, the Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 14217 (Tab B).

Last Day - October 29

October 25, 1974

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FROM:

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Enrolled Bill H.R. 14217  
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Secretary Morton, the Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 14217 (Tab B).

THE WHITE HOUSE  
WASHINGTON

October 24, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS  
FROM: WILLIAM E. TIMMONS *PA*  
SUBJECT: Action Memorandum - Log No. 703  
Enrolled Bill H. R. 14217 - National Park  
System - appropriation ceiling increases  
and other changes

*OMB's recommendation*  
The Office of Legislative Affairs concurs in ~~the attached~~  
~~proposal~~ and has no additional recommendations.

Attachment

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 703

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: Michael Duval  
Phil Buchen  
✓ Bill Timmons

cc (for information): Warren Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

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DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

---

SUBJECT: Enrolled Bill H.R. 14217 - National Park System --  
appropriation ceiling increases and other changes

## ACTION REQUESTED:

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

## REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

Warren K. Hendriks  
For the President

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 703

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: Michael Duval  
Phil Buchen  
Bill Timmonscc (for information): Warren Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 14217 - National Park System --  
appropriation ceiling increases and other changes

## ACTION REQUESTED:

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

## REMARKS:

Please return to Kathy Tindle - West Wing

*No objection**U.C.*PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

Warren K. Hendriks  
For the President

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 703

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: ✓ Michael Duval  
Phil Buchen  
Bill Timmonscc (for information): Warren Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

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DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

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SUBJECT: Enrolled Bill H.R. 14217 - National Park System --  
appropriation ceiling increases and other changes

## ACTION REQUESTED:

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

REMARKS:

*OK**Mike Duval 10/24*

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.If you have any questions or if you anticipate a  
delay in submitting the required material, please  
telephone the Staff Secretary immediately.

---

Warren K. Hendriks  
For the President

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 703

Date: October 23, 1974

Time: 6:00 p.m.

FOR ACTION: ☒ Michael Duval  
☒ Phil Buchen  
☒ Bill Timmons

cc (for information): Warren Hendriks  
Jerry Jones  
Paul Theis

FROM THE STAFF SECRETARY

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DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

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SUBJECT: Enrolled Bill H.R. 14217 - National Park System --  
appropriation ceiling increases and other changes

## ACTION REQUESTED:

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

## REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

---

K. R. COLE, JR.  
For the President

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

ACTION

Last Day - October 29

MEMORANDUM FOR:

THE PRESIDENT

FROM:

KEN COLE

SUBJECT:

Enrolled Bill H.R. 14217

National Park System -- appropriation ceiling increases and other changes

House bill,  
Attached for your consideration is/H.R. 14217, sponsored by Representative Taylor, which provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and authorizes appropriations for additional costs of land acquisition for the National Park System.

Roy Ash etc.

Secretary Morton, the Counsel's office, Bill Timmons and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 14217 (Tab B).

To: James H. ...  
10-23-74  
5:15 p.m.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 23 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14217 - National Park System --  
appropriation ceiling increases and other changes  
Sponsor - Rep. Taylor (D) North Carolina and  
24 others

Last Day for Action

October 29, 1974 - Tuesday

Purpose

Provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and authorizes appropriations for additional costs of land acquisition for the National Park System.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Department of the Army

Approval

Council on Environmental Quality

No objection

General Services Administration

Cites strong objections

Discussion

H.R. 14217 is an omnibus bill affecting eighteen units of the National Park System (NPS). The enrolled bill would authorize appropriations totalling \$106,491,240 as indicated below: (1) increases in appropriations ceilings for land acquisition in existing parks -- \$79,747,500 for nine areas; (2) authorizes acquisition of additional land in established parks -- \$10,227,740 in five areas; (3) increases authorizations



PROVIDING FOR INCREASES IN APPROPRIATION CEILINGS AND  
BOUNDARY CHANGES IN CERTAIN UNITS OF THE NATIONAL PARK  
SYSTEM, AUTHORIZING APPROPRIATIONS FOR ADDITIONAL COSTS  
OF LAND ACQUISITION FOR THE NATIONAL PARK SYSTEM, AND  
FOR OTHER PURPOSES

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AUGUST 14, 1974.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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

REPORT

[To accompany H.R. 14217]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 14217) 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, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 2, line 8, strike out “\$9,737,000.” and insert in lieu thereof “\$10,472,000”;

Page 3, line 1, strike out “1212;” and insert in lieu thereof “1312;”.

Page 6, following line 9, insert a new paragraph (5) as follows, renumbering the succeeding paragraphs accordingly:

(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;.

Page 6, strike out all of lines 14, 15 and 16 and insert in lieu thereof:

‘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.*’

Page 8, following line 6, insert a new section 404 as follows, renumbering the succeeding section accordingly:

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.

### INTRODUCTION

During each Congress, as many proposals for new additions to the national park system come along for the consideration and disposition of the Committee and the Congress, there also accumulate numerous other legislative measures which require attention and processing.

These often take the form of needed park boundary adjustments, appropriation authorization ceiling increases, study authorizations and similar matters. More often than not these are fairly routine and non-controversial, and have arisen as a result of changing needs and conditions requiring adjustments of existing law or the enactment of new legislation. Most often the resolution of these needs will result in improved and more effective administration of particular park units or the general operation of the entire national park system. They frequently are supportive of objectives already endorsed by the Congress in earlier legislation.

The Committee has found that the incorporation of many of these smaller measures into an omnibus bill provides an expedient and effective vehicle for the consideration of such legislation. Such an approach permits considerable saving of processing time from early Committee action through enactment, without any real sacrifice of attention to, and consideration of, the merits of the individual components of the omnibus package.

While many of the measures incorporated into an omnibus bill might not seem to be of pressing urgency as they compete for time and consideration with numerous other major pieces of legislation, they are often of central and critical importance to the well-being and effective operation of the individual park unit which they affect. For this reason it is essential that they not be set aside and left unattended in the effort to address matters of more apparent and pressing urgency.

### PURPOSE

This omnibus bill incorporates the substance of numerous measures affecting 14 different units of the national park system and the opera-

tion of the system generally. As recommended by the committee, the provisions of H.R. 14217 accomplish the following:

- (1) Authorize additional appropriations for the acquisition of lands at 10 units of the national park system.
- (2) Authorize additional appropriations for development at 5 units of the national park system.
- (3) Authorize boundary changes for 7 units of the national park system.
- (4) Authorize studies to be conducted for an existing unit of the national park system and for another historical resource complex.
- (5) Provide changes of authority for the acquisition of lands and/or the development of facilities at two units of the national park system.
- (6) Provide appropriation authority to cover land acquisition costs at various units of the national park system where the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is applicable, and to limit the application of that Act to cases where acquisition and Federal ownership and possession are simultaneous.

Public hearings were conducted on all of the measures included in the omnibus bill developed by the Subcommittee on National Parks and Recreation. This bill represented a composite of the contents of the various individual bills which had been introduced and which were before the Subcommittee for consideration. Once the Subcommittee deliberations were completed, the new language was introduced in the form of two identical bills (H.R. 14217 and H.R. 14218) by Representatives Taylor of North Carolina, Skubitz, Haley, Hosmer, Kastemeier, Don H. Clausen, Johnson of California, O'Hara, Cronin, Roncalio of Wyoming, De Lugo, Won Pat, Seiberling, Roush, Andrews of North Dakota, Green of Pennsylvania, Johnson of Colorado, Downing, Frelinghuysen, Henderson, Carter, Morgan, Benitez, Fascell, Eilberg, Rodino, Brademas, Hamilton, Roe, Coughlin, Thompson of New Jersey, Nix, Hunt, Forsythe, Sandman, Widnall, and Barrett.

The provisions of the bill, as reported by the full committee, are described below.<sup>1</sup>

<sup>1</sup> Other bills considered by the Committee and related to H.R. 14217, as recommended, include: H.R. 9626 by the late Representative Saylor—Biscayne National Monument, Florida; H.R. 9106 by the late Representative Teague of California—Channel Islands National Monument, California; H.R. 2830 and H.R. 9825 by Representative Downing—Colonial National Historical Park, Virginia; H.R. 7255 by Representative Carter—Cumberland Gap National Historical Park, Kentucky, Tennessee, Virginia; H.R. 12788 by Representative Morgan—Fort Necessity National Battlefield, Pennsylvania; H.R. 581 by Representative Green of Pennsylvania and H.R. 5040 by Representatives Green of Pennsylvania, Barrett, Eilberg, Nix, Williams, Coughlin, Ware, and Blester, and S. 417—Independence National Historical Park, Pennsylvania; H.R. 3570 by Representatives Roush, Brademas, Hamilton and Madden, and S. 584—Indiana Dunes National Lakeshore, Indiana. H.R. 2235 by Representative Andrews of North Dakota—International Peace Garden, North Dakota; H.R. 7341 by Representative Henderson—Moore's Creek National Military Park, North Carolina; H.R. 3268 by Representative Frelinghuysen and H.R. 10251 by Representatives Frelinghuysen, Maraziti, Dominick V. Daniels, Forsythe, Helstoski, Howard, Hunt, Minish, Patten, Rinaldo, Rodino, Roe, Sandman, Thompson of New Jersey, Widnall and Seiberling—Morristown National Historical Park, New Jersey; H.R. 5443 by the late Representative Saylor and Representative Camp and S. 1039—Relocation Assistance Bill; H.R. 10095 by Representative Johnson of Colorado—Rocky Mountain National Park, Colorado; H.R. 12548 by Resident Commissioner Benitez, Representatives Taylor of North Carolina, Skubitz, Stephens, Sebelius and Delegate de Lugo—San Juan National Historic Site, Puerto Rico; H.R. 12551 by Delegate de Lugo, Representatives Taylor of North Carolina, Skubitz, Stephens and Sebelius—Virgin Islands National Park, Virgin Islands; and H.R. 10650 by Representative Regula—Ohio and Erie Canal Study, Ohio.

## BRIEF DISCUSSION BY AREA OR ITEM

## BISCAYNE NATIONAL MONUMENT, FLA.

H.R. 14217 would authorize the addition of 8,738 acres of land and water along the southern boundry of Biscayne National Monument. The principal areas of fast land added by this measure are Swan and Gold Keys, a total of about 166 acres. This is an area which was initially proposed for inclusion within the boundaries of the national monument when it was authorized in 1968, it was excluded at the insistence of the owners. It is now agreed that this area should be included in the monument. To accomplish this, the legislation revises the monument boundaries and provides for an increase in the land acquisition ceiling from the current \$24,575,000 to \$28,350,000. This increase should enable the National Park Service to acquire the lands added to the monument and to complete the acquisition of the remaining unacquired lands, including the payment of anticipated deficiencies in condemnation awards for 435 acres of privately owned land within the existing monument. Of the total new authorization of \$3,775,000 provided by this legislation, \$2,025,000 represents the amount anticipated for the acquisition of new lands authorized by this bill, and \$1,750,000 represents the amount needed to satisfy anticipated deficiencies in condemnation awards.

The Committee took special note of the fact that visitor access and development at the monument has not proceeded as anticipated by the plan proposed at the time of the authorization of the monument in 1968. Now that the monument is fully authorized in the pattern originally conceived, and since acquisition is virtually complete, the Committee considers it the duty of the National Park Service to implement the development program contemplated when the monument was authorized so as to make the special features and experiences offered by this resource readily available to the visitor. Public access, interpretation and resource protection appear to be principal ingredients urgently needed.

## CHANNEL ISLANDS NATIONAL MONUMENT, CALIF.

The purpose of the provisions of H.R. 14217 relating to Channel Islands is to authorize the acquisition of land and the appropriation of development funds for the purposes of establishing a headquarters and visitor facilities center on the mainland within the Ventura Marina. The land may be acquired by donation in fee simple title only, may not exceed five acres, and may not be accepted until a mutually acceptable cooperative agreement has been executed. Such agreement is designed to assist the National Park Service in assuring that the location and design of a headquarters and visitor facilities center in this location will best serve the needs of the visitors and be in the best interests of the administration and protection of the monument. A development appropriation of \$2,936,000 is authorized for the facilities to be located at this site.

## COLONIAL NATIONAL HISTORICAL PARK, VA.

H.R. 14217 increases the land acquisition appropriation authorization from the current ceiling of \$2,777,000 to \$10,472,000. The current

ceiling has been exhausted and judgments which have been entered against the United States cannot be satisfied until action is taken by the Congress. This increased authorization will permit the acquisition of approximately 115.13 acres of inholdings in the Yorktown section of the Park, will provide funds for the payment for various access rights at numerous points along the Colonial Parkway which have been condemned, and will satisfy the outstanding judgments. It is the understanding of the committee that this authorization increase should be adequate to complete the acquisition program for this park.

## CUMBERLAND GAP NATIONAL HISTORICAL PARK, KY. AND TENN.

When this area was initially authorized, it was contemplated that all land would be acquired by donation or purchase with donated funds; therefore, the acquisition of land with appropriated funds was prohibited by the legislation. H.R. 14217 specifically authorizes the National Park Service to purchase a total of 60 acres of land within the park. These lands consist of three main parcels: A 5.49 acre tract which was formerly occupied by a commercial meat packing and distributing facility, located immediately adjacent to the park visitor and environmental education center; a second parcel consisting of three tracts totaling 43.88 acres which are needed to provide a 100-foot right-of-way for an access road to the historic Hensley settlement area of the park; and a third parcel of 5.82 acres located at the point where the states of Tennessee, Kentucky and Virginia meet. The first two properties are now owned by the National Park Foundation, and the latter parcel is owned by the Eastern National Park and Monuments Association. All of these properties are expected to be sold to the National Park Service at cost. The total acquisition authorization is not to exceed \$427,500.

This bill also authorizes a development ceiling of not to exceed \$160,000. These development funds are to be used to remove the meat-packing plant and to restore the site to its natural condition.

## FORT NECESSITY NATIONAL BATTLEFIELD, PA.

At the present time, Fort Necessity National Battlefield consists of 350 acres. An additional 150 acres have been authorized, but have not yet been acquired. This legislation authorizes the addition of approximately 411 acres, so that the total authorized battlefield acreage, as a result of this legislation, will amount to 911 acres. H.R. 14217 authorizes the appropriation of \$607,000, for a new authorization ceiling of \$722,000 for land acquisition. When appropriated, this money should be sufficient to accomplish the acquisition of the former 150 acres remaining to be acquired under earlier authority, along with the additional 411 new acres authorized by this legislation.

The land remaining to be acquired consists of twelve tracts in various ownerships. One 235-acre tract is a portion of a larger parcel once owned by George Washington, and constitutes his original land patent at Fort Necessity.

## INDEPENDENCE NATIONAL HISTORICAL PARK, PA.

H.R. 14217 authorizes the acquisition of approximately 4.67 acres of land adjacent to Independence National Historical Park, known as "Project F." About one acre of this land will be purchased in fee, upon which will be constructed a 550 car parking facility. This facility, which is badly needed to serve visitors to the park, will be constructed, maintained and operated by the City of Philadelphia through a contract with the Secretary. The committee understands that nominal parking fees will be charged for park visitors, but that the fees will be structured to discourage use by persons not temporarily visiting the park. The contract is to provide that when the City has finally amortized its capital investment, all right and title to the facility will transfer automatically to the United States.

On the remainder of the 4.67 acres, the Secretary is prohibited from exercising condemnation authority so long as the properties remain in compliance with a duly adopted, valid zoning ordinance which is acceptable to the Secretary and which is designed to assure the preservation of the historical integrity of the area.

This parking facility has long been needed, and will be especially necessary to accommodate the heavy visitation expected to peak in 1976 during the Bicentennial year, provided it can be completed in time.

This legislation authorizes \$1,592,000 for land acquisition within the "Project F" area.

## INDIANA DUNES NATIONAL LAKESHORE, IND.

The original legislation authorizing the Indiana Dunes National Lakeshore provided an acquisition ceiling of \$27,900,000. That entire amount has been appropriated, yet there remains to be acquired a total of 1,872.55 acres of privately owned lands. There is a need, therefore, to increase the existing appropriation ceiling by \$7,626,000, to a new authorization ceiling of \$35,526,000, in order to complete the total land acquisition program. H.R. 14217 is designed to accomplish this objective.

The increase in acquisition costs over the 1966 estimates is in part attributable to inflation in land values, to increased costs arising from the Relocation Assistance Act, and, in part, to a decision by the U.S. Court of Appeals concerning the proper method of valuing certain tracts.

It is important to stress that this increased funding authorization is applicable only to those lands included within the boundaries of the 1966 authorizing legislation and has no relationship to the various subsequent legislative proposals which would add new lands to the lakeshore.

## INTERNATIONAL PEACE GARDEN, N. DAK.

This project, initiated in 1931, is designed to commemorate the continued peaceful relationship between the United States and Canada, and it straddles the international boundary. The area consists of 2,330.3 acres which includes a formal garden area and an informal developed area. Yet to be constructed as the major feature of the area is the Peace Tower.

This legislation authorizes an increase in the development authorization ceiling from the current \$400,000 to a new \$1,702,000.

These funds will be applied to finishing the half-completed formal garden and the construction of the Peace Tower. Cost estimates for the United States share for completion of the formal garden section are \$802,000 and \$500,000 for the U.S. share of the cost of the tower. These expenses for the United States contribution will be borne totally by the Federal government, whereas the expenses for completing the informal developed area are expected to be the responsibility of the State of North Dakota.

## LAVA BEDS NATIONAL MONUMENT, CALIF.

H.R. 14217 will effect various boundary adjustments along the northern edge of the monument. Approximately 321.58 acres will be added to the monument, and about 60.12 acres will be removed from it. All lands involved in this exchange are Federally owned. Those lands deleted from the boundaries of the monument will be administered by the Bureau of Reclamation, with assistance under a cooperative agreement with the U.S. Fish and Wildlife Service. As a result of this boundary adjustment, the entire Lava Beds National Monument north boundary road and scenic overlook will now be located within the monument. Historic areas such as Wineman's Cave, Gillem's Camp, Canby's Cross, and significant archeological sites along the ancient Tule Lake shoreline will also be placed under National Park Service protection and management.

## MOORES CREEK NATIONAL MILITARY PARK, N.C.

The provisions of H.R. 14217 would make possible the acquisition of an additional 35.02 acres needed for the park by authorizing \$243,000 to be appropriated for this purchase. The estimated total cost of this land is \$253,000, but the remaining \$10,000 is expected to be made available by the State of North Carolina from matching funds already appropriated by the General Assembly. Federal lands within the area now total approximately 42.23 acres.

Of the new acreage to be acquired, 12 acres are of prime historic significance. The remaining acreage is needed to provide necessary visitor developments and for the relocation of a state highway.

