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8/4/76

APPROVED  
JUL 4 - 1976

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: July 7

June 29, 1976

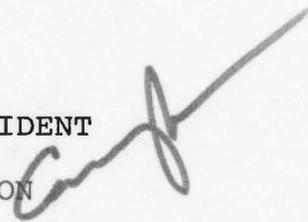
Inauguration Ceremony  
Valley Forge, PA  
9:40 AM  
Remarks issued:  
7/4/76

To Archives  
7/6/76

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON 

SUBJECT:

H.R. 5621 - Establish Valley  
Forge National Historical Park,  
Pennsylvania

Attached for your consideration is H.R. 5621, sponsored by Representative Schulze and sixteen others.

The enrolled bill authorizes the establishment of the Valley Forge National Historical Park on approximately 2,500 acres, provides necessary authorities for land acquisition and operation and maintenance of the park, and authorizes appropriations to carry out these activities.

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

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

RECOMMENDATION

That you sign H.R. 5621 at Tab B.



A



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

JUN 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 5621 - Establish Valley  
Forge National Historical Park,  
Pennsylvania  
Sponsors - Rep. Schulze (R) Pennsylvania  
and 16 others

Last Day for Action

July 7, 1976 - Wednesday

Purpose

Authorizes the establishment of the Valley Forge National Historical Park on approximately 2,500 acres of land, provides necessary authorities for land acquisition and operation and maintenance of the park, and authorizes appropriations to carry out these activities.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval

Discussion

Since 1893, the Commonwealth of Pennsylvania has maintained, improved, and operated a State park commemorating the decisive winter encampment of Washington's Continental Army during the winter of 1777-1778.

In recent years, extensive development of the area around the Valley Forge Park including the

Pennsylvania Turnpike and ever growing suburban residential construction has threatened the integrity of the park. According to the Interior Committee reports, development pressure has increased to the point where the State is not able to cope with them adequately, particularly in the need for protective land acquisition.

More specifically, the House Interior Committee's report stated:

"The establishment of Valley Forge as a national historical park thus has the dual purpose of securing a larger land base for the park and of placing the area under the continuing protection and management of the National Park Service. The Congress, in this instance, will be building on the accomplishments of the Commonwealth of Pennsylvania to date, and is acting to guarantee that Valley Forge will continue to inspire Americans for long after the Bicentennial year."

The major provisions of H.R. 5621 would:

- authorize the Secretary of the Interior to establish the Valley Forge National Historical Park after determining that an adequate land area exists for this purpose and subject to other conditions;
- authorizes acquisition of the necessary land by purchase, exchange or otherwise except that the State park area could be acquired only by donation after October 1, 1976;
- prohibit establishment of National Historical Park until the Secretary of the Interior has received adequate assurance concerning the availability and obligation of the \$10 million in State funds which have been appropriated for new park improvements;

- authorize appropriations in the amount of \$8,622,000 for land acquisition and \$500,000 for additional improvements; and
- authorize the Secretary of the Interior, after consulting with the Governor of the Commonwealth of Pennsylvania, to develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the development of the park consistent with the objectives of this Act, indicating:
  - (1) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public;
  - (2) the location and estimated cost of all facilities; and
  - (3) the projected need for any additional facilities within the park.

There is attached for your consideration a proposed signing statement which Interior has informally submitted.

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosure

B

THE WHITE HOUSE  
WASHINGTON

BOB LINDER:

Please see JACK MARSH comment  
Judy 6/30

THE WHITE HOUSE

JUN 29 1975

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 29

Time: 900am

FOR ACTION:

George Humphreys  
Max Friedersdorf  
Ken Lazarus

cc [redacted]:

[redacted]  
Jim Cavanaugh  
Ed Schmults

*PAR*

FROM THE STAFF SECRETARY

DUE: Date: June 29

Time: 500pm

SUBJECT:

[redacted] Establish Valley Forge National  
Historical Park

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston

*This Bill is to be signed  
4 July at Valley Forge. Statement  
to accompany in preparation by  
White House writers. Please take  
steps for Bill to go with Presidential  
party, as well as pens, etc.*

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.

James M. Cannon  
for the Staff Secretary

*JM*

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 29

Time: 900am

FOR ACTION:

George Humphreys  
Max Friedersdorf  
Ken Lazarus

cc (for information):

Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 29

Time: 500pm

SUBJECT:

H.R. 5621 - Establish Valley Forge National  
Historical Park

ACTION REQUESTED:

\_\_\_ For Necessary Action

\_\_\_ For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

<sup>x</sup>  
\_\_\_ For Your Comments

\_\_\_ Draft Remarks

REMARKS:

please return to judy johnston

*See Jack Marsh - note*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.  
For the President

THE WHITE HOUSE

WASHINGTON

June 30, 1976

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *M. L. F.*  
SUBJECT: HR 5621 - Establish Valley Forge National  
Historical Park

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

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 29

Time: 900am

FOR ACTION:

George Humphreys  
Max Friedersdorf  
Ken Lazarus

cc (for information):

Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 29

Time: 500pm

SUBJECT:

H.R. 5621 - Establish Valley Forge National  
Historical Park

ACTION REQUESTED:

\_\_\_ For Necessary Action

\_\_\_ For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

<sup>x</sup>  
\_\_\_ For Your Comments

\_\_\_ Draft Remarks

REMARKS:

please return to judy johnston

No objection -- Ken Lazarus 6/29/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James M. Cannon  
For the President

To J.J.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 29

Time: 900am

FOR ACTION:

George Humphreys  
Max Friedersdorf  
Ken Lazarus

cc (for information):

Jack Marsh  
Jim Cavanaugh  
Ed Schmultz

FROM THE STAFF SECRETARY

DUE: Date: June 29

Time: 500pm

SUBJECT:

H.R. 5621 - Establish Valley Forge National  
Historical Park

ACTION REQUESTED:

\_\_\_ For Necessary Action

\_\_\_ For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

x  
\_\_\_ For Your Comments

\_\_\_ Draft Remarks

REMARKS:

please return to judy johnston

*OK*  
*amb*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James M. Cannon  
For the President

## STATEMENT BY THE PRESIDENT

It is with great pleasure that I am today signing legislation to include Valley Forge in the National Park System.