This legislation provides a development appropriation ceiling of \$325,000, and also broadens the current acquisition authority to include acquisition by purchase or exchange.

## MORRISTOWN NATIONAL HISTORICAL PARK, N.J.

Morristown National Historical Park contains the sites of important military encampments during the Revolutionary War, including George Washington's headquarters in 1779-80. The park now consists of approximately 1,340 acres.

H.R. 14217 increases the current authorization ceiling from \$281,000 to \$2,111,000 to accommodate the purchase of 201.83 acres of additional lands. This authorization includes funds for the purchase of 165 acres presently held by the North Jersey Conservation Foundation known as the "Cross Estate". The remaining lands consist of five tracts

located adjacent to the existing park. Some of this land is adjacent to the headquarters of the park. It is needed for visitor parking and to serve as a buffer against possible adverse development.

While the recommendation of the Department of the Interior did not include the 165-acre "Cross Estate", spokesmen for the Department recognized the historical and open space values of the addition. Because of the nearly unanimous agreement with respect to this addition, the Committee was persuaded that this property should become a part of the historical park.

#### OHIO AND ERIE CANAL, OHIO

The Ohio and Erie Canal was constructed in the early 1800s and served for many years as a key transportation artery influencing much of the early growth and development of Ohio. Remnants of much of the canal continue to exist today in various states of repair, and about one-third of the canal yet retains water.

After hearings were held on a proposal for a study to be conducted to determine the most feasible and suitable means of preserving and interpreting the historic and natural values along the canal, the Committee adopted an amendment to incorporate this study provision in this omnibus bill. The report of such recommendations is to be submitted by the Secretary of the Interior to the Congress within one year after the date of enactment of this legislation, and \$40,000 is authorized to be appropriated for the study.

#### ROCKY MOUNTAIN NATIONAL PARK, COLO.

This legislation provides for the addition of 1,556.21 acres in the Kawuneeche Valley to the western boundary of Rocky Mountain National Park. This acreage includes five prime parcels worthy of addition to the park. With the steady progression of commercial and summer home development into the area, it is important that this area be acquired promptly before it is adversely affected.

It is the intention of the National Park Service to purchase these lands on an opportunity basis if the lands become available. Condemnation is not to be exercised unless the lands are threatened by adverse use or development.

This legislation authorizes the appropriation of \$2,423,740 for acquisition and \$318,000 for development.

#### SAN JUAN NATIONAL HISTORIC SITE, P.R.

Earlier this year, members of the Subcommittee visited the San Juan National Historic Site as part of a field inspection trip. The members were concerned over the severity of the erosion which is occurring to the foundations of the old 16th century fortifications of the historic site, primarily as a result of ocean wave action.

For many years the National Park Service has been aware of, and concerned with, this damage. The Committee understands that studies of the problem have been conducted, the most comprehensive of which was completed by the Corps of Engineers in 1971. Cost estimates for repair and prevention of further erosion damage were developed, but

some of the recommendations would apparently be difficult to implement without incurring significant adverse effect upon the scenic and historical integrity of the resource. The Committee is concerned that, in the absence of prompt action, the safety of the visiting public may be jeopardized, and the resources may suffer irreparable erosion damage. H.R. 14217 provides not to exceed \$100,000 to fund a study to define the best and most acceptable methods for repairing and curtailing further erosion damage and requires the Secretary to report his recommendations to the Congress in light of all pertinent information available to him.

#### VIRGIN ISLANDS NATIONAL PARK, V.I.

The Virgin Islands National Park occupies a major portion of the acreage of the island of St. John. Of the lands within the park, all but 2,709 acres have been acquired. Some of these lands offer attractive development opportunities; consequently, the existing land acquisition authorization ceiling of \$1,250,000 is far short of the funding needs in this area. This legislation raises the ceiling to \$12,250,000 so that the high priority acquisition of approximately 1,135 acres of waterfront property can be accomplished before adverse development occurs. The members of the subcommittee who were able to visit the park on a field inspection trip were most impressed with the compelling urgency for the prevention of adverse development on these key parcels.

#### RELOCATION ASSISTANCE

H.R. 14217 provides authority for the National Park Service to exceed statutory ceilings on land acquisition in order to provide required relocation assistance benefits for property owners in areas authorized before such costs were incorporated into the authorization ceilings. This would apply principally to legislation enacted prior to January 1971, where appropriation authority was generally not provided for payment of expenses arising from the enactment of the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970.

H.R. 14217 also provides that owners who elect to retain a right of use and occupancy on property authorized for acquisition for inclusion within a unit of the national park system must waive their right to relocation assistance benefits. The committee felt that it was not the intention of the Relocation Assistance Act to enrich persons who were not immediately displaced by the Federal acquisition of their property; consequently, if a landowner elects to retain a limited estate in the acquired property, the committee concluded that he should not be entitled to relocation assistance at the time he vacates the property.

#### SECTION-BY-SECTION ANALYSIS OF H.R. 14217

*Section 101* authorizes increased appropriation ceilings for land acquisition programs at 10 park units:

Biscayne Bay National Monument, Florida  
Colonial National Historical Park, Virginia  
Cumberland Gap National Historical Park, Kentucky and Tennessee



Fort Necessity National Battlefield, Pennsylvania  
 Indiana Dunes National Lakeshore, Indiana  
 Moores Creek National Military Park, North Carolina  
 Morristown National Historical Park, New Jersey  
 Rocky Mountain National Park, Colorado  
 Virgin Islands National Park, Virgin Islands

*Section 201* authorizes increased appropriation ceilings for development at 5 park units:

Channel Islands National Monument, California  
 Cumberland Gap National Historical Park, Kentucky and Tennessee

International Peace Garden, North Dakota  
 Moores Creek National Military Park, North Carolina  
 Rocky Mountain National Park, Colorado

*Section 301* makes boundary revisions at the following areas:

Biscayne National Monument (add 8,738 acres)  
 Cumberland Gap National Historical Park (add 60 acres)  
 Fort Necessity National Battlefield (add 411 acres)  
 Independence National Historical Park (add 4.67 acres)  
 Lava Beds National Monument (add 261.46 acres net)  
 Morristown National Historical Park (add 465 acres)  
 Rocky Mountain National Park (add 1,556.21 acres)

*Section 401* authorizes the Secretary to accept the donation of certain lands for use as an administrative site for the Channel Islands National Monument.

*Section 402* authorizes the Secretary to purchase lands with donated or appropriated funds at Moores Creek National Military Park.

*Section 403* authorizes and directs the Secretary of Interior, in cooperation with the Secretary of the Army, to study the erosion problems at San Juan National Historic Site and to report his recommendation to the Congress within one year after the date of the enactment of this legislation. To conduct this study, up to \$100,000 is authorized to be appropriated.

*Section 404* authorizes and directs the Secretary of Interior to conduct a study to determine the most feasible and suitable means of preserving and interpreting the historical and natural resources of the Ohio and Erie Canal in Ohio. The results of this study are to be reported to the Congress within one year after the date of enactment of this legislation, and up to \$40,000 is authorized to be appropriated for the study.

*Section 405* provides that in those cases where park units were authorized prior to the enactment of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, such additional sums as are needed to cover these costs are authorized to be appropriated. In addition, this section waives the requirements to provide such relocation assistance benefits where landowners elect to retain a limited right of use and occupancy of the property being acquired.

#### COMMITTEE AMENDMENTS

The committee approved three substantive amendments to the bill. They are:

(1) At Colonial National Historical Park, the Committee revised the authorization to conform with the most current cost

estimates for land acquisition; thus, increasing the authorization ceiling from \$9,737,000 to \$10,472,000.

(2) At Lava Beds National Monument, the Committee added language to make certain boundary adjustments to establish a more easily recognizable boundary. This amendment was approved at the suggestion of Representative Harold Johnson of California who represents the area involved. Since all of the lands involved are Federally owned, no appropriations will be acquired to effectuate this change.

(3) With respect to the Ohio and Erie Canal, the Committee added language to authorize a study to be made of a segment of the canal for historical preservation and recreation purposes. This amendment was suggested by Representative Ralph Regula, the sponsor of H.R. 10650 (a similar study proposal which was the subject of a public hearing before the Subcommittee on National Parks and Recreation on March 1, 1974).

#### COST

Total cost for the various authorizations is \$42,400,240, broken down by categories as follows: land acquisition, \$37,219,240; development, \$5,041,000; and study, \$140,000.

#### COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs approved H.R. 14217, with amendments, by a voice vote. It now recommends enactment of the bill by the House of Representatives.

#### DEPARTMENTAL REPORTS AND EXECUTIVE COMMUNICATION

The appropriate reports and an executive communication from the Department of the Interior on measures incorporated into H.R. 14217 follow:

##### BISCAYNE NATIONAL MONUMENT

U.S. DEPARTMENT OF THE INTERIOR,  
 OFFICE OF THE SECRETARY,  
 Washington, D.C., February 15, 1974.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 9626, a bill "To revise the authorized boundary of the Biscayne National Monument in the State of Florida, and for other purposes."

H.R. 9626 amends the Act of October 18, 1968 (82 Stat. 1188, 16 U.S.C. 450qq), which authorized the establishment of Biscayne National Monument in Florida, to add 8,700 acres of land and water to the existing monument.

Acquisition contemplated by H.R. 9626 will include 166.19 acres of private lands, and 2,051.56 acres of State lands. There are also included 6,520.30 acres of Federal lands. The added acreage totals 8,738.05.

Should the Committee act favorably on this bill, we estimate the cost of acquiring the private lands at \$2,025,000. An additional appropriation authorization will be necessary to permit acquisition of the private lands added by H.R. 9626, because the appropriation authorization contained in the original legislation has been entirely appropriated. In this connection, we have been advised recently by the Department of Justice that condemnation awards in actions brought to acquire lands in the existing boundary will be in excess of original estimates by some \$1,750,000. While we defer to the judgment of this Committee as to the acquisition contemplated in H.R. 9626, we would recommend that the 1968 Act be revised to provide for this \$1,750,000.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### CHANNEL ISLANDS NATIONAL MONUMENT

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 14, 1974.*

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 9106, a bill "To authorize the establishment of a mainland headquarters for the Channel Islands National Monument in the State of California, and for other purposes."

We recommend that the Congress defer action on this bill until a number of questions concerning the suitability of the Ventura Marina site as an administrative facility for the Channel Islands National Monument and its impact on the resources of the monument can be resolved.

Channel Islands National Monument consists of two of the Channel Islands off the coast of California—Santa Barbara and Anacapa Islands, together with surrounding waters and submerged lands. Total acreage of the monument is 18,166.68, of which 1,119.98 acres is land area. The monument hosts a large rookery of sea lions, many nesting seabirds, and some unique plants and animals.

Approximately 53,200 visits to the monument were recorded in 1973. The monument was created from Federal lands by proclamations No. 2281 of April 26, 1938 (52 Stat. 1541), and No. 2825 of February 9, 1949 (63 Stat. 1258), under authority of section 2 of the Act of June 8, 1906 (34 Stat. 225).

At the present, the monument administrative offices are located in rented office space in downtown Oxnard, about five miles from the nearest shoreline area. The primary means of effecting Park Service authority over the islands and for carrying out all physical functions is the patrol boat *Cougar*. This vessel is now berthed at Channel Islands Marina.

The Board of Port Commissioners, Ventura Port District, has offered to donate a 3.097-acre headquarters site located on the waterfront in the Ventura Marina, consisting of 1.793 acres of dry land and 1.304 acres of submerged land. The National Park Service has studied several proposed sites for a mainland headquarters, including the Ventura Marina facility.

As mentioned above, the Channel Islands National Monument is a prime habitat for many species of wildlife and with respect to some species, the islands represent the only remaining sanctuary in this part of the world. This area supports one of the few breeding colonies of the rare bull elephant seal. Rarer still is the Guadalupe fur seal. Long thought to have been extinct, this eared seal has been sighted in recent years near the Channel Islands. Many other varieties of mammals and birds are present. Also of great value is the tide-pool life which is fast vanishing in California. While public use of the monument is currently permitted, it is generally of a limited nature. We are concerned that the establishment of a mainland headquarters for the monument in the Ventura Marina may lead to such an increase in visitation that the sheer numbers may outweigh the improved visitor orientation that could be provided at such a headquarters. We firmly believe that special consideration should be given to the visitor carrying capacity of the monument and the impact on the existing marine fauna and flora of any increased visitation. While we do know that some increased visitation can be expected, its relation to the capacity of these resources has not yet been determined.

In addition, the contractual terms of the donation from the Port Commissioners have not been sufficiently clarified with respect to the terms of acceptance, the collection of fees and construction costs, so as to enable us to recommend favorably on this bill. For these reasons we are recommending that the Congress defer action on H.R. 9106 until such time as these issues are resolved.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### COLONIAL NATIONAL HISTORICAL PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 15, 1974.*

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 2830, a bill "To authorize an increase in funds for land acquisition at Colonial National Historical Park, in the State of Virginia, and for other purposes." Your Committee also orally requested the views on H.R. 9825, a similar bill "To increase the

amount of appropriations authorized for property acquisitions for the Colonial National Historical Park, in Yorktown, Virginia."

We recommend the enactment of H.R. 2830, if amended as suggested herein.

H.R. 2830 would amend the Act of August 29, 1967 (81 Stat. 176), to increase the land acquisition appropriation authorization for Colonial National Historical Park from \$2,277,000 to \$9,737,000. H.R. 9825 would amend section 4 of the Act of July 3, 1930 (16 U.S.C. 81f), to increase the land acquisition appropriation authorization for that park from \$2,777,000 to \$2,867,000.

Colonial National Historical Park comprises four units: Yorktown, Jamestown, The Colonial Parkway, and The Cape Henry Memorial. The proposed appropriation authorization increase will allow purchase of inholdings at Yorktown and of access rights at numerous points along the Colonial Parkway.

Many of the inholdings at Yorktown are occupied by private residences, some of which are located on important historic properties. Voluntary acquisition of these inholdings was not feasible inasmuch as low appraisal values yielded offering prices insufficient to permit relocation of residents. However, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 now enables them to secure adequate compensation for relocation.

Land acquisition costs are expected to total \$5,812,000. This figure includes \$96,500 to satisfy a judgment arising from a Declaration of Taking filed on May 2, 1962, on access rights. We understand that H.R. 9825 was introduced specifically to authorize an increase in the land acquisition appropriation authorization sufficient to cover that award.

We recommend that H.R. 2830, beginning with line 3, be amended to read as follows:

That the appropriation authorization in section 4 of the Act of July 3, 1930, as amended (46 Stat. 856), is amended by deleting "\$2,777,000" and substituting in lieu thereof "\$8,589,000."

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### CUMBERLAND GAP NATIONAL HISTORICAL PARK

U. S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: Your Committee has requested our comments on H.R. 7255, a bill "To authorize the acquisition of certain lands for addition to the Cumberland Gap National Historical Park, and for other purposes."

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

H.R. 7255 would authorize the Secretary of the Interior to acquire by donation, purchase, or exchange not to exceed fifty acres of land or interests in land located in Bell County, Kentucky, for addition to the Cumberland Gap National Historical Park, and it would authorize the appropriation of such funds as are necessary to carry out the purpose of the bill.

Enactment of H.R. 7255 is needed to authorize the acquisition of certain lands with appropriated funds, which is prohibited by the legislation authorizing the Cumberland Gap National Historical Park (Acts of June 11, 1940 (54 Stat. 262), May 26, 1943 (57 Stat. 85), and July 26, 1961 (75 Stat. 224)). National Park Service studies have shown that certain lands should be acquired and added to the park in order properly to protect and interpret the historic scene and features so that visitor enjoyment and understanding of the values to be found here may be enhanced.

The lands which we propose to add to the park consist of three principal parcels. The first of these is known as the Schneider Tract. It contains 5.49 acres and was formerly a commercial meat packing and distributing facility located within the authorized park boundaries. This facility is located immediately adjacent to the park visitor center and environmental education center. While it was in operation, smoke, offensive odors, and run-down buildings and debris were within sight and smell of visitors that number nearly 500,000 annually. In 1971, the National Park Foundation purchased this property. The meat packing operation ceased, but many of the buildings still stand. We wish to acquire the site, remove or bury the remaining buildings, roads and parking areas, and landscape the grounds. We estimate the funds needed to reimburse the National Park Foundation for the purchase of the property will amount to \$403,000. Restoration of the site will cost about \$160,000.

The second parcel proposed to be acquired contains three tracts totalling 43.88 acres. It will provide a 100-foot right-of-way for an access road to the Historic Hensley Settlement feature of the park. At present the site is inaccessible to conventional automobiles. An access route is available outside park lands via an abandoned logging road up Shillalah Creek. By acquiring this existing road and improving it, an access for standard vehicles to Hensley Settlement can be obtained with a minimal amount of environmental damage.

Again, the National Park Foundation has been effective in acquiring these lands and holding them until they can be conveyed to the Federal Government. The foundation has purchased two of the three tracts and is negotiating an option to purchase the third property. Funds required to reimburse the foundation for purchasing these properties are estimated at approximately \$18,000.

The third parcel proposed for acquisition is a 5.82-acre tract in Claiborne County, Tennessee, located at the point where Tennessee, Virginia, and Kentucky all meet. The tract is owned by the Eastern National Park and Monument Association, which has offered it for sale to the United States. We believe these lands should be acquired and included in the park to preserve the historic scene and to obtain



historic features located thereon. The tract is strategically located in the line of view of historic Cumberland Gap, and maintenance of forest cover in this area is crucial to restoration of the Gap's historical appearance. Also, on this property are Civil War fortifications representative of several that were built on the shoulders of the Gap.

Funds needed to purchase this property from the Association are estimated at \$6,500. We do not plan any development of this tract at the present time.

The three parcels proposed for acquisition total 55.19 acres. H.R. 7255 would authorize the Secretary to acquire "not to exceed fifty acres of land or interests in land located in Bell County, Kentucky . . ." Since we propose to acquire lands in excess of fifty acres, some of which are in Tennessee, we recommend that lines 7 and 8 on page 1 of the bill be amended to read as follows: "not to exceed sixty acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to the Cumberland."

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### FORT NECESSITY NATIONAL BATTLEFIELD

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 14, 1974.*

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

DEAR MR. CHAIRMAN: This is in response to your request for this Department's views on H.R. 12738, a bill "To amend the Act of August 10, 1961, to authorize further additions to Fort Necessity National Battlefield, Pennsylvania, and for other purposes."

We recommend the enactment of the bill, amended as suggested herein.

H.R. 12738 would authorize further land acquisitions for the Fort Necessity National Battlefield in Pennsylvania and would increase the amount authorized to be appropriated for land acquisitions for addition to the battlefield.

The Act of March 4, 1931 (46 Stat. 1522), authorized the acceptance of donations of not less than 1 acre for the purpose of commemorating the Battle of Fort Necessity which occurred on July 3, 1757, during the French and Indian War. The Act of August 10, 1961 (75 Stat. 336), authorized the acquisition, purchase, donation, exchange, or otherwise, of 500 acres of additional lands for the site, and authorized to be appropriated \$115,000 for that purpose. H.R. 12738 would amend the Act of August 10, 1961, by increasing the amount of land authorized to be acquired for addition to the battlefield from 500

acres to 1,020 acres, and by increasing the amount authorized to be appropriated for land acquisition from \$115,000 to \$615,000.

The National Battlefield presently consists of 350.26 acres. The \$115,000 authorized in the 1961 Act has been appropriated and expended. We have not yet acquired about 149.74 acres under the 1961 authorization and an additional 410.84 acres have since been identified as necessary to the proper protection of the battlefield. Accordingly, there is a need to amend the 1961 Act to increase the acreage limitation to 910.84 acres, i.e., the existing 350.26 acres plus 560.58 acres needed for addition to the area, and to increase the amount authorized to be appropriated for land acquisition. The estimated cost of acquiring the additional land is \$606,300, which includes \$60,000 for costs that would be incurred due to the mandatory provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The new authorization, when added to the \$115,000 already expended, would therefore amount to \$721,300.

The additional lands are needed primarily to assure preservation and restoration of the historic scene. The additional 560.58 acres which would be acquired pursuant to the bill consist of 12 tracts. The State of Pennsylvania owns 0.015 acres, the county of Fayette owns 8.33 acres, the National Park Foundation owns 265.31 acres, and the remaining 286.9242 acres are privately owned. Improvements on the private properties consist of 4 farm units, 4 year-round residences, 1 service station, 2 stores, and 1 converted church building. Included in the additional lands that would be acquired is a portion of a 235-acre tract which is the original George Washington land patent at Fort Necessity. George Washington owned the land from 1769 to 1799. Estimated real property taxes represented by the lands to be acquired were \$1,908.80 in 1972.

In order that the figures in the bill reflect our most current needs as to acreage and funding, we recommend that it be amended (a) by changing "1,020 acres" to "911 acres" in line 7, and (b) by changing "\$615,000" to "\$722,000" in line 9.

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

Sincerely yours,

JACK HORTON,  
*Assistant Secretary of the Interior.*

#### INDEPENDENCE NATIONAL HISTORIC PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., September 20, 1973.*

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 5040, a bill "To amend the Act of June 28, 1948, to provide for the addition of certain

property in Philadelphia, Pennsylvania, to Independence National Historic Park." This report also includes H.R. 581, an identical bill.

We recommend enactment of either H.R. 5040 or H.R. 581, if amended as suggested in this report.

The bills would amend the Act approved June 28, 1948, which established Independence National Historical Park in Philadelphia, to add a new area to the park, described as project F. This area, bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, is located between the existing Federal area and the planned development along the Delaware River known as Penn's Landing. The Secretary would be authorized to acquire land in project F by donation or purchase, except that the Secretary's condemnation authority would be suspended while a duly adopted, valid zoning ordinance, approved by the Secretary, is in force. The bills contemplate that the Secretary will acquire fee title to lands in the area bounded by Ionic Street, Second Street, Sansom Street and Front Street and enter into a contract with the city of Philadelphia under which the city will build and operate on a part of that land a public parking facility for visitors to Independence National Historical Park. The city is authorized to charge reasonable fees, as determined jointly by the city and the Secretary. Under the terms of the bills, all parking fees collected from the parking facility by the city are to be utilized, first, to meet maintenance and operating expenses of the facility and second, to amortize the city's capital investment in improving and developing the facility. Upon complete amortization of the city's investment, the contract with the city will terminate and full title to the facility will vest in the United States. The plan for the parking facility must meet with the approval of the Secretary.

The bills raise the appropriation ceiling in section 6 of the 1948 Act by \$1,150,000 to \$12,350,000, to permit acquisition of land in the project F area.

The addition of project F to the park, as contemplated by H.R. 5040 and H.R. 581, would serve several purposes. First, it would allow for provision of badly needed visitor parking for the park. A substantial portion of the visitors have been parking in a lot one block west of project F which is going to be utilized for a new visitor center, construction of which has already begun. In addition, we expect the total number of visitors to the park to increase markedly during the coming bicentennial celebration and also expect that a higher proportion of them will be arriving in automobiles because of the convenient access that will be provided by the Delaware Expressway, which will run nearby. Parking facilities therefore are needed both to replace parking space that is being converted to other use and to accommodate increased visitation. The city has indicated its willingness to build a multi-story public parking facility with a capacity of about 550 automobiles on Project F lands acquired in fee by the Secretary. Care will be taken to ensure that the historic setting is not disrupted by the facility where this can be avoided. The National Park Service plans to attempt to preserve the facades of three buildings now standing where the parking facility will be built, and to incorporate them into the parking structure.

Project F will also provide for historic zoning of this area, with Federal acquisition permitted if zoning is not adequate. In addition, the National Park Service intends to acquire and restore the Robert Fulton House, located at 129 South Second Street, which was built about 1765 and which was for a time the home of the artist and inventor Robert Fulton. It also plans to create and landscape a pedestrian mall along Sansom Street, linking the main body of Independence National Historical Park with the Penn's Landing development along the river, which is being developed by the city-created Penn's Landing Development Corporation, and which will include offices, motel and hotel units, apartments, commercial and recreational facilities, and museums.

The Secretary's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments endorsed the idea of acquiring the "project F" area at its 65th annual meeting in October 1971.

Project F includes 4.67 acres, .659 of which are now owned by the city of Philadelphia, and 4.011 of which are in private ownership. We would expect to acquire 1.026 acres of the private land in fee, and the remaining 2.985 acres would remain in private ownership subject to historic zoning controls satisfactory to the Secretary and the city. The city has indicated its willingness to carry out the historic zoning for the project F area. Historic zoning which is now in force in other nearby portions of Philadelphia, includes restrictions on building height, construction materials, and types of use. We estimate that the cost of acquiring in fee the 1.026 acres of private land will be \$1,592,000. Other Federal expenditures attributable to addition of project F to the park will be \$2,011,600 for development, including \$600,000 for preservation of facades of 125 and 127 S. Second Street and 114 S. Front Street, \$725,000 for demolition of existing structures, and landscaping, \$325,000 for restoration of the Fulton House and \$111,000 for exhibits, interpretive devices and informative signs. Operating costs are expected to be about \$66,000 per year in the first 5 years after enactment. A man-year and cost data statement is enclosed.

We would suggest the following amendments to the bills. The page and line references are to H.R. 5040. All amendments, except the fifth, are technical in nature:

1. Amend line 6, page 1, to read: "(407m), as amended, is amended as follows:" This change incorporates a reference to the amendments to the 1948 Act.

2. Amend line 8, page 1, to read: "in the first section of such Act is amended (a) by inserting after the phrase 'is authorized to acquire by donation or with donated funds, or to acquire by purchase, any property' the phrase, 'or interest in property,' and (b) by striking out".

This amendment will make it clear that acquisition of interests in land such as scenic easements is permitted, as well as acquisition of fee interests.

3. Delete subsection 3 of the bill, which begins on line 10 of page 2, and renumber the following subsections accordingly.

This is an editorial change deleting reference to acquisition authority in section 3 and the specific authority of the Secretary to enter into an agreement or contract for the construction of the public parking facility by the city of Philadelphia on Project F lands acquired in fee by

the Secretary, together with incidental provisions relating to the development, operation, and disposition of that facility. The acquisition authority already is conferred by section 1 of the 1948 Act, as amended, and thus need not be restated here.

The specific authorities relating to the public parking facility duplicate authorities the Secretary presently may exercise. Pursuant to section 3 of the Act of August 25, 1916, as amended and supplemented (39 Stat. 535; 16 U.S.C. 3), the Secretary is authorized to contract, for periods up to thirty years, for the use of National Park System lands for the accommodation of visitors, and he may authorize such contractors to incur indebtedness for the installation of related plant and equipment. These parking services also could be provided under a concession contract with the Secretary pursuant to the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20-20g), provided legal title to the parking facility is vested in the United States. At an appropriate time relinquishment of the possessory interest in the facility could be accepted by the Secretary or, pursuant to provisions of the Act of December 18, 1967 (81 Stat. 656; 16 U.S.C. 19e-19n), by the National Park Foundation for the benefit of the National Park Service.

4. Add a new subsection containing the following language: "Notwithstanding any other provision of law, the Secretary may develop property on the site of Sansom Street between Front and Second Streets as a pedestrian thoroughfare or mall without regard to whether title thereto is in the United States, pursuant to a cooperative agreement with the city of Philadelphia."

This language would implement the city's intention to retain ownership of Sansom Street, which the National Park Service plans to develop as a pedestrian mall. Express authorization, such as the above, is needed for the Federal Government to expend funds on land not owned by it. As a conforming amendment, lines 7 to 9 of page 2 can be deleted as duplicative.

5. Amend line 10 of page 3, to delete the amount "\$12,350,000" and replace it with the amount "\$12,792,000." We have determined that because of rising land costs, this higher amount will be needed to purchase the acreage planned to be acquired.

6. Amend line 17, page 3, to add after the phrase "project F", the phrase ", except that portion bounded by Ionic Street, Second Street, Sansom Street and Front Street." This amendment will assure that the Secretary will have authority to condemn, if necessary, that part of project F land on which the parking facility will be constructed.

From its inception, Independence National Historical Park has been developed in close cooperation with the city of Philadelphia. The result has been the preservation of priceless examples of our Nation's heritage in the attractive setting of Old Philadelphia. Project F, including the planned parking facility, historic zoning, and mall, will be another excellent product of this continuing cooperation.

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

Sincerely yours,

JOHN KYL,

*Assistant Secretary of the Interior.*

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE  
INDEPENDENCE NATIONAL HISTORICAL PARK—AREA "F"

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
<b>Estimated additional expenditures:</b>					
Personnel services	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000
All other	1,966,000	1,252,000	460,000	25,000	25,000
<b>Total</b>	<b>2,008,000</b>	<b>1,294,000</b>	<b>502,000</b>	<b>67,000</b>	<b>67,000</b>
<b>Estimated additional obligations:</b>					
Land and property acquisition	1,592,000				
Developments	350,000	1,227,000	435,000		
Operations (management, protection and maintenance, planning, development and operation of recreation facilities)	66,000	66,000	66,000	66,000	66,000
<b>Total</b>	<b>2,008,000</b>	<b>1,293,000</b>	<b>501,000</b>	<b>66,000</b>	<b>66,000</b>
<b>Total, estimated additional man-years of civilian employment</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>

INDIANA DUNES NATIONAL LAKESHORE

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., October 24, 1973.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 3570, a bill "To amend the Act entitled 'An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes', approved November 5, 1966." Our report also includes a similar bill, H.R. 1674.

We recommend enactment of H.R. 3570 or H.R. 1674, if amended as suggested in this report.

H.R. 3570 would amend section 10 of the Act which established the Indiana Dunes National Lakeshore in 1966 (80 Stat. 1309 *et seq.*, 16 U.S.C. 460u *et seq.*), to increase the authorization for land acquisition from \$27,900,000 to \$32,600,000, an increase of \$4,700,000. H.R. 1674 would similarly increase the authorization to \$32,536,500.

The Indiana Dunes National Lakeshore, designated by Congress in 1966, contains an unusual complex of exceptional dunes, rising to heights of 200 feet; numerous marshes, swamps, and bogs; a diversity of flora and fauna; and attractive sand beaches along the lakeshore. In addition to being of scientific interest, the area is ideally suited to meeting the recreational needs of people of the region. There are more than 9.5 million people living within a 100-mile radius of the national lakeshore. When completed, the Indiana Dunes National Lakeshore will provide ideal conditions for beachgoers as well as for hikers, campers, and naturalists.

The total authorized area contains about 8,330 acres, of which approximately 3,490 are now in Federal ownership. There remain to be acquired 1,872.55 acres in private ownership. The entire amount authorized for land acquisition by the 1966 Act has now been appropriated, however, and all but approximately \$1 million of this amount, which is being held as a Departmental contingency reserve to meet

deficiency judgments, has been expended as of September 1973. It is estimated that the cost of acquiring the remaining 1,872.55 acres in private ownership will be an additional \$7,626,000.

The increase in acquisition costs over the 1966 estimates is in part attributable to inflation in land values and in part to a decision by the U.S. Court of Appeals concerning the proper method of valuing certain tracts. Of the additional amount needed to complete acquisition, it is expected that about \$3,330,000 will be used to pay deficiency judgment awards to sellers when the outcomes of condemnation suits now underway are determined. In addition, \$3,457,000 will be used to acquire lands and improvements which are either purchased with the owner's consent or are the subject of future condemnation suits.

Administrative costs are expected to total \$432,000 and \$407,000 would be expended to meet obligations under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 that are attributable to lands acquired with the additional \$7.6 million.

(Obligations have also been incurred under the Relocation Assistance Act for lands acquired under the existing authorization of \$27.9 million, but these obligations can be met under the provisions of the Administration's bill now before Congress, H.R. 5443, which would allow acquisition authorization ceilings to be exceeded to meet obligations under the Relocation Assistance Act for acquisition authorizations enacted prior to January 1971.)

In order that H.R. 3570 and H.R. 1674 authorize funds sufficient to acquire the remaining private lands, we recommend that the amounts "\$32,600,000" and "\$32,536,500", respectively, be deleted from line 8 of the bills and be replaced with the amount "\$35,526,000". We also recommend a perfecting amendment to H.R. 1674: The word "Indian" in the title of the bill should be replaced with "Indiana".

Now, more than 6 years after congressional authorization of the project, the potential recreation opportunities offered by the Indiana Dunes National Lakeshore are needed more than ever. Enactment of H.R. 3570 or H.R. 1674 will make it possible to acquire the full area authorized in 1966 to meet this need, fulfilling the intent of Congress in this unique natural area.

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

Sincerely yours,

CURTIS BOHLEN,  
*Deputy Assistant Secretary.*

#### INTERNATIONAL PEACE GARDEN

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,

*Washington, D.C., February 14, 1974.*

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

DEAR MR. CHAIRMAN: Your Committee has requested this Department to furnish a report on H.R. 2235, a bill "To increase the authori-

zation for the appropriation of funds to complete the International Peace Garden, North Dakota."

We recommend the enactment of the bill, if amended as suggested in this report.

The Act of October 25, 1949 (63 Stat. 888), as amended, authorized the appropriation of not to exceed \$400,000 for the purpose of assisting, in accordance with an agreement, the State of North Dakota to complete the International Peace Garden, which lies on the boundary between the United States and Canada in the State of North Dakota and in the Province of Manitoba. H.R. 2235 would further amend the 1949 Act by increasing the existing authorization to \$1,454,000, an increase of \$1,054,000.

Begun in 1931, the International Peace Garden commemorates the continued peaceful relationship between this country and Canada. It consists of 2,330.3 acres comprising a small (80 acres in each country) formal garden and a surrounding informal woodland park. The formal garden is bisected by the International Boundary. The informal area is developed on each side with picnic areas, group camps, an amphitheater, and administrative complexes. The area is developed and administered by International Peace Garden, Incorporated, which acts for the State of North Dakota and the Province of Manitoba in carrying out the development of the area. This organization, incorporated under the laws of New York, consists of a board of directors whose membership is divided equally between United States and Canadian citizens. Title to the portion of the area in the United States (about 888 acres) is held by the State of North Dakota in trust for the benefit of International Peace Garden, Incorporated.

A general design for the formal garden and the informal area on the American side was approved by International Peace Garden, Incorporated, in 1938. Since then, the United States, pursuant to the 1949 Act, as amended, has contributed \$400,000 for the garden. A sum approximating this amount has been provided by Canadian sources for the development of the Canadian side.

The formal garden is now about half complete. Yet to be constructed is the major feature of the area—the peace tower—which was included in the original design plans. It is contemplated that the tower will be chosen on the basis of an international competition. A master plan for the completion of the formal and informal parts of the garden has been completed and approved by representatives of the National Park Service of this Department, the State Historical Board of North Dakota, the Parks and Recreation Branch of the Province of Manitoba, the Department of Northern Affairs and Cultural Resources of Canada, and International Peace Garden, Incorporated.

On the basis of our review of the master plan, we estimate the United States share of the cost of the peace tower will be approximately \$500,000; and that of the remainder of the formal area, approximately \$802,000. The total remaining cost, therefore, of the United States share of the formal area will be approximately \$1,302,000, at August 1973 costs, and the total cost, including amounts already expended, will be \$1,702,000. Line 7 of H.R. 2235 should be amended to reflect this total cost by replacing the figure "\$1,454,000" with "\$1,702,000".

We cannot forecast when appropriations might actually be requested, but we believe it would be useful to have this authorization so that we could proceed with appropriation requests at such future time as fiscal conditions will permit.

We believe that the development of the informal area should be undertaken by the State, and a supplemental agreement with the State will so provide. Owing to the international character of the formal area, we believe that 100 percent Federal financing of this feature is amply justified. The informal area surrounding the formal garden, however, will be developed and used chiefly as a state park, and we believe it should be financed separately by the State.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### MOORES CREEK NATIONAL MILITARY PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: There is pending before your Committee H.R. 7341, a bill "To amend the Act of September 27, 1944 (58 Stat. 746), an Act 'To authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes.'"

We recommend the enactment of this bill.

H.R. 7341 would amend the Act of September 27, 1944 (58 Stat. 746), by expanding the method of acquisition for lands to be included in Moores Creek National Military Park from donation only to donation, purchase with donated or appropriated funds or exchange.

Moores Creek National Military Park includes part of the area where the Battle of Moores Creek occurred on February 27, 1776. More patriots and loyalists of North Carolina clashed at Moores Creek Bridge in one of the decisive actions of the opening phases of the American Revolution. The patriot militia threw back a larger loyalist force which was attempting to rendezvous with a British expeditionary squadron on the coast.

Small as it was, the battle had a crucial importance. The victory helped prevent a full-scale invasion of the South, drove North Carolina to instruct its delegation to the Continental Congress to vote for independence—the first colony to so act—and supplied a needed stimulus for the country as a whole in the movement toward breaking the ties with the British.

The Act of June 2, 1929 (44 Stat. 624), authorized the establishment of the Moores Creek National Military Park consisting of 30 acres of land owned by the State of North Carolina, upon donation of the land to the United States. The donation was accomplished and the park established.

The Act of September 27, 1944 (58 Stat. 746), authorized the Secretary of the Interior to accept additional donations totalling not more than 100 acres for addition to the park. Pursuant to that Act, about 12 acres have been accepted and made a part of the park. The Federal lands within the area now total approximately 42.23 acres.

The need for the bill lies in the need to acquire some 35.02 acres, of which 12 acres are of prime historic significance. The remaining acreage is needed to provide necessary visitor developments and the relocation of a state highway. Donations of these lands have not been forthcoming, and we believe acquisition by purchase will be necessary.

The historic lands on the west side of Moores Creek embrace the area where a group of patriots first took position and the loyalist force later massed to charge the patriot militia entrenched on the other side of the creek. Also, included is the land where the west abutments of the Moores Creek bridge were. This narrow bridge was the key to the patriot victory, since it was the only way across the creek and the loyalists had to bunch together, thus being highly vulnerable to the withering fire of the patriots. Acquisition of the land on the west bank of the creek will permit the reconstruction of the bridge and an accurate re-creation of the historic scene.

The remaining lands are needed for a proposed relocation of State Highway 210, which bisects the park, and the construction of a new entrance road. Officials of the State of North Carolina have indicated that relocation of Route 210 upon a new right-of-way provided by the United States is consistent with their plans.

We estimate the cost of acquiring the 35.02 acres of land to be \$253,000, including \$65,900 which is attributable to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The cost includes acquisition of 10 improvements, of which 6 are year-round residences, 1 is a seasonal residence, and 1 is a score-service station.

We expect that actual acquisition costs to the United States will be reduced to \$243,000 by \$10,000 in matching funds already appropriated by the General Assembly of North Carolina.

We estimate the costs of developments associated with the acquisition of these lands to be \$325,000, based on October 1972 prices.

Attributable operating costs should run about \$41,000 by the fifth year. A man-year and cost data statement is enclosed.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*



U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE  
MOORES CREEK NATIONAL MILITARY PARK (EXISTING)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services	30,000	30,000	30,000	30,000	30,000
All other	295,000	103,000	147,000	84,000	11,000
Total	325,000	133,000	177,000	114,000	41,000
Estimated additional obligations:					
Land and property acquisition	253,000				
Developments	25,000	92,000	136,000	73,000	
Operations (management, protection and maintenance, planning, development and operation of recreation facilities)	47,000	41,000	41,000	41,000	41,000
Total	325,000	133,000	177,000	114,000	41,000
Total, estimated additional man-years of civilian employment	3	3	3	3	3

MORRISTOWN NATIONAL HISTORICAL PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 15, 1974.

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

DEAR MR. CHAIRMAN: We respond to the Committee's request for a report on H.R. 3268 and H.R. 10251, two similar bills "To amend the Act of September 18, 1964, authorizing the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes."

We recommend enactment of H.R. 3268 and we oppose enactment of H.R. 10251.

Morristown National Historical Park contains the sites of important military encampments during the Revolutionary War, including George Washington's headquarters in 1779-80. The national historical park was created in 1933 and expansion was authorized in 1964. Specifically, the Act of September 18, 1964 (78 Stat. 987), authorized acquisition of 281 acres by purchase, donation, or purchase with appropriated funds. The park now consists of 1,339.13 acres, which include 262 acres acquired under the 1964 authorization.

The Department has identified five tracts of land adjacent to the existing park, totaling 37.23 acres, which it believes should be acquired for addition to the park. Part of these tracts is adjacent to the headquarters of the park and needs to be acquired to provide visitor parking. Acquisition of the land would also prevent adverse development by private parties which would detract from the existing park facilities. The remainder of these tracts are inholdings in the Jockey Hollow area, the winter encampment of George Washington's Continental Army in 1779-80. Their acquisition would provide space for visitor interpretive services and a luncheon area. Their acquisition would also permit the Department to excavate and stabilize the Maryland brigade sites which are located at least partially on the inholdings in the Jockey Hollow area.

Only 18.47 acres of the 37.23 acres needed could be acquired under authorization remaining under the 1964 Act. Furthermore, all but \$5,061 of the \$281,000 authorized under the Act for purchase of lands has been appropriated and expended. Therefore legislation is needed before the 37.23 acres can be acquired. H.R. 3268 would provide the necessary authorization. First, it would increase the acreage authorization in the 1964 Act by 19 acres, from 281 to 300 acres.

Nineteen acres could then be acquired under the new authorization and 18.47 acres from the authorization remaining under the 1964 Act, for a total of about 37 acres. Second, H.R. 3268 would remove the 1964 Act's ceiling appropriations. We estimate that the cost of the lands to be acquired will be approximately \$830,000.

One of the tracts involved is now being held for conveyance to the National Park Service by the National Park Foundation and another by the Washington Association of New Jersey. These organizations purchased the properties in April 1971 and November 1969, respectively. Both organizations have agreed to convey the properties at cost, plus the cost of improvements in the case of the Washington Association property. These properties together constitute 27.86 acres. The remaining tracts would be acquired from private owners.

We recommend prompt enactment of H.R. 3268 in order that needed land can be acquired without further delay. The bill would authorize the precise acreage that is needed, whereas H.R. 10251 would authorize the acquisition of excessive acreage.

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

Sincerely yours,

JOHN KYL.

Assistant Secretary of the Interior.

OHIO AND ERIE CANAL

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 28, 1974.

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

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on H.R. 10650, a bill "To provide for a study of the most feasible and suitable means of preserving the resources of the Ohio and Erie Canal in the State of Ohio, and for other purposes."

We recommend that this bill be enacted.

H.R. 10650 would direct the Secretary of the Interior to study how best to preserve and interpret the historic and natural resources of the Ohio and Erie Canal and adjacent lands in the State of Ohio. Such a study, which would consider existing and State and local plans for the resources, would be submitted to the Congress within a year from the date of enactment of the Act. The bill would appropriate sums

necessary to carry out its provisions. We would estimate that the study called for by the bill would not cost more than \$40,000.

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

Sincerely yours,

NATHANIEL REED,  
*Assistant Secretary of the Interior.*

#### RELOCATION ASSISTANCE COSTS

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 16, 1973.*

HON. CARL ALBERT,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: We enclose herewith a draft bill "To authorize appropriations for additional costs of land acquisition for the National Park System."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The mandatory provisions of titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646; 84 Stat. 1894) impose substantial additional costs and expenses on the National Park Service in connection with its land acquisition program. These additional amounts, for moving expenses and other relocation benefits, together with the increased administrative expenses incurred in connection with providing these benefits, are chargeable against the existing statutory ceilings on amounts authorized to be appropriated for land acquisition which were considered and imposed by the Congress prior to January 2, 1971, the effective date of the Act. Of course, land acquisition estimates presented to the Congress prior to that time did not include costs attributable to the benefits provided for in the later enactment.

It is anticipated that the increased costs, including administration costs, due to these benefits will be an amount approximately 12 percent to 15 percent above the present authorization ceilings. Clearly, then, unless appropriations are authorized to supply these additional amounts, the land acquisition program for the National Park System could not be completed within the ceilings imposed. In each instance, as funds would be exhausted or nearly exhausted, individual amendatory legislation would be required—and serious delays in acquisition could be experienced—pending congressional action. Of course new legislation authorizing additional land acquisition that is considered by subsequent Congresses can be drafted so that authorizations reflect the increased costs.

Accordingly, the draft bill enclosed herewith authorizes additional appropriations for land acquisition for areas of the National Park System, in the amount of the actual costs and expenses payable or in-

curred by reason of the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The bill makes these increases applicable to those authorizations approved prior to January 9, 1971, with one exception. We recommend an increased ceiling for projects approved prior to January 9, as opposed to the earlier effective date of P.L. 91-646 (January 2), because three new proposals, submitted prior to enactment of P.L. 91-646 without provision for relocation costs, were not finally approved until January 8. These are Gulf Islands National Seashore (P.L. 91-660), Voyageurs National Park (P.L. 91-661), and Chesapeake and Ohio Canal National Historical Park (P.L. 91-664). The bill also authorizes appropriation of additional sums under the omnibus parks legislation passed in April 1972 (P.L. 92-272, 86 Stat. 120), in order to pay relocation costs not included in the appropriation authorization ceiling of that legislation.

Acquisition cost estimates submitted to the Congress have in the past included our administrative expenses as a part of the total. However, the benefits now to be provided will increase these costs. For example, we may be required to render assistance to a displaced homeowner by helping him locate or construct a suitable replacement dwelling, obtain financing, and so on. It is apparent, therefore, that these added administrative expenses, if not recouped, could seriously deplete available funds. All future proposals will include an estimate of costs attributable to requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

We strongly urge the favorable consideration of this bill in order to permit the continuation of the land acquisition program for the National Park System.

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

Sincerely yours,

NATHANIEL REED,  
*Assistant Secretary of the Interior.*

A BILL To authorize appropriations for additional costs of land acquisition for the National Park System

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, 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 (P.L. 91-646; 84 Stat. 1894). There are also authorized to be appropriated such sums as may be necessary 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.

## ROCKY MOUNTAIN NATIONAL PARK

U.S. DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,

Washington, D.C., February 13, 1974.

HON. JAMES A. HALEY,

Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 10095, a bill "To authorize the acquisition of certain lands for addition to Rocky Mountain National Park in the State of Colorado, and for other purposes."

We recommend enactment of the bill, if amended as suggested in this report.

The bill would revise the western boundary of the Rocky Mountain National Park in the State of Colorado to include an additional 1,017.5 acres, consisting of three parcels in the Kawuneeche Valley. The Secretary of the Interior would be authorized to acquire those lands, waters, and interests therein by donation, purchase, or exchange, except that property owned by the State of Colorado or any political subdivision thereof could be acquired only by donation. The acquired property would be administered by the Secretary as part of the Rocky Mountain National Park. The bill would authorize such sums as may be necessary to carry out its provisions.

The Rocky Mountain National Park, embracing approximately 410 square miles of the Front Range of the Rocky Mountains, is one of the most spectacular yet easily accessible high-mountain areas in North America. With elevations ranging from 8,000 feet at park headquarters to 14,256 feet at the summit of Longs Peak, it has glacier-sculptured valleys, rugged gorges, alpine lakes, and vast areas of alpine tundra. The park now attracts approximately 2.5 million visitors annually.

Trail Ridge Road, which crosses the crest of the Front Range and the Continental Divide and is the park's major access, offers sweeping vistas of mountains, forests, and open meadows. On the west side of the park, the road passes through the Kawuneeche Valley, which is the headwaters of the Colorado River. This valley, unquestionably of park quality, is prime habitat for deer, elk, beaver, and marsh birds. While the valley's upper portion is entirely within the park, the park boundary in the lower valley floor lies a short distance west of the Trail Ridge Road. Commercial and summer home development in the immediate area is increasing, and may soon threaten the integrity of the valley and the view from Trail Ridge Road.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments recommended inclusion of the Kawuneeche Valley in the boundaries of the Rocky Mountain National Park at its 67th meeting on October 2-4, 1972. Consistent with that recommendation, we propose adding an important 4-mile portion of the lower Kawuneeche Valley to the park, extending the park boundary an average of a half mile west to the Arapaho National Forest. This 1,556.21 acre addition would include within the park the entire portion of the valley floor visible from the Trail Ridge Road, thereby protecting this scenic panorama.

H.R. 10095 would permit acquisition of three parcels of the lower valley now available for purchase. The National Park Service has a firm option on two of the parcels, totalling 633.74 acres; this option expires at midnight February 21, 1974. The Service also has received a verbal offer of sale on a third parcel of 366.97 acres. Acquisition of an additional 17.5-acre parcel located between one of the three parcels and Trail Ridge Road also would be authorized by the bill.

We recommend enactment of H.R. 10095 and urge its prompt and favorable consideration. In order that the bill authorize acquisition of the entire 1,556.21 acre addition recommended by us, the following text should be inserted in lieu of lines 7 through 10 on page 1, and lines 1 through 24 on page 2, of H.R. 10095:

"All of those lands lying west of the west bank of the North Fork of the Colorado River in sections 25 and 36, township 5 north, range 76 west, and in section 1 and 12 and the east halves of sections 2 and 11, township 4 north, range 76 west."

In addition, the word "areas" should be replaced by the word "area" in line 4, page 1 and in line 25, page 2 of the bill, and the figure "1,017.5" appearing in line 5, page 1 of the bill should be revised to read "1,556.21".

In the northern part of the lands to be added to the park is the original Holzwarth homestead, consisting of four buildings typical of the homesteading efforts of the first settlers of the valley. We would develop that homestead as an historical interpretive site. The scene at this homestead has changed little since 1904 when the first cabin was built.

Land acquisition costs for the bill are expected to total \$2,423,740. Development costs are estimated to be \$318,000, based on September 1973 prices. We expect operating costs attributable to the added lands to be \$6,500 annually. A man-year and cost data statement is enclosed.

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

Sincerely yours,

NATHANIEL REED,  
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE  
ROCKY MOUNTAIN NATIONAL PARK (BOUNDARY)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services.....	4,000	4,000	4,000	4,000	4,000
All other.....	1,473,000	77,000	73,000	87,000	54,000
Total.....	1,477,000	81,000	77,000	91,000	58,000
Estimated additional obligations:					
Land and property acquisition.....	2,424,000				
Developments.....	37,500	74,500	70,500	84,500	51,000
Operations (management, protection and maintenance).....	6,500	6,500	6,500	6,500	6,500
Total (rounded to nearest figure).....	2,468,000	81,000	77,000	91,000	58,000
Total, estimated additional man-years of civilian employment.....	0.4	0.4	0.4	0.4	0.4



## SAN JUAN NATIONAL HISTORIC SITE

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1973.

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

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on H.R. 12548, a bill "To authorize and direct the Secretary of the Interior to conduct certain studies at the San Juan National Historic Site, Puerto Rico." We recommend against enactment of the bill.

H.R. 12548 provides that in order to assure the protection of the public safety and historic integrity of San Juan National Historic Site in Puerto Rico, the Secretary of the Interior is authorized and directed to study and investigate the causes and extent of damage to the foundation of certain historic structures, review alternative courses of action to protect the public and preserve such structures, and submit a report on such study and review to the Congress with recommendations. The report shall include an analysis of the effects of alternative actions which might impair the historic integrity of such structures, including information on the cost of implementing any alternatives. The bill directs that a report be submitted to the Congress within 1 year of this enactment, and, pending submission of the report, the bill directs the Secretary to take such precautions as are necessary to protect the visiting public. The bill further authorizes the appropriation of not to exceed \$100,000 for the purposes aforesaid.

San Juan National Historic Site, Puerto Rico, consists of 48.25 acres of Federal land that was designated as a national historic site in 1949. The area includes the most impressive features of the city of Old San Juan, the Old Sixteenth Century Spanish castles and fortifications which provide protection from early pirates and were a fortress of the Spanish colonies in the new world. Public visitation to the National Historic Site was approximately 1,270,000 in 1973.

The historic fabric of this complex is, for the most part, structurally sound. But, there are key portions threatened by sea erosion. Various surveys since 1956 have assessed the conditions of the fortification walls and foundations. The most comprehensive and most recent report was completed by the Corps of Engineers in 1971 and entitled "Condition Reconnaissance and Study of Required Protection Work for the National Historic Site in San Juan, Puerto Rico". The introduction to that report states, in part, that areas of El Morro and San Cristobal (including its outerworks).

"\* \* \* present severe erosion conditions indicating extreme damage of foundation collapse. Deterioration of the foundations and rock ledge present conditions of erosion caused by surface runoff, ranging to deeply eroded rock caused by exposure to wave action. Large pockets of soft material have been lost resulting in caverns and cavities requiring extensive and costly repair.

"It is considered, on the basis of this preliminary examination and study, that the protection work described is that required to repair

the critical conditions of rock erosion and to prevent continuing deterioration and ultimate failure of the foundation supporting and protecting the fortification walls."

In general the damage consist of wave excavations in the cemented sand dunes and limestone reef foundation upon which the fortifications were built. The repair structures proposed in the Corps' report consist basically of grouted rock and the construction of a breakwater along the north and southwest walls of El Morro. The rock, gravel, and concrete would fill the holes already cut below the fort walls and offer some load-bearing capacity to substitute for the materials lost to the surf. The retaining walls are intended to withstand further surf attack and prevent the formation of new washouts in the material at the surf zone. The Corps' estimate of repairs in 1971 dollars was \$8,029,000. The estimates also reflect proposals to correct rainwater runoff erosion along the upper slopes of the terrain below the fort walls, which is also contributing to deterioration of the natural footings of the fortifications.

The projects would effect changes in the setting and appearance of the historic structures. The Corps' report is now being reviewed to determine the extent to which the prescribed repairs can be undertaken in a manner that would not unduly affect the integrity of these unique castles and fortifications.

As noted above, studies and investigations of the problem have already been conducted from time to time. Accordingly, no further legislation is necessary to authorize any additional analysis of alternative means of protecting the historic structures within the National Historic Site.

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

Sincerely yours,

JOHN KYL,  
Assistant Secretary of the Interior.

## VIRGIN ISLANDS NATIONAL PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 15, 1974.

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

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on H.R. 12551, a bill "To amend the Act of October 5, 1962, relating to the Virgin Islands National Park."

We recommend the enactment of the bill, amended as suggested herein.

The bill would amend the Act of October 5, 1962 (76 Stat. 746), by increasing the amount authorized to be appropriated for land acquisition within the Virgin Islands National Park from \$1,250,000 to \$12,250,000.

The Virgin Islands National Park was established by the Act of August 2, 1956 (70 Stat. 940). The Act limited the park to 9,500 acres of which 15 acres would be on St. Thomas Island and not more than 9,485 acres would be on St. John Island. Actual boundaries were to be selected and adjusted by the Secretary of the Interior. The acquisition authority under this legislation was limited to donations or purchases with donated funds.

The boundary of the park was expanded to include offshore lands under that authority of the Act of October 5, 1962. The Act also expanded the acquisition authority to include purchases with appropriated or donated funds, exchanges, or donations, and it authorized to be appropriated \$1,250,000 for land acquisition. It is this ceiling which H.R. 12551 would amend.

The total acreage within the boundaries of the Virgin Islands National Park is 14,470 acres. Approximately 11,761 acres are federally owned, including 5,650 acres of submerged land. There are 2,709 acres of non-Federal lands remaining within the park. The existing statutory ceiling has now been exhausted so that no additional Federal funds are available to acquire the other lands without enactment of amendatory legislation.

Acquisition of 3 parcels of waterfront property within the park is of the highest priority because of their scenic and recreational value and because of their susceptibility to commercialization. These waterfront properties total approximately 980 acres. Their acquisition will ensure protection of the beautiful beaches, coral gardens, marine life, seascapes, and other features for which the park is renowned. We estimate that the acquisition cost will be \$5,650,000. Accordingly, because the bill would authorize excessive funds to be appropriated, we recommend that line 5 be amended by substituting the amount "\$6,900,000" for "\$12,250,000".

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

Sincerely yours,

JOHN KYL

*Assistant Secretary of the Interior.*

#### CHANGES IN EXISTING LAW

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

#### ACT OF OCTOBER 18, 1968 (82 STAT. 1188, 1189)

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]** *\$28,350,000* for land acquisition and \$2,900,000 for development.

#### ACT OF JULY 3, 1960 (46 STAT. 856), AS AMENDED (16 U.S.C. 81f)

SEC. 4. That 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 the Act, which shall not exceed the sum of **[\$2,777,000]** *\$10,472,000*, to be available for all expenses incident to the examination and establishment of the said Colonial National Historical Park and for the acquisition of lands and/or lands and improvements needed for the completion of the park, including the securing of options and other incidental expenses. The area of the Yorktown battlefield, authorized for inclusion in said park, is hereby extended to not exceed four thousand five hundred acres, and all government-owned lands within the boundaries of said park as established by presidential proclamation, except those determined by the Secretary of the Interior as not necessary in carrying out the objects of said park, are hereby transferred to the administrative jurisdiction and control of the National Park Service.

#### ACT OF AUGUST 10, 1961 (75 STAT. 336)

SEC. 5. There are hereby authorized to be appropriated such sums, but not more than **[\$115,000]** *\$722,000*, as are necessary to carry out the provisions of this Act.

#### ACT OF JUNE 28, 1948 (62 STAT. 1061, 1062), AS AMENDED (16 U.S.C. 407r)

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 **[\$11,200,000]** *\$12,792,000*. 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 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.

#### ACT OF NOVEMBER 5, 1966 (80 STAT. 1309, 1312; 16 U.S.C. 460u-9)

SEC. 10. There are hereby authorized to be appropriated not more than **[\$27,900,000]** *\$35,526,000* for the acquisition of land and interests in land pursuant to this Act.

#### ACT OF SEPTEMBER 27, 1944 (58 STAT. 746) (16 U.S.C. 422a-1)

SECTION 1. That the Secretary of the Interior is hereby authorized, in his discretion, to [accept in behalf of the United States donations

of] acquire by donation, purchase, or exchange 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] acquired pursuant to this Act shall not exceed one hundred 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.

*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.*

ACT OF SEPTEMBER 18, 1964 (78 STAT. 957)

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

\* \* \* \* \*

SEC. 3. There are authorized to be appropriated such sums, but not more than [\$281,000] \$2,111,000 for acquisition of lands and interests in land, as may be necessary to carry out the purposes of this Act.

ACT OF OCTOBER 5, 1962 (76 STAT. 748; 16 U.S.C. 398f)

\* \* \* \* \*

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than [\$1,250,000] \$12,250,000, as are necessary to acquire lands pursuant to section 2 of this Act.

ACT OF OCTOBER 25, 1949 (63 STAT. 888), AS AMENDED  
(68 STAT. 300); (72 STAT. 985)

SECTION 1. 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 [\$400,000] \$1,702,000.

\* \* \* \* \*

PROVIDING FOR INCREASES IN APPROPRIATION CEILINGS AND  
BOUNDARY CHANGES IN CERTAIN UNITS OF THE NATIONAL PARK  
SYSTEM, AUTHORIZING APPROPRIATIONS FOR ADDITIONAL COSTS  
OF LAND ACQUISITION FOR THE NATIONAL PARK SYSTEM, AND  
FOR OTHER PURPOSES

OCTOBER 4, 1974.—Ordered to be printed

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

## REPORT

[To accompany H.R. 14217]

The Committee on Interior and Insular Affairs, to which was referred the bill (H.R. 14217) 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, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

### PURPOSE OF THE BILL

The purpose of H.R. 14217, as amended, is to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System and to authorize appropriations for additional costs of land acquisition for the National Park System.

### LEGISLATIVE HISTORY

The Subcommittee on Parks and Recreation of the Senate Committee on Interior and Insular Affairs held a hearing on H.R. 14217, legislation providing for acquisition and development ceilings increases, and boundary changes for certain areas within the National Park System, on September 13, 1974.

The Senate has already passed two of the measures contained in H.R. 14217 earlier in the Ninety-third Congress.

S. 417, a bill providing for the addition of certain property to the Independence National Historic Park, and for an acquisition ceiling

increase, was passed, amended, by the Senate on November 30, 1973. The provisions in the Senate bill are identical to those in H.R. 14217.

S. 2394, legislation to increase both the acquisition and development ceilings for the Rocky Mountain National Park, as well as its size, was passed by the Senate, amended, on February 25, 1974. The provisions contained in S. 2394 were the same as those in the House Omnibus Bill, H.R. 14217.

#### LOCATION AND DESCRIPTION OF AREAS

##### BISCAYNE NATIONAL MONUMENT, FLA.

H.R. 14217 would authorize the addition of 8,738 acres of land and water along the southern boundary of Biscayne National Monument. The principal areas of fast land added by this measure are Swan and Gold Keys, a total of about 166 acres. This is an area which was initially proposed for inclusion within the boundaries of the national monument when it was authorized in 1968, it was excluded at the insistence of the owners. It is now agreed that this area should be included in the monument. To accomplish this, the legislation revises the monument boundaries and provides for an increase in the land acquisition ceiling from the current \$25,575,000 to \$28,350,000. This increase should enable the National Park Service to acquire the lands added to the monument and to complete the acquisition of the remaining unacquired lands, including the payment of anticipated deficiencies in condemnation awards for 435 acres of privately owned land within the existing monument. Of the total new authorization of \$3,775,000 provided by this legislation, \$2,025,000 represents the amount anticipated for the acquisition of new lands authorized by this bill, and \$1,750,000 represents the amount needed to satisfy anticipated deficiencies in condemnation awards.

It has been noted that the visitor access and development at the monument has not proceeded as anticipated by the plan proposed at the time of the authorization of the monument in 1968. Now that the monument is fully authorized in the pattern originally conceived, and since acquisition is virtually complete, the Committee considers it the duty of the National Park Service to implement the development program contemplated when the monument was authorized so as to make the special features and experiences offered by this resource readily available to the visitor. Public access, interpretation and resource protection appear to be principal ingredients urgently needed.

##### CHANNEL ISLANDS NATIONAL MONUMENT, CALIF.

The purpose of the provisions of H.R. 14217 relating to Channel Islands is to authorize the acquisition of land and the appropriation of development funds for the purposes of establishing a headquarters and visitor facilities center on the mainland within the Ventura Marina. The land may be acquired by donation in fee simple title only, may not exceed five acres, and may not be accepted until a mutually acceptable cooperative agreement has been executed. Such agreement is designed to assist the National Park Service in assuring that the location and design of a headquarters and visitor facilities center in this location will best serve the needs of the visitors and be in the best interests of the administration and protection of the monument. A

development appropriation of \$2,936,000 is authorized for the facilities to be located at this site.

##### COLONIAL NATIONAL HISTORICAL PARK, VA.

H.R. 14217 increases the land acquisition appropriation authorization from the current ceiling of \$2,777,000 to \$10,472,000. The current ceiling has been exhausted and judgments which have been entered against the United States cannot be satisfied until action is taken by the Congress. This increased authorization will permit the acquisition of approximately 115.13 acres of inholdings in the Yorktown section of the Park, will provide funds for the payment for various access rights at numerous points along the Colonial Parkway which have been condemned, and will satisfy the outstanding judgments. It is the understanding of the Committee that this authorization increase should be adequate to complete the acquisition program for this park.

##### CUMBERLAND GAP NATIONAL HISTORICAL PARK, KY., AND TENN.

When this area was initially authorized, it was contemplated that all land would be acquired by donation or purchase with donated funds; therefore, the acquisition of land with appropriated funds was prohibited by the legislation. H.R. 14217 specifically authorizes the National Park Service to purchase a total of 60 acres of land within the park. These lands consist of three main parcels: A 5.49 acre tract which was formerly occupied by a commercial meatpacking and distributing facility, located immediately adjacent to the park visitor and environmental education center; a second parcel consisting of three tracts totaling 43.88 acres which are needed to provide a 100-foot right-of-way for an access road to the historic Hensley settlement area of the park; and a third parcel of 5.82 acres located at the point where the states of Tennessee, Kentucky, and Virginia meet. The first two properties are now owned by the National Park Foundation, and the latter parcel is owned by the Eastern National Park and Monuments Association. All of these properties are expected to be sold to the National Park Service at cost. The total acquisition authorization is not to exceed \$427,500.

This bill also authorizes a development ceiling of not to exceed \$160,000. These development funds are to be used to remove the meatpacking plant and to restore the site to its natural condition.

##### FORT NECESSITY NATIONAL BATTLEFIELD, PA.

At the present time, Fort Necessity National Battlefield consists of 350 acres. An additional 150 acres have been authorized, but have not yet been acquired. This legislation authorizes the addition of approximately 411 acres, so that the total authorized battlefield acreage, as a result of this legislation, will amount to 911 acres. H.R. 14217 authorizes the appropriation of \$607,000, for a new authorization ceiling of \$722,000 for land acquisition. When appropriated, this money should be sufficient to accomplish the acquisition of the former 150 acres remaining to be acquired under earlier authority, along with the additional 411 new acres authorized by this legislation.

The land remaining to be acquired consists of twelve tracts in various ownerships. One 235-acre tract is a portion of a larger parcel once owned by George Washington, and constitutes his original land patent at Fort Necessity.

#### INDEPENDENCE NATIONAL HISTORICAL PARK, PA.

H.R. 14217 authorizes the acquisition of approximately 4.67 acres of land adjacent to Independence National Historical Park, known as "Project F." About one acre of this land will be purchased in fee, upon which will be constructed a 550 car parking facility. This facility, which is badly needed to serve visitors to the park, will be constructed, maintained and operated by the City of Philadelphia through a contract with the Secretary. The committee understands that nominal parking fees will be charged for park visitors, but that the fees will be structured to discourage use by persons not temporarily visiting the park. The contract is to provide that when the City has finally amortized its capital investment, all right and title to the facility will transfer automatically to the United States.

On the remainder of the 4.67 acres, the Secretary is prohibited from exercising condemnation authority so long as the properties remain in compliance with a duly adopted, valid zoning ordinance which is acceptable to the Secretary and which is designed to assure the preservation of the historical integrity of the area.

This parking facility has long been needed, and will be especially necessary to accommodate the heavy visitation expected to peak in 1976 during the Bicentennial year, provided it can be completed in time.

This legislation authorizes \$1,592,000 for land acquisition within the "Project F" area.

#### INDIANA DUNES NATIONAL LAKESHORE, IND.

The original legislation authorizing the Indiana Dunes National Lakeshore provided an acquisition ceiling of \$27,900,000. That entire amount has been appropriated, yet there remains to be acquired a total of 1,872.55 acres of privately owned lands. There is a need, therefore, to increase the existing appropriation ceiling by \$7,626,000, to a new authorization ceiling of \$35,526,000, in order to complete the total land acquisition program. H.R. 14217 is designed to accomplish this objective.

The increase in acquisition costs over the 1966 estimates is in part attributable to inflation in land values, to increase costs arising from the Relocation Assistance Act, and, in part, to a decision by the U.S. Court of Appeals concerning the proper method of valuing certain tracts.

It is important to stress that this increased funding authorization is applicable only to those lands included within the boundaries of the 1966 authorizing legislation and has no relationship to the various subsequent legislative proposals which would add new lands to the lakeshore.

#### INTERNATIONAL PEACE GARDEN, N. DAK.

This project, initiated in 1931, is designed to commemorate the continued peaceful relationship between the United States and Canada,

and it straddles the international boundary. The area consists of 2,330.3 acres which includes a formal garden area and an informal developed area. Yet to be constructed as the major feature of the area is the Peace Tower.

This legislation authorizes an increase in the development authorization ceiling from the current \$400,000 to a new \$1,702,000.

These funds will be applied to finishing the half-completed formal garden and the construction of the Peace Tower. Cost estimates for the United States share for completion of the formal garden section are \$802,000 and \$500,000 for the U.S. share of the cost of the tower. These expenses for the United States contribution will be borne totally by the Federal government, whereas the expenses for completing the informal developed area are expected to be the responsibility of the State of North Dakota.

#### LAVA BEDS NATIONAL MONUMENT, CALIF.

H.R. 14217 will effect various boundary adjustments along the northern edge of the monument. Approximately 321.58 acres will be added to the monument, and about 60.12 acres will be removed from it. All lands involved in this exchange are Federally owned. Those lands deleted from the boundaries of the monument will be administered by the Bureau of Reclamation, with assistance under a cooperative agreement with the U.S. Fish and Wildlife Service. As a result of this boundary adjustment, the entire Lava Beds National Monument north boundary road and scenic overlook will now be located within the monument. Historic areas such as Wineman's Cave, Gillem's Camp, Canby's Cross, and significant archeological sites along the ancient Tule Lake shoreline will also be placed under National Park Service protection and management.

#### MOORES CREEK NATIONAL MILITARY PARK, N.C.

The provisions of H.R. 14217 would make possible the acquisition of an additional 35.02 acres needed for the park by authorizing \$243,000 to be appropriated for this purchase. The estimated total cost of this land is \$253,000, but the remaining \$10,000 is expected to be made available by the State of North Carolina from matching funds already appropriated by the General Assembly. Federal lands within the area now total approximately 42.23 acres.

Of the new acreage to be acquired, 12 acres are of prime historic significance. The remaining acreage is needed to provide necessary visitor developments and for the relocation of a state highway.

This legislation provides a development appropriation ceiling of \$325,000, and also broadens the current acquisition authority to include acquisition by purchase or exchange.

#### MORRISTOWN NATIONAL HISTORICAL PARK, N.J.

Morristown National Historical Park contains the sites of important military encampments during the Revolutionary War, including George Washington's headquarters in 1779-80. The park now consists of approximately 1,340 acres.

H.R. 14217 increases the current authorization ceiling from \$281,000 to \$2,111,000 to accommodate the purchase of 201.83 acres of addi-



tional lands. This authorization includes funds for the purchase of 165 acres presently held by the North Jersey Conservation Foundation known as the "Cross Estate". The remaining lands consist of five tracts located adjacent to the existing park. Some of this land is adjacent to the headquarters of the park. It is needed for visitor parking and to serve as a buffer against possible adverse development.

While the recommendation of the Department of the Interior did not include the 165-acre "Cross Estate", spokesmen for the Department recognized the historical and open space values of the addition. Because of the nearly unanimous agreement with respect to this addition, the Committee was persuaded that this property should become a part of the historical park.

#### OHIO AND ERIE CANAL, OHIO

The Ohio and Erie Canal was constructed in the early 1800s and served for many years as a key transportation artery influencing much of the early growth and development of Ohio. Remnants of much of the canal continue to exist today in various states of repair, and about one-third of the canal yet retains water.

H.R. 14217 provides for a study to be conducted to determine the most feasible and suitable means of preserving and interpreting the historic and natural values along the canal. The report of such recommendations is to be submitted by the Secretary of the Interior to the Congress within one year after the date of enactment of this legislation, and \$40,000 is authorized to be appropriated for the study.

#### ROCKY MOUNTAIN NATIONAL PARK, COLO.

This legislation provides for the addition of 1,556.21 acres in the Kawuneeche Valley to the western boundary of Rocky Mountain National Park. This acreage includes five prime parcels worthy of addition to the park. With the steady progression of commercial and summer home development into the area, it is important that this area be acquired promptly before it is adversely affected.

It is the intention of the National Park Service to purchase these lands on an opportunity basis if the lands become available. Condemnation is not to be exercised unless the lands are threatened by adverse use or development.

This legislation authorizes the appropriation of \$2,423,740 for acquisition and \$318,000 for development.

#### SAN JUAN NATIONAL HISTORIC SITE, P.R.

Concern has been expressed over the severity of the erosion which is occurring to the foundations of the old 16th century fortifications of the historic site, primarily as a result of ocean wave action.

For many years the National Park Service has been aware of, and to the foundations of the old 16th century fortifications of the historic site, primarily as a result of ocean wave action.

For many years the National Park Service has been aware of, and concerned with, this damage. The Committee understands that studies of the problem have been conducted, the most comprehensive of which was completed by the Corps of Engineers in 1971. Cost estimates for repair and prevention of further erosion damage were developed, but

some of the recommendations would apparently be difficult to implement without incurring significant adverse effect upon the scenic and historical integrity of the resource. The Committee is concerned that, in the absence of prompt action, the safety of the visiting public may be jeopardized, and the resources may suffer irreparable erosion damage. H.R. 14217 provides not to exceed \$100,000 to fund a study to define the best and most acceptable methods for repairing and curtailing further erosion damage and requires the Secretary to report his recommendations to the Congress in light of all pertinent information available to him.

#### VIRGIN ISLANDS NATIONAL PARK, V.I.

The Virgin Islands National Park occupies a major portion of the acreage of the island of St. John. Of the lands within the park, all but 2,709 acres have been acquired. Some of these lands offer attractive development opportunities; consequently, the existing land acquisition authorization ceiling of \$1,250,000 is far short of the funding needs in this area. This legislation raises the ceiling to \$12,250,000 so that the high priority acquisition of approximately 1,135 acres of waterfront property can be accomplished before adverse development occurs.

#### RELOCATION ASSISTANCE

H.R. 14217 provides authority for the National Park Service to exceed statutory ceilings on land acquisition in order to provide required relocation assistance benefits for property owners in areas authorized before such costs were incorporated into the authorization ceilings. This would apply principally to legislation enacted prior to January 1971, where appropriation authority was generally not provided for payment of expenses arising from the enactment of the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970.

H.R. 14217 also provides that owners who elect to retain a right of use and occupancy on property authorized for acquisition for inclusion within a unit of the national park system must waive their right to relocation assistance benefits. The committee felt that it was not the intention of the Relocation Assistance Act to enrich persons who were not immediately displaced by the Federal acquisition of their property; consequently, if a landowner elects to retain a limited estate in the acquired property, the committee concluded that he should not be entitled to relocation assistance at the time he vacates the property.

#### COMMITTEE AMENDMENTS

The Committee amended H.R. 14217 by providing for increases in authorization ceilings for Apostle Islands National Lakeshore, Wisconsin; Lake Mead National Recreational Area, Arizona and Nevada and Sleeping Bear Dunes National Lakeshore, Michigan.

The Committee also amended the bill to raise the authorization for land acquisition in Cape Lookout National Seashore, North Carolina.

This amendment provides a funding authorization which allows federal acquisition of lands on Shackleford Banks and at the administrative site, as intended by the 1966 Act. In addition, authorization is provided for acquisition of the remaining private interests in the lands

near Cape Lookout itself which would now be included in the National Seashore.

Also, up to \$1,000,000 of the authorization may be used to assist the State in completing the purchase of the last remaining major inholding on Core Banks.

The amendment also specifies a development authorization of \$2,935,000 which is the amount for development included in the combined authorization of the 1966 Act. Furthermore, this amendment directs the Secretary of the Interior to prepare, and transmit to the Congress within 3 years, a comprehensive master plan which will detail any development proposals within the National Seashore.

The bill also amends the Cape Lookout Act to make it clear that the lands owned by the State of North Carolina and its subdivisions can be acquired only by donation, but that the Secretary may purchase any other non-Federal lands within the seashore, subject to the limitations contained in section 7 of the act. This language permits the Secretary to accept State lands subject to a reverter.

The amendments to Title I are as follows:

Page 3, line 17, delete "and".

Page 3, following line 21, insert the following:

(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".

The amendments to Title IV are as follows:

Following Section 405 add a new Section 406 as follows:

SEC. 406. The Act approved March 10, 1966 (80 Stat. 33; 16 U.S.C. 4593) providing for the establishment of Cape Lookout National Seashore in the State of North Carolina is amended as follows:

(1) The first section 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 administrable 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. 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. Within three years from the date of the enactment of this Act, the Secretary shall develop and transmit to the Committee 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.

#### Cost

Set forth as follows is a breakdown of the increased ceilings which are to be authorized under H.R. 14217, as amended.

#### TITLE I—ACQUISITION CEILING

Site	Present ceiling	Proposed ceiling
Biscayne.....	\$24,575,000	\$28,350,000
Colonial.....	2,777,000	10,472,000
Cumberland Gap.....		472,500
Fort Neccessity.....	115,000	722,000
Independence.....	11,200,000	12,792,000
Indiana Dunes.....	27,900,000	35,526,000
Moores Creek.....		243,000
Morristown.....		325,000
Rocky Mountain.....	281,000	2,111,000
Virgin Islands.....		2,423,740
Apostle Islands.....	1,250,000	318,000
Cape Lookout.....	4,250,000	12,250,000
Lake Mead.....	4,265,000	5,250,000
Sleeping Bear Dunes.....	1,200,000	8,168,000
	19,800,000	7,100,000
Total.....	93,613,000	184,276,240

#### TITLE II—DEVELOPMENT

Channel Islands.....		\$2,936,000
Cumberland Gap.....		160,000
International Peace Garden.....	\$400,000	1,702,000
Total.....	400,000	4,798,000

<sup>1</sup> Acquisition.

<sup>2</sup> Development.



The Virgin Islands National Park was established by the Act of August 2, 1956 (70 Stat. 940). The Act limited the park to 9,500 acres of which 15 acres would be on St. Thomas Island and not more than 9,485 acres would be on St. John Island. Actual boundaries were to be selected and adjusted by the Secretary of the Interior. The acquisition authority under this legislation was limited to donations or purchases with donated funds.

The boundary of the park was expanded to include offshore lands under that authority of the Act of October 5, 1962. The Act also expanded the acquisition authority to include purchases with appropriated or donated funds, exchanges, or donations, and it authorized to be appropriated \$1,250,000 for land acquisition. It is this ceiling which H.R. 12551 would amend.

The total acreage within the boundaries of the Virgin Islands National Park is 14,470 acres. Approximately 11,761 acres are federally owned, including 5,650 acres of submerged land. There are 2,709 acres of non-Federal lands remaining within the park. The existing statutory ceiling has now been exhausted so that no additional Federal funds are available to acquire the other lands without enactment of amendatory legislation.

Acquisition of 3 parcels of waterfront property within the park is of the highest priority because of their scenic and recreational value and because of their susceptibility to commercialization. These waterfront properties total approximately 980 acres. Their acquisition will ensure protection of the beautiful beaches, coral gardens, marine life, seascapes, and other features for which the park is renowned. We estimate that the acquisition cost will be \$5,650,000. Accordingly, because the bill would authorize excessive funds to be appropriated, we recommend that line 5 be amended by substituting the amount "\$6,900,000" for "\$12,250,000".

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

Sincerely yours,

JOHN KYL.

*Assistant Secretary of the Interior.*

# COMMITTEE RECOMMENDATIONS

The Committee on Interior and Insular Affairs, in an open mark-up session on October 1, 1974, by voice vote unanimously ordered H.R. 14217, as amended, to be favorably reported to the Senate.

## DEPARTMENTAL REPORTS AND EXECUTIVE COMMUNICATION

The appropriate reports and an executive communication from the Department of the Interior on measures incorporated into H.R. 14217 as they were received by the House of Representatives, Committee on Interior and Insular Affairs follow:

## BISCAYNE NATIONAL MONUMENT

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 15, 1974.*

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 9626, a bill "To revise the authorized boundary of the Biscayne National Monument in the State of Florida, and for other purposes."

H.R. 9626 amends the Act of October 18, 1968 (82 Stat. 1188, 16 U.S.C. 450qq), which authorized the establishment of Biscayne National Monument in Florida, to add 8,700 acres of land and water to the existing monument.

Acquisition contemplated by H.R. 9626 will include 166.19 acres of private lands, and 2,051.56 acres of State lands. There are also included 6,520.30 acres of Federal lands. The added acreage totals 8,738.05.

Should the Committee act favorably on this bill, we estimate the cost of acquiring the private lands at \$2,025,000. An additional appropriation authorization will be necessary to permit acquisition of the private lands added by H.R. 9626, because the appropriation authorization contained in the original legislation has been entirely appropriated. In this connection, we have been advised recently by the Department of Justice that condemnation awards in actions brought to acquire lands in the existing boundary will be in excess of original estimates by some \$1,750,000. While we defer to the judgment of this Committee as to the acquisition contemplated in H.R. 9626, we would recommend that the 1968 Act be revised to provide for this \$1,750,000.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### CHANNEL ISLANDS NATIONAL MONUMENT

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 9106, a bill "To authorize the establishment of a mainland headquarters for the Channel Islands National Monument in the State of California, and for other purposes."

We recommend that the Congress defer action on this bill until a number of questions concerning the suitability of the Ventura Marina site as an administrative facility for the Channel Islands National Monument and its impact on the resources of the monument can be resolved.

Channel Islands National Monument consists of two of the Channel Islands off the coast of California—Santa Barbara and Anacapa Islands, together with surrounding waters and submerged lands. Total acreage of the monument is 18,166.68, of which 1,119.98 acres is land area. The monument hosts a large rookery of sea lions, many nesting seabirds, and some unique plants and animals.

Approximately 53,200 visits to the monument were recorded in 1973. The monument was created from Federal lands by proclamations No. 2281 of April 26, 1938 (52 Stat. 1541), and No. 2825 of February 9, 1949 (63 Stat. 1258), under authority of section 2 of the Act of June 8, 1906 (34 Stat. 225).

At the present, the monument administrative offices are located in rented office space in downtown Oxnard, about five miles from the nearest shoreline area. The primary means of effecting Park Service authority over the islands and for carrying out all physical functions is the patrol boat *Cougar*. This vessel is now berthed at Channel Islands Marina.

The Board of Port Commissioners, Ventura Port District, has offered to donate a 3.097-acre headquarters site located on the waterfront in the Ventura Marina, consisting of 1.793 acres of dry land and 1.304 acres of submerged land. The National Park Service has studied several proposed sites for a mainland headquarters, including the Ventura Marina facility.

As mentioned above, the Channel Islands National Monument is a prime habitat for many species of wildlife and with respect to some species, the islands represent the only remaining sanctuary in this part of the world. This area supports one of the few breeding colonies of the rare bull elephant seal. Rarer still is the Guadalupe fur seal. Long thought to have been extinct, this eared seal has been sighted in recent years near the Channel Islands. Many other varieties of mammals and birds are present. Also of great value is the tide-pool life which is fast vanishing in California. While public use of the monument is currently permitted, it is generally of a limited nature. We are concerned that the establishment of a mainland headquarters for the monument in the Ventura Marina may lead to such an increase in visitation that the sheer numbers may outweigh the improved visitor orientation that could be provided at such a headquarters. We firmly believe that special consideration should be given to the visitor carrying capacity of the monument and the impact on the existing marine fauna and flora of any increased visitation. While we do know that some increased visitation can be expected, its relation to the capacity of these resources has not yet been determined.

In addition, the contractual terms of the donation from the Port Commissioners have not been sufficiently clarified with respect to the terms of acceptance, the collection of fees and construction costs, so as to enable us to recommend favorably on this bill. For these reasons we are recommending that the Congress defer action on H.R. 9106 until such time as these issues are resolved.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### COLONIAL NATIONAL HISTORICAL PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 15, 1974.

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 2830, a bill "To authorize an increase in funds for land acquisition at Colonial National Historical Park, in the State of Virginia, and for other purposes." Your Committee also orally requested the views on H.R. 9825, a similar bill "To increase the

amount of appropriations authorized for property acquisitions for the Colonial National Historical Park, in Yorktown, Virginia."

We recommend the enactment of H.R. 2830, if amended as suggested herein.

H.R. 2830 would amend the Act of August 29, 1967 (81 Stat. 176), to increase the land acquisition appropriation authorization for Colonial National Historical Park from \$2,277,000 to \$9,737,000. H.R. 9825 would amend section 4 of the Act of July 3, 1930 (16 U.S.C. 81f), to increase the land acquisition appropriation authorization for that park from \$2,777,000 to \$2,867,000.

Colonial National Historical Park comprises four units: Yorktown, Jamestown, The Colonial Parkway, and The Cape Henry Memorial. The proposed appropriation authorization increase will allow purchase of inholdings at Yorktown and of access rights at numerous points along the Colonial Parkway.

Many of the inholdings at Yorktown are occupied by private residences, some of which are located on important historic properties. Voluntary acquisition of these inholdings was not feasible inasmuch as low appraisal values yielded offering prices insufficient to permit relocation of residents. However, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 now enables them to secure adequate compensation for relocation.

Land acquisition costs are expected to total \$5,812,000. This figure includes \$96,500 to satisfy a judgment arising from a Declaration of Taking filed on May 2, 1962, on access rights. We understand that H.R. 9825 was introduced specifically to authorize an increase in the land acquisition appropriation authorization sufficient to cover that award.

We recommend that H.R. 2830, beginning with line 3, be amended to read as follows:

That the appropriation authorization in section 4 of the Act of July 3, 1930, as amended (46 Stat. 856), is amended by deleting "\$2,777,000" and substituting in lieu thereof "\$8,589,000."

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

#### CUMBERLAND GAP NATIONAL HISTORICAL PARK

U. S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: Your Committee has requested our comments on H.R. 7255, a bill "To authorize the acquisition of certain lands for addition to the Cumberland Gap National Historical Park, and for other purposes."

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

H.R. 7255 would authorize the Secretary of the Interior to acquire by donation, purchase, or exchange not to exceed fifty acres of land or interests in land located in Bell County, Kentucky, for addition to the Cumberland Gap National Historical Park, and it would authorize the appropriation of such funds as are necessary to carry out the purpose of the bill.

Enactment of H.R. 7255 is needed to authorize the acquisition of certain lands with appropriated funds, which is prohibited by the legislation authorizing the Cumberland Gap National Historical Park (Acts of June 11, 1940 (54 Stat. 262), May 26, 1943 (57 Stat. 85), and July 26, 1961 (75 Stat. 224)). National Park Service studies have shown that certain lands should be acquired and added to the park in order properly to protect and interpret the historic scene and features so that visitor enjoyment and understanding of the values to be found here may be enhanced.

The lands which we propose to add to the park consist of three principal parcels. The first of these is known as the Schneider Tract. It contains 5.49 acres and was formerly a commercial meat packing and distributing facility located within the authorized park boundaries. This facility is located immediately adjacent to the park visitor center and environmental education center. While it was in operation, smoke, offensive odors, and run-down buildings and debris were within sight and smell of visitors that number nearly 500,000 annually. In 1971, the National Park Foundation purchased this property. The meat packing operation ceased, but many of the buildings still stand. We wish to acquire the site, remove or bury the remaining buildings, roads and parking areas, and landscape the grounds. We estimate the funds needed to reimburse the National Park Foundation for the purchase of the property will amount to \$403,000. Restoration of the site will cost about \$160,000.

The second parcel proposed to be acquired contains three tracts totalling 43.88 acres. It will provide a 100-foot right-of-way for an access road to the Historic Hensley Settlement feature of the park. At present the site is inaccessible to conventional automobiles. An access route is available outside park lands via an abandoned logging road up Shillalah Creek. By acquiring this existing road and improving it, an access for standard vehicles to Hensley Settlement can be obtained with a minimal amount of environmental damage.

Again, the National Park Foundation has been effective in acquiring these lands and holding them until they can be conveyed to the Federal Government. The foundation has purchased two of the three tracts and is negotiating an option to purchase the third property. Funds required to reimburse the foundation for purchasing these properties are estimated at approximately \$18,000.

The third parcel proposed for acquisition is a 5.82-acre tract in Claiborne County, Tennessee, located at the point where Tennessee, Virginia, and Kentucky all meet. The tract is owned by the Eastern National Park and Monument Association, which has offered it for sale to the United States. We believe these lands should be acquired and included in the park to preserve the historic scene and to obtain

historic features located thereon. The tract is strategically located in the line of view of historic Cumberland Gap, and maintenance of forest cover in this area is crucial to restoration of the Gap's historical appearance. Also, on this property are Civil War fortifications representative of several that were built on the shoulders of the Gap.

Funds needed to purchase this property from the Association are estimated at \$6,500. We do not plan any development of this tract at the present time.

The three parcels proposed for acquisition total 55.19 acres. H.R. 7255 would authorize the Secretary to acquire "not to exceed fifty acres of land or interests in land located in Bell County, Kentucky . . ." . Since we propose to acquire lands in excess of fifty acres, some of which are in Tennessee, we recommend that lines 7 and 8 on page 1 of the bill be amended to read as follows: "not to exceed sixty acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to the Cumberland."

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

Sincerely yours,

JOHN KYL,

*Assistant Secretary of the Interior.*

#### FORT NECESSITY NATIONAL BATTLEFIELD

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: This is in response to your request for this Department's views on H.R. 12738, a bill "To amend the Act of August 10, 1961, to authorize further additions to Fort Necessity National Battlefield, Pennsylvania, and for other purposes."

We recommend the enactment of the bill, amended as suggested herein.

H.R. 12738 would authorize further land acquisitions for the Fort Necessity National Battlefield in Pennsylvania and would increase the amount authorized to be appropriated for land acquisitions for addition to the battlefield.

The Act of March 4, 1931 (46 Stat. 1522), authorized the acceptance of donations of not less than 1 acre for the purpose of commemorating the Battle of Fort Necessity which occurred on July 3, 1757, during the French and Indian War. The Act of August 10, 1961 (75 Stat. 336), authorized the acquisition, purchase, donation, exchange, or otherwise, of 500 acres of additional lands for the site, and authorized to be appropriated \$115,000 for that purpose. H.R. 12738 would amend the Act of August 10, 1961, by increasing the amount of land authorized to be acquired for addition to the battlefield from 500

acres to 1,020 acres, and by increasing the amount authorized to be appropriated for land acquisition from \$115,000 to \$615,000.

The National Battlefield presently consists of 350.26 acres. The \$115,000 authorized in the 1961 Act has been appropriated and expended. We have not yet acquired about 149.74 acres under the 1961 authorization and an additional 410.84 acres have since been identified as necessary to the proper protection of the battlefield. Accordingly, there is a need to amend the 1961 Act to increase the acreage limitation to 910.84 acres, i.e., the existing 350.26 acres plus 560.58 acres needed for addition to the area, and to increase the amount authorized to be appropriated for land acquisition. The estimated cost of acquiring the additional land is \$606,300, which includes \$60,000 for costs that would be incurred due to the mandatory provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The new authorization, when added to the \$115,000 already expended, would therefore amount to \$721,300.

The additional lands are needed primarily to assure preservation and restoration of the historic scene. The additional 560.58 acres which would be acquired pursuant to the bill consist of 12 tracts. The State of Pennsylvania owns 0.015 acres, the county of Fayette owns 8.33 acres, the National Park Foundation owns 265.31 acres, and the remaining 286.9242 acres are privately owned. Improvements on the private properties consist of 4 farm units, 4 year-round residences, 1 service station, 2 stores, and 1 converted church building. Included in the additional lands that would be acquired is a portion of a 235-acre tract which is the original George Washington land patent at Fort Necessity. George Washington owned the land from 1769 to 1799. Estimated real property taxes represented by the lands to be acquired were \$1,908.80 in 1972.

In order that the figures in the bill reflect our most current needs as to acreage and funding, we recommend that it be amended (a) by changing "1,020 acres" to "911 acres" in line 7, and (b) by changing "\$615,000" to "\$722,000" in line 9.

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

Sincerely yours,

JACK HORTON,

*Assistant Secretary of the Interior.*

#### INDEPENDENCE NATIONAL HISTORIC PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., September 20, 1973.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 5040, a bill "To amend the Act of June 28, 1948, to provide for the addition of certain

property in Philadelphia, Pennsylvania, to Independence National Historic Park." This report also includes H.R. 581, an identical bill.

We recommend enactment of either H.R. 5040 or H.R. 581, if amended as suggested in this report.

The bills would amend the Act approved June 28, 1948, which established Independence National Historical Park in Philadelphia, to add a new area to the park, described as project F. This area, bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, is located between the existing Federal area and the planned development along the Delaware River known as Penn's Landing. The Secretary would be authorized to acquire land in project F by donation or purchase, except that the Secretary's condemnation authority would be suspended while a duly adopted, valid zoning ordinance, approved by the Secretary, is in force. The bills contemplate that the Secretary will acquire fee title to lands in the area bounded by Ionic Street, Second Street, Sansom Street and Front Street and enter into a contract with the city of Philadelphia under which the city will build and operate on a part of that land a public parking facility for visitors to Independence National Historical Park. The city is authorized to charge reasonable fees, as determined jointly by the city and the Secretary. Under the terms of the bills, all parking fees collected from the parking facility by the city are to be utilized, first, to meet maintenance and operating expenses of the facility and second, to amortize the city's capital investment in improving and developing the facility. Upon complete amortization of the city's investment, the contract with the city will terminate and full title to the facility will vest in the United States. The plan for the parking facility must meet with the approval of the Secretary.

The bills raise the appropriation ceiling in section 6 of the 1948 Act by \$1,150,000 to \$12,350,000, to permit acquisition of land in the project F area.

The addition of project F to the park, as contemplated by H.R. 5040 and H.R. 581, would serve several purposes. First, it would allow for provision of badly needed visitor parking for the park. A substantial portion of the visitors have been parking in a lot one block west of project F which is going to be utilized for a new visitor center, construction of which has already begun. In addition, we expect the total number of visitors to the park to increase markedly during the coming bicentennial celebration and also expect that a higher proportion of them will be arriving in automobiles because of the convenient access that will be provided by the Delaware Expressway, which will run nearby. Parking facilities therefore are needed both to replace parking space that is being converted to other use and to accommodate increased visitation. The city has indicated its willingness to build a multi-story public parking facility with a capacity of about 550 automobiles on Project F lands acquired in fee by the Secretary. Care will be taken to ensure that the historic setting is not disrupted by the facility where this can be avoided. The National Park Service plans to attempt to preserve the facades of three buildings now standing where the parking facility will be built, and to incorporate them into the parking structure.

Project F will also provide for historic zoning of this area, with Federal acquisition permitted if zoning is not adequate. In addition, the National Park Service intends to acquire and restore the Robert Fulton House, located at 129 South Second Street, which was built about 1765 and which was for a time the home of the artist and inventor Robert Fulton. It also plans to create and landscape a pedestrian mall along Sansom Street, linking the main body of Independence National Historical Park with the Penn's Landing development along the river, which is being developed by the city-created Penn's Landing Development Corporation, and which will include offices, motel and hotel units, apartments, commercial and recreational facilities, and museums.

The Secretary's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments endorsed the idea of acquiring the "project F" area at its 65th annual meeting in October 1971.

Project F includes 4.67 acres, .659 of which are now owned by the city of Philadelphia, and 4.011 of which are in private ownership. We would expect to acquire 1.026 acres of the private land in fee, and the remaining 2.985 acres would remain in private ownership subject to historic zoning controls satisfactory to the Secretary and the city. The city has indicated its willingness to carry out the historic zoning for the project F area. Historic zoning which is now in force in other nearby portions of Philadelphia, includes restrictions on building height, construction materials, and types of use. We estimate that the cost of acquiring in fee the 1.026 acres of private land will be \$1,592,000. Other Federal expenditures attributable to addition of project F to the park will be \$2,011,600 for development, including \$600,000 for preservation of facades of 125 and 127 S. Second Street and 114 S. Front Street, \$725,000 for demolition of existing structures, and landscaping, \$325,000 for restoration of the Fulton House and \$111,000 for exhibits, interpretive devices and informative signs. Operating costs are expected to be about \$66,000 per year in the first 5 years after enactment. A man-year and cost data statement is enclosed.

We would suggest the following amendments to the bills. The page and line references are to H.R. 5040. All amendments, except the fifth, are technical in nature:

1. Amend line 6, page 1, to read: "(407m), as amended, is amended as follows:" This change incorporates a reference to the amendments to the 1948 Act.

2. Amend line 8, page 1, to read: "in the first section of such Act is amended (a) by inserting after the phrase 'is authorized to acquire by donation or with donated funds, or to acquire by purchase, any property' the phrase, 'or interest in property,' and (b) by striking out".

This amendment will make it clear that acquisition of interests in land such as scenic easements is permitted, as well as acquisition of fee interests.

3. Delete subsection 3 of the bill, which begins on line 10 of page 2, and renumber the following subsections accordingly.

This is an editorial change deleting reference to acquisition authority in section 3 and the specific authority of the Secretary to enter into an agreement or contract for the construction of the public parking facility by the city of Philadelphia on Project F lands acquired in fee by



the Secretary, together with incidental provisions relating to the development, operation, and disposition of that facility. The acquisition authority already is conferred by section 1 of the 1948 Act, as amended, and thus need not be restated here.

The specific authorities relating to the public parking facility duplicate authorities the Secretary presently may exercise. Pursuant to section 3 of the Act of August 25, 1916, as amended and supplemented (39 Stat. 535; 16 U.S.C. 3), the Secretary is authorized to contract, for periods up to thirty years, for the use of National Park System lands for the accommodation of visitors, and he may authorize such contractors to incur indebtedness for the installation of related plant and equipment. These parking services also could be provided under a concession contract with the Secretary pursuant to the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20-20g), provided legal title to the parking facility is vested in the United States. At an appropriate time relinquishment of the possessory interest in the facility could be accepted by the Secretary or, pursuant to provisions of the Act of December 18, 1967 (81 Stat. 656; 16 U.S.C. 19e-19n), by the National Park Foundation for the benefit of the National Park Service.

4. Add a new subsection containing the following language: "Notwithstanding any other provision of law, the Secretary may develop property on the site of Sansom Street between Front and Second Streets as a pedestrian thoroughfare or mall without regard to whether title thereto is in the United States, pursuant to a cooperative agreement with the city of Philadelphia."

This language would implement the city's intention to retain ownership of Sansom Street, which the National Park Service plans to develop as a pedestrian mall. Express authorization, such as the above, is needed for the Federal Government to expend funds on land not owned by it. As a conforming amendment, lines 7 to 9 of page 2 can be deleted as duplicative.

5. Amend line 10 of page 3, to delete the amount "\$12,350,000" and replace it with the amount "\$12,792,000." We have determined that because of rising land costs, this higher amount will be needed to purchase the acreage planned to be acquired.

6. Amend line 17, page 3, to add after the phrase "project F", the phrase ". except that portion bounded by Ionic Street, Second Street, Sansom Street and Front Street." This amendment will assure that the Secretary will have authority to condemn, if necessary, that part of project F land on which the parking facility will be constructed.

From its inception, Independence National Historical Park has been developed in close cooperation with the city of Philadelphia. The result has been the preservation of priceless examples of our Nation's heritage in the attractive setting of Old Philadelphia. Project F, including the planned parking facility, historic zoning, and mall, will be another excellent product of this continuing cooperation.

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

Sincerely yours,

JOHN KYL,

*Assistant Secretary of the Interior.*

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE  
INDEPENDENCE NATIONAL HISTORICAL PARK—AREA "F"

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
<b>Estimated additional expenditures:</b>					
Personnel services	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000
All other	1,966,000	1,252,000	460,000	25,000	25,000
<b>Total</b>	<b>2,008,000</b>	<b>1,294,000</b>	<b>502,000</b>	<b>67,000</b>	<b>67,000</b>
<b>Estimated additional obligations:</b>					
Land and property acquisition	1,592,000				
Developments	350,000	1,227,000	435,000		
Operations (management, protection and maintenance, planning, development and operation of recreation facilities)	66,000	66,000	66,000	66,000	66,000
<b>Total</b>	<b>2,008,000</b>	<b>1,293,000</b>	<b>501,000</b>	<b>66,000</b>	<b>66,000</b>
<b>Total, estimated additional man-years of civilian employment</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>

INDIANA DUNES NATIONAL LAKESHORE

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., October 24, 1973.*

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 3570, a bill "To amend the Act entitled 'An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes', approved November 5, 1966." Our report also includes a similar bill, H.R. 1674.

We recommend enactment of H.R. 3570 or H.R. 1674, if amended as suggested in this report.

H.R. 3570 would amend section 10 of the Act which established the Indiana Dunes National Lakeshore in 1966 (80 Stat. 1309 *et seq.*, 16 U.S.C. 460u *et seq.*), to increase the authorization for land acquisition from \$27,900,000 to \$32,600,000, an increase of \$4,700,000. H.R. 1674 would similarly increase the authorization to \$32,536,500.

The Indiana Dunes National Lakeshore, designated by Congress in 1966, contains an unusual complex of exceptional dunes, rising to heights of 200 feet; numerous marshes, swamps, and bogs; a diversity of flora and fauna; and attractive sand beaches along the lakeshore. In addition to being of scientific interest, the area is ideally suited to meeting the recreational needs of people of the region. There are more than 9.5 million people living within a 100-mile radius of the national lakeshore. When completed, the Indiana Dunes National Lakeshore will provide ideal conditions for beachgoers as well as for hikers, campers, and naturalists.

The total authorized area contains about 8,330 acres, of which approximately 3,490 are now in Federal ownership. There remain to be acquired 1,872.55 acres in private ownership. The entire amount authorized for land acquisition by the 1966 Act has now been appropriated, however, and all but approximately \$1 million of this amount, which is being held as a Departmental contingency reserve to meet

deficiency judgments, has been expended as of September 1973. It is estimated that the cost of acquiring the remaining 1,872.55 acres in private ownership will be an additional \$7,626,000.

The increase in acquisition costs over the 1966 estimates is in part attributable to inflation in land values and in part to a decision by the U.S. Court of Appeals concerning the proper method of valuing certain tracts. Of the additional amount needed to complete acquisition, it is expected that about \$3,330,000 will be used to pay deficiency judgment awards to sellers when the outcomes of condemnation suits now underway are determined. In addition, \$3,457,000 will be used to acquire lands and improvements which are either purchased with the owner's consent or are the subject of future condemnation suits.

Administrative costs are expected to total \$432,000 and \$407,000 would be expended to meet obligations under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 that are attributable to lands acquired with the additional \$7.6 million.

(Obligations have also been incurred under the Relocation Assistance Act for lands acquired under the existing authorization of \$27.9 million, but these obligations can be met under the provisions of the Administration's bill now before Congress, H.R. 5443, which would allow acquisition authorization ceilings to be exceeded to meet obligations under the Relocation Assistance Act for acquisition authorizations enacted prior to January 1971.)

In order that H.R. 3570 and H.R. 1674 authorize funds sufficient to acquire the remaining private lands, we recommend that the amounts "\$32,600,000" and "\$32,536,500", respectively, be deleted from line 8 of the bills and be replaced with the amount "\$35,526,000". We also recommend a perfecting amendment to H.R. 1674: The word "Indian" in the title of the bill should be replaced with "Indiana".

Now, more than 6 years after congressional authorization of the project, the potential recreation opportunities offered by the Indiana Dunes National Lakeshore are needed more than ever. Enactment of H.R. 3570 or H.R. 1674 will make it possible to acquire the full area authorized in 1966 to meet this need, fulfilling the intent of Congress in this unique natural area.

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

Sincerely yours,

CURTIS BOHLEN,  
*Deputy Assistant Secretary.*

#### INTERNATIONAL PEACE GARDEN

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: Your Committee has requested this Department to furnish a report on H.R. 2235, a bill "To increase the authori-

zation for the appropriation of funds to complete the International Peace Garden, North Dakota."

We recommend the enactment of the bill, if amended as suggested in this report.

The Act of October 25, 1949 (63 Stat. 888), as amended, authorized the appropriation of not to exceed \$400,000 for the purpose of assisting, in accordance with an agreement, the State of North Dakota to complete the International Peace Garden, which lies on the boundary between the United States and Canada in the State of North Dakota and in the Province of Manitoba. H.R. 2235 would further amend the 1949 Act by increasing the existing authorization to \$1,454,000, an increase of \$1,054,000.

Begun in 1931, the International Peace Garden commemorates the continued peaceful relationship between this country and Canada. It consists of 2,330.3 acres comprising a small (80 acres in each country) formal garden and a surrounding informal woodland park. The formal garden is bisected by the International Boundary. The informal area is developed on each side with picnic areas, group camps, an amphitheater, and administrative complexes. The area is developed and administered by International Peace Garden, Incorporated, which acts for the State of North Dakota and the Province of Manitoba in carrying out the development of the area. This organization, incorporated under the laws of New York, consists of a board of directors whose membership is divided equally between United States and Canadian citizens. Title to the portion of the area in the United States (about 888 acres) is held by the State of North Dakota in trust for the benefit of International Peace Garden, Incorporated.

A general design for the formal garden and the informal area on the American side was approved by International Peace Garden, Incorporated, in 1938. Since then, the United States, pursuant to the 1949 Act, as amended, has contributed \$400,000 for the garden. A sum approximating this amount has been provided by Canadian sources for the development of the Canadian side.

The formal garden is now about half complete. Yet to be constructed is the major feature of the area—the peace tower—which was included in the original design plans. It is contemplated that the tower will be chosen on the basis of an international competition. A master plan for the completion of the formal and informal parts of the garden has been completed and approved by representatives of the National Park Service of this Department, the State Historical Board of North Dakota, the Parks and Recreation Branch of the Province of Manitoba, the Department of Northern Affairs and Cultural Resources of Canada, and International Peace Garden, Incorporated.

On the basis of our review of the master plan, we estimate the United States share of the cost of the peace tower will be approximately \$500,000; and that of the remainder of the formal area, approximately \$802,000. The total remaining cost, therefore, of the United States share of the formal area will be approximately \$1,302,000, at August 1973 costs, and the total cost, including amounts already expended, will be \$1,702,000. Line 7 of H.R. 2235 should be amended to reflect this total cost by replacing the figure "\$1,454,000" with "\$1,702,000".

We cannot forecast when appropriations might actually be requested, but we believe it would be useful to have this authorization so that we could proceed with appropriation requests at such future time as fiscal conditions will permit.

We believe that the development of the informal area should be undertaken by the State, and a supplemental agreement with the State will so provide. Owing to the international character of the formal area, we believe that 100 percent Federal financing of this feature is amply justified. The informal area surrounding the formal garden, however, will be developed and used chiefly as a state park, and we believe it should be financed separately by the State.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*

# MOORES CREEK NATIONAL MILITARY PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1974.

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

DEAR MR. CHAIRMAN: There is pending before your Committee H.R. 7341, a bill "To amend the Act of September 27, 1944 (58 Stat. 746), an Act 'To authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes.'"

We recommend the enactment of this bill.

H.R. 7341 would amend the Act of September 27, 1944 (58 Stat. 746), by expanding the method of acquisition for lands to be included in Moores Creek National Military Park from donation only to donation, purchase with donated or appropriated funds or exchange.

Moores Creek National Military Park includes part of the area where the Battle of Moores Creek occurred on February 27, 1776. More patriots and loyalists of North Carolina clashed at Moores Creek Bridge in one of the decisive actions of the opening phases of the American Revolution. The patriot militia threw back a larger loyalist force which was attempting to rendezvous with a British expeditionary squadron on the coast.

Small as it was, the battle had a crucial importance. The victory helped prevent a full-scale invasion of the South, drove North Carolina to instruct its delegation to the Continental Congress to vote for independence—the first colony to so act—and supplied a needed stimulus for the country as a whole in the movement toward breaking the ties with the British.

The Act of June 2, 1929 (44 Stat. 624), authorized the establishment of the Moores Creek National Military Park consisting of 30 acres of land owned by the State of North Carolina, upon donation of the land to the United States. The donation was accomplished and the park established.

The Act of September 27, 1944 (58 Stat. 746), authorized the Secretary of the Interior to accept additional donations totalling not more than 100 acres for addition to the park. Pursuant to that Act, about 12 acres have been accepted and made a part of the park. The Federal lands within the area now total approximately 42.23 acres.

The need for the bill lies in the need to acquire some 35.02 acres, of which 12 acres are of prime historic significance. The remaining acreage is needed to provide necessary visitor developments and the relocation of a state highway. Donations of these lands have not been forthcoming, and we believe acquisition by purchase will be necessary.

The historic lands on the west side of Moores Creek embrace the area where a group of patriots first took position and the loyalist force later massed to charge the patriot militia entrenched on the other side of the creek. Also, included is the land where the west abutments of the Moores Creek bridge were. This narrow bridge was the key to the patriot victory, since it was the only way across the creek and the loyalists had to bunch together, thus being highly vulnerable to the withering fire of the patriots. Acquisition of the land on the west bank of the creek will permit the reconstruction of the bridge and an accurate re-creation of the historic scene.

The remaining lands are needed for a proposed relocation of State Highway 210, which bisects the park, and the construction of a new entrance road. Officials of the State of North Carolina have indicated that relocation of Route 210 upon a new right-of-way provided by the United States is consistent with their plans.

We estimate the cost of acquiring the 35.02 acres of land to be \$253,000, including \$65,900 which is attributable to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The cost includes acquisition of 10 improvements, of which 6 are year-round residences, 1 is a seasonal residence, and 1 is a score-service station.

We expect that actual acquisition costs to the United States will be reduced to \$243,000 by \$10,000 in matching funds already appropriated by the General Assembly of North Carolina.

We estimate the costs of developments associated with the acquisition of these lands to be \$325,000, based on October 1972 prices.

Attributable operating costs should run about \$41,000 by the fifth year. A man-year and cost data statement is enclosed.

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

Sincerely yours,

JOHN KYL,  
*Assistant Secretary of the Interior.*



U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE  
MOORES CREEK NATIONAL MILITARY PARK (EXISTING)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services	30,000	30,000	30,000	30,000	30,000
All other	295,000	103,000	147,000	84,000	11,000
Total	325,000	133,000	177,000	114,000	41,000
Estimated additional obligations:					
Land and property acquisition	253,000				
Developments	25,000	92,000	136,000	73,000	
Operations (management, protection and maintenance, planning, development and operation of recreation facilities)	47,000	41,000	41,000	41,000	41,000
Total	325,000	133,000	177,000	114,000	41,000
Total, estimated additional man-years of civilian employment	3	3	3	3	3

MORRISTOWN NATIONAL HISTORICAL PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 15, 1974.

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

DEAR MR. CHAIRMAN: We respond to the Committee's request for a report on H.R. 3268 and H.R. 10251, two similar bills "To amend the Act of September 18, 1964, authorizing the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes."

We recommend enactment of H.R. 3268 and we oppose enactment of H.R. 10251.

Morristown National Historical Park contains the sites of important military encampments during the Revolutionary War, including George Washington's headquarters in 1779-80. The national historical park was created in 1933 and expansion was authorized in 1964. Specifically, the Act of September 18, 1964 (78 Stat. 987), authorized acquisition of 281 acres by purchase, donation, or purchase with appropriated funds. The park now consists of 1,339.13 acres, which include 262 acres acquired under the 1964 authorization.

The Department has identified five tracts of land adjacent to the existing park, totaling 37.23 acres, which it believes should be acquired for addition to the park. Part of these tracts is adjacent to the headquarters of the park and needs to be acquired to provide visitor parking. Acquisition of the land would also prevent adverse development by private parties which would detract from the existing park facilities. The remainder of these tracts are inholdings in the Jockey Hollow area, the winter encampment of George Washington's Continental Army in 1779-80. Their acquisition would provide space for visitor interpretive services and a luncheon area. Their acquisition would also permit the Department to excavate and stabilize the Maryland brigade sites which are located at least partially on the inholdings in the Jockey Hollow area.

Only 18.47 acres of the 37.23 acres needed could be acquired under authorization remaining under the 1964 Act. Furthermore, all but \$5,061 of the \$281,000 authorized under the Act for purchase of lands has been appropriated and expended. Therefore legislation is needed before the 37.23 acres can be acquired. H.R. 3268 would provide the necessary authorization. First, it would increase the acreage authorization in the 1964 Act by 19 acres, from 281 to 300 acres.

Nineteen acres could then be acquired under the new authorization and 18.47 acres from the authorization remaining under the 1964 Act, for a total of about 37 acres. Second, H.R. 3268 would remove the 1964 Act's ceiling appropriations. We estimate that the cost of the lands to be acquired will be approximately \$830,000.

One of the tracts involved is now being held for conveyance to the National Park Service by the National Park Foundation and another by the Washington Association of New Jersey. These organizations purchased the properties in April 1971 and November 1969, respectively. Both organizations have agreed to convey the properties at cost, plus the cost of improvements in the case of the Washington Association property. These properties together constitute 27.86 acres. The remaining tracts would be acquired from private owners.

We recommend prompt enactment of H.R. 3268 in order that needed land can be acquired without further delay. The bill would authorize the precise acreage that is needed, whereas H.R. 10251 would authorize the acquisition of excessive acreage.

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

Sincerely yours,

JOHN KYL,  
Assistant Secretary of the Interior.

OHIO AND ERIE CANAL

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 28, 1974.

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

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on H.R. 10650, a bill "To provide for a study of the most feasible and suitable means of preserving the resources of the Ohio and Erie Canal in the State of Ohio, and for other purposes."

We recommend that this bill be enacted.

H.R. 10650 would direct the Secretary of the Interior to study how best to preserve and interpret the historic and natural resources of the Ohio and Erie Canal and adjacent lands in the State of Ohio. Such a study, which would consider existing and State and local plans for the resources, would be submitted to the Congress within a year from the date of enactment of the Act. The bill would appropriate sums

necessary to carry out its provisions. We would estimate that the study called for by the bill would not cost more than \$40,000.

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

Sincerely yours,

NATHANIEL REED,  
*Assistant Secretary of the Interior.*

#### RELOCATION ASSISTANCE COSTS

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 16, 1973.*

HON. CARL ALBERT,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: We enclose herewith a draft bill "To authorize appropriations for additional costs of land acquisition for the National Park System."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The mandatory provisions of titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646; 84 Stat. 1894) impose substantial additional costs and expenses on the National Park Service in connection with its land acquisition program. These additional amounts, for moving expenses and other relocation benefits, together with the increased administrative expenses incurred in connection with providing these benefits, are chargeable against the existing statutory ceilings on amounts authorized to be appropriated for land acquisition which were considered and imposed by the Congress prior to January 2, 1971, the effective date of the Act. Of course, land acquisition estimates presented to the Congress prior to that time did not include costs attributable to the benefits provided for in the later enactment.

It is anticipated that the increased costs, including administration costs, due to these benefits will be an amount approximately 12 percent to 15 percent above the present authorization ceilings. Clearly, then, unless appropriations are authorized to supply these additional amounts, the land acquisition program for the National Park System could not be completed within the ceilings imposed. In each instance, as funds would be exhausted or nearly exhausted, individual amendatory legislation would be required—and serious delays in acquisition could be experienced—pending congressional action. Of course new legislation authorizing additional land acquisition that is considered by subsequent Congresses can be drafted so that authorizations reflect the increased costs.

Accordingly, the draft bill enclosed herewith authorizes additional appropriations for land acquisition for areas of the National Park System, in the amount of the actual costs and expenses payable or in-

curred by reason of the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The bill makes these increases applicable to those authorizations approved prior to January 9, 1971, with one exception. We recommend an increased ceiling for projects approved prior to January 9, as opposed to the earlier effective date of P.L. 91-646 (January 2), because three new proposals, submitted prior to enactment of P.L. 91-646 without provision for relocation costs, were not finally approved until January 8. These are Gulf Islands National Seashore (P.L. 91-660), Voyageurs National Park (P.L. 91-661), and Chesapeake and Ohio Canal National Historical Park (P.L. 91-664). The bill also authorizes appropriation of additional sums under the omnibus parks legislation passed in April 1972 (P.L. 92-272, 86 Stat. 120), in order to pay relocation costs not included in the appropriation authorization ceiling of that legislation.

Acquisition cost estimates submitted to the Congress have in the past included our administrative expenses as a part of the total. However, the benefits now to be provided will increase these costs. For example, we may be required to render assistance to a displaced homeowner by helping him locate or construct a suitable replacement dwelling, obtain financing, and so on. It is apparent, therefore, that these added administrative expenses, if not recouped, could seriously deplete available funds. All future proposals will include an estimate of costs attributable to requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

We strongly urge the favorable consideration of this bill in order to permit the continuation of the land acquisition program for the National Park System.

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

Sincerely yours,

NATHANIEL REED,  
*Assistant Secretary of the Interior.*

A BILL To authorize appropriations for additional costs of land acquisition for the National Park System

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, 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 (P.L. 91-646; 84 Stat. 1894). There are also authorized to be appropriated such sums as may be necessary 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.

## ROCKY MOUNTAIN NATIONAL PARK

U.S. DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,

Washington, D.C., February 13, 1974.

HON. JAMES A. HALEY,

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 10095, a bill "To authorize the acquisition of certain lands for addition to Rocky Mountain National Park in the State of Colorado, and for other purposes."

We recommend enactment of the bill, if amended as suggested in this report.

The bill would revise the western boundary of the Rocky Mountain National Park in the State of Colorado to include an additional 1,017.5 acres, consisting of three parcels in the Kawuneeche Valley. The Secretary of the Interior would be authorized to acquire those lands, waters, and interests therein by donation, purchase, or exchange, except that property owned by the State of Colorado or any political subdivision thereof could be acquired only by donation. The acquired property would be administered by the Secretary as part of the Rocky Mountain National Park. The bill would authorize such sums as may be necessary to carry out its provisions.

The Rocky Mountain National Park, embracing approximately 410 square miles of the Front Range of the Rocky Mountains, is one of the most spectacular yet easily accessible high-mountain areas in North America. With elevations ranging from 8,000 feet at park headquarters to 14,256 feet at the summit of Longs Peak, it has glacier-sculptured valleys, rugged gorges, alpine lakes, and vast areas of alpine tundra. The park now attracts approximately 2.5 million visitors annually.

Trail Ridge Road, which crosses the crest of the Front Range and the Continental Divide and is the park's major access, offers sweeping vistas of mountains, forests, and open meadows. On the west side of the park, the road passes through the Kawuneeche Valley, which is the headwaters of the Colorado River. This valley, unquestionably of park quality, is prime habitat for deer, elk, beaver, and marsh birds. While the valley's upper portion is entirely within the park, the park boundary in the lower valley floor lies a short distance west of the Trail Ridge Road. Commercial and summer home development in the immediate area is increasing, and may soon threaten the integrity of the valley and the view from Trail Ridge Road.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments recommended inclusion of the Kawuneeche Valley in the boundaries of the Rocky Mountain National Park at its 67th meeting on October 2-4, 1972. Consistent with that recommendation, we propose adding an important 4-mile portion of the lower Kawuneeche Valley to the park, extending the park boundary an average of a half mile west to the Arapaho National Forest. This 1,556.21 acre addition would include within the park the entire portion of the valley floor visible from the Trail Ridge Road, thereby protecting this scenic panorama.

H.R. 10095 would permit acquisition of three parcels of the lower valley now available for purchase. The National Park Service has a firm option on two of the parcels, totalling 633.74 acres; this option expires at midnight February 21, 1974. The Service also has received a verbal offer of sale on a third parcel of 366.97 acres. Acquisition of an additional 17.5-acre parcel located between one of the three parcels and Trail Ridge Road also would be authorized by the bill.

We recommend enactment of H.R. 10095 and urge its prompt and favorable consideration. In order that the bill authorize acquisition of the entire 1,556.21 acre addition recommended by us, the following text should be inserted in lieu of lines 7 through 10 on page 1, and lines 1 through 24 on page 2, of H.R. 10095:

"All of those lands lying west of the west bank of the North Fork of the Colorado River in sections 25 and 36, township 5 north, range 76 west, and in section 1 and 12 and the east halves of sections 2 and 11, township 4 north, range 76 west."

In addition, the word "areas" should be replaced by the word "area" in line 4, page 1 and in line 25, page 2 of the bill, and the figure "1,017.5" appearing in line 5, page 1 of the bill should be revised to read "1,556.21".

In the northern part of the lands to be added to the park is the original Holzwarth homestead, consisting of four buildings typical of the homesteading efforts of the first settlers of the valley. We would develop that homestead as an historical interpretive site. The scene at this homestead has changed little since 1904 when the first cabin was built.

Land acquisition costs for the bill are expected to total \$2,423,740. Development costs are estimated to be \$318,000, based on September 1973 prices. We expect operating costs attributable to the added lands to be \$6,500 annually. A man-year and cost data statement is enclosed.

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

Sincerely yours,

NATHANIEL REED,  
*Assistant Secretary of the Interior.*

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE  
ROCKY MOUNTAIN NATIONAL PARK (BOUNDARY)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services.....	4,000	4,000	4,000	4,000	4,000
All other.....	1,473,000	77,000	73,000	87,000	54,000
Total.....	1,477,000	81,000	77,000	91,000	58,000
Estimated additional obligations:					
Land and property acquisition.....	2,424,000				
Developments.....	37,500	74,500	70,500	84,500	51,000
Operations (management, protection and maintenance).....	6,500	6,500	6,500	6,500	6,500
Total (rounded to nearest figure).....	2,468,000	81,000	77,000	91,000	58,000
Total, estimated additional man-years of civilian employment.....	0.4	0.4	0.4	0.4	0.4

## SAN JUAN NATIONAL HISTORIC SITE

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 14, 1973.

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

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on H.R. 12548, a bill "To authorize and direct the Secretary of the Interior to conduct certain studies at the San Juan National Historic Site, Puerto Rico." We recommend against enactment of the bill.

H.R. 12548 provides that in order to assure the protection of the public safety and historic integrity of San Juan National Historic Site in Puerto Rico, the Secretary of the Interior is authorized and directed to study and investigate the causes and extent of damage to the foundation of certain historic structures, review alternative courses of action to protect the public and preserve such structures, and submit a report on such study and review to the Congress with recommendations. The report shall include an analysis of the effects of alternative actions which might impair the historic integrity of such structures, including information on the cost of implementing any alternatives. The bill directs that a report be submitted to the Congress within 1 year of this enactment, and, pending submission of the report, the bill directs the Secretary to take such precautions as are necessary to protect the visiting public. The bill further authorizes the appropriation of not to exceed \$100,000 for the purposes aforesaid.

San Juan National Historic Site, Puerto Rico, consists of 48.25 acres of Federal land that was designated as a national historic site in 1949. The area includes the most impressive features of the city of Old San Juan, the Old Sixteenth Century Spanish castles and fortifications which provide protection from early pirates and were a fortress of the Spanish colonies in the new world. Public visitation to the National Historic Site was approximately 1,270,000 in 1973.

The historic fabric of this complex is, for the most part, structurally sound. But, there are key portions threatened by sea erosion. Various surveys since 1956 have assessed the conditions of the fortification walls and foundations. The most comprehensive and most recent report was completed by the Corps of Engineers in 1971 and entitled "Condition Reconnaissance and Study of Required Protection Work for the National Historic Site in San Juan, Puerto Rico". The introduction to that report states, in part, that areas of El Morro and San Cristobal (including its outerworks).

"\* \* \* present severe erosion conditions indicating extreme damage of foundation collapse. Deterioration of the foundations and rock ledge present conditions of erosion caused by surface runoff, ranging to deeply eroded rock caused by exposure to wave action. Large pockets of soft material have been lost resulting in caverns and cavities requiring extensive and costly repair.

"It is considered, on the basis of this preliminary examination and study, that the protection work described is that required to repair

the critical conditions of rock erosion and to prevent continuing deterioration and ultimate failure of the foundation supporting and protecting the fortification walls."

In general the damage consist of wave excavations in the cemented sand dunes and limestone reef foundation upon which the fortifications were built. The repair structures proposed in the Corps' report consist basically of grouted rock and the construction of a breakwater along the north and southwest walls of El Morro. The rock, gravel, and concrete would fill the holes already cut below the fort walls and offer some load-bearing capacity to substitute for the materials lost to the surf. The retaining walls are intended to withstand further surf attack and prevent the formation of new washouts in the material at the surf zone. The Corps' estimate of repairs in 1971 dollars was \$8,029,000. The estimates also reflect proposals to correct rainwater runoff erosion along the upper slopes of the terrain below the fort walls, which is also contributing to deterioration of the natural footings of the fortifications.

The projects would effect changes in the setting and appearance of the historic structures. The Corps' report is now being reviewed to determine the extent to which the prescribed repairs can be undertaken in a manner that would not unduly affect the integrity of these unique castles and fortifications.

As noted above, studies and investigations of the problem have already been conducted from time to time. Accordingly, no further legislation is necessary to authorize any additional analysis of alternative means of protecting the historic structures within the National Historic Site.

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

Sincerely yours,

JOHN KYL,  
Assistant Secretary of the Interior.

## VIRGIN ISLANDS NATIONAL PARK

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 15, 1974.

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

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on H.R. 12551, a bill "To amend the Act of October 5, 1962, relating to the Virgin Islands National Park."

We recommend the enactment of the bill, amended as suggested herein.

The bill would amend the Act of October 5, 1962 (76 Stat. 746), by increasing the amount authorized to be appropriated for land acquisition within the Virgin Islands National Park from \$1,250,000 to \$12,250,000.

## CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, H.R. 14217, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

## ACT OF OCTOBER 18, 1968 (82 STAT. 1188, 1189)

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]** *\$28,350,000* for land acquisition and \$2,900,000 for development.

## ACT OF JULY 3, 1960 (46 STAT. 856), AS AMENDED (16 U.S.C. 81f)

SEC. 4. That 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 the Act, which shall not exceed the sum of **[\$2,777,000]** *\$10,472,000*, to be available for all expenses incident to the examination and establishment of the said Colonial National Historical Park and for the acquisition of lands and/or lands and improvements needed for the completion of the park, including the securing of options and other incidental expenses. The area of the Yorktown battlefield, authorized for inclusion in said park, is hereby extended to not exceed four thousand five hundred acres, and all government-owned lands within the boundaries of said park as established by presidential proclamation, except those determined by the Secretary of the Interior as not necessary in carrying out the objects of said park, are hereby transferred to the administrative jurisdiction and control of the National Park Service.

## ACT OF AUGUST 10, 1961 (75 STAT. 336)

SEC. 5. There are hereby authorized to be appropriated such sums, but not more than **[\$115,000]** *\$722,000*, as are necessary to carry out the provisions of this Act.

## ACT OF JUNE 28, 1948 (62 STAT. 1061, 1062), AS AMENDED (16 U.S.C. 407r)

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 **[\$11,200,000]** *\$12,792,000*. 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 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.

## ACT OF NOVEMBER 5, 1966 (80 STAT. 1309, 1312; 16 U.S.C. 460u-9)

SEC. 10. There are hereby authorized to be appropriated not more than **[\$27,900,000]** *\$35,526,000* for the acquisition of land and interests in land pursuant to this Act.

## ACT OF SEPTEMBER 27, 1944 (58 STAT. 746) (16 U.S.C. 422a-1)

SECTION 1. That the Secretary of the Interior is hereby authorized, in his discretion, to **[accept in behalf of the United States donations of]** *acquire by donation, purchase, or exchange* 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]** *acquired* pursuant to this Act shall not exceed one hundred 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.

*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.*

## ACT OF SEPTEMBER 18, 1964 (78 STAT. 957)

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

SEC. 3. There are authorized to be appropriated such sums, but not more than **[\$281,000]** *\$2,111,000* for acquisition of lands and interests in land, as may be necessary to carry out the purposes of this Act.



ACT OF OCTOBER 5, 1962 (76 STAT. 748; 16 U.S.C. 398f)

\* \* \* \* \*

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than **[\$1,250,000]** *\$12,250,000*, as are necessary to acquire lands pursuant to section 2 of this Act.

ACT OF SEPTEMBER 26, 1970 (84 STAT. 880; 16 U.S.C. 460w-7)

SEC. 8. There are authorized to be appropriated not more than **[\$4,250,000]** *\$5,520,000* 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.

ACT OF OCTOBER 8, 1964 (78 STAT. 1041; 16 U.S.C. 460n-9)

\* \* \* \* \*

SEC. 10. There are hereby authorized to be appropriated not more than **[\$1,200,000]** *\$7,100,000* for the acquisition of land and interests in land pursuant to section 2 of this act.

ACT OF OCTOBER 21, 1970 (84 STAT. 1081; 16 U.S.C. 460x-14)

\* \* \* \* \*

SEC. 15. There are authorized to be appropriated not more than **[\$19,800,000]** *\$57,753,000* 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.

ACT OF OCTOBER 25, 1949 (63 STAT. 888), AS AMENDED  
(68 STAT. 300); (72 STAT. 985)

SECTION. 1. 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 **[\$400,000]** *\$1,702,000*.

\* \* \* \* \*

ACT OF MARCH 1966 (80 STAT. 33; 16 U.S.C. 459g)

SEC. 1. 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.] *"Boundary Map, Cape Lookout National Seashore", dated March 1974, and numbered 623-20,009*, 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. Hassell 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.]"**

*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.*

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.

SEC. 3. **["When title to the lands and interests in lands which under section 459g-1 (a) of this title 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.]"**

*When title to lands and interests in lands in an amount sufficient to constitute an efficiently administrable 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.*

Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable and such ex-

terior boundaries shall encompass, as nearly as possible, the area generally described in section 459g of this title. 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 sections 459g to 459g-6 of this title, the Secretary may, subject to the provisions of section 459g-1 of this title, acquire the remainder of the lands and interests in lands within the boundaries of the seashore.

\* \* \* \* \*

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.] *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. 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.*



H. R. 14217

# Ninety-third Congress of the United States of America

## AT THE SECOND SESSION

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

### 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.

*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



## H. R. 14217—2

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 develop-

ment 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,

## H. R. 14217—4

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.

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 administrable 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."

## H. R. 14217—5

(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 unsuitability 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."

*Speaker of the House of Representatives.*

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

October 17, 1974

Dear Mr. Director:

The following bills were received at the White House on October 17th:

H.J. Res. 1167✓  
H.R. 13157✓  
H.R. 13342  
H.R. 14217✓  
H.R. 15736

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C.