It was not only the fate of a fledging nation that hung in the balance as General Washington's army encamped at Valley Forge in 1777. Valley Forge also symbolizes an idea which was also at stake - the idea that government should truly represent all of its citizens and protect them in the exercise of their civil liberties.

It is difficult on a warm day as today to comprehend the courage that our army needed to survive the hardships of that winter. Nothing is as demoralizing as the combination of extreme cold and hunger. Had General Washington's soldiers and support not been equal to the privations they had to bear, the American Revolution would likely have failed, and the American idea of freedom would have been stillborn.

Valley Forge became a part of the Pennsylvania park system in 1893. The site as it exists today is a direct result of the Commonwealth's foresighted efforts to preserve this important part of our Nation's heritage. Most recently the Commonwealth has extended its efforts on behalf of Valley Forge with a contribution of \$10 million for a development program. On behalf of all Americans, I want to express our gratitude for Pennsylvania's foresight and generosity in preserving Valley Forge.

The paths of history are littered with visions that failed because their proponents were not people of action and endurance. However, our forebearers were

people of action and endurance, and their vision has prevailed. The winter at Valley Forge displayed the conviction that the Declaration of Independence, whose anniversary we celebrate today, was worth overcoming tremendous hardships. Valley Forge represents one of the bravest moments in our Nation's history. It is also a powerful symbol of American vision and fortitude. I take great pleasure on this, the Nation's two-hundredth birthday, in dedicating Valley Forge as a National Historic Park.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

JUN 17 1976

Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill H.R. 5621, "To authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes."

We recommend that the President approve the enrolled bill.

H.R. 5621 would authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania of approximately 2,500 acres consisting of the Valley Forge State Park together with such additional lands and interests therein as the Secretary deems necessary for the proper interpretation, protection, and administration of the national historical park. Lands may be acquired by donation, purchase, or exchange, except that any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The bill would authorize the appropriation of such sums as are necessary to carry out its provisions, but not more than \$8,622,000 for the acquisition of lands and interests in lands.

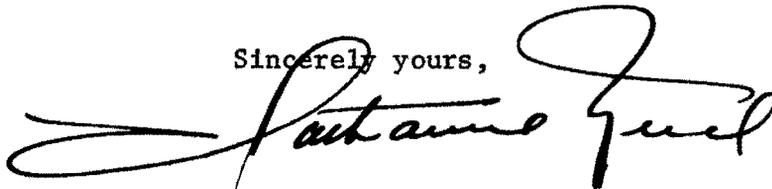
Valley Forge was the site of the encampment of General George Washington's Continental Army during the bitter winter of 1777-1778. Following the battles of Brandywine and Germantown in the fall of 1777 Lord Howe billeted his victorious British army comfortably in the Patriot Capital of Philadelphia, while Washington and his army of 11,000 in December went into camp at Valley Forge. Located about 20 miles west of Philadelphia, the site was defensible and yet permitted the Continentals to cover the western approaches to the city.

No name evokes the spirit of patriotism and independence that gave birth to the United States more than that of Valley Forge. Here in the utmost of want and suffering a nucleus of the army survived, became disciplined and proficient, and emerged as a respectable fighting force. The Valley Forge story has been a source of inspiration for Americans for 200 years.



In our Departmental reports to the House and Senate Committees on two similar bills, we indicated that the Administration had reservations about the enactment of a Valley Forge bill which provided for the acquisition of the 869 acre Chesterbrook property adjacent to the present State park at a cost of approximately \$22,350,000. H.R. 5621 does not provide for the acquisition of the Chesterbrook property.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Patricia Guel". The signature is fluid and cursive, with a large loop at the end.

Assistant Secretary of the Interior

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

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

JUN 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 5621 - Establish Valley Forge National Historical Park, Pennsylvania  
Sponsors - Rep. Schulze (R) Pennsylvania and 16 others

Last Day for Action

July 7, 1976 - Wednesday

Purpose

Authorizes the establishment of the Valley Forge National Historical Park on approximately 2,500 acres of land, provides necessary authorities for land acquisition and operation and maintenance of the park, and authorizes appropriations to carry out these activities.

Agency Recommendations

Office of Management and Budget                      Approval

Department of the Interior                              Approval

Discussion

Since 1893, the Commonwealth of Pennsylvania has maintained, improved, and operated a State park commemorating the decisive winter encampment of Washington's Continental Army during the winter of 1777-1778.

In recent years, extensive development of the area around the Valley Forge Park including the

**AUTHORIZING THE SECRETARY OF THE INTERIOR TO ESTABLISH  
THE VALLEY FORGE NATIONAL HISTORICAL PARK IN THE COM-  
MONWEALTH OF PENNSYLVANIA, AND FOR OTHER PURPOSES**

MAY 14, 1976.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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

**REPORT**

[To accompany H.R. 5621]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 5621) to authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes, having considered the same, report favorably thereon with amendments and recommended that the bill as amended do pass.

The amendments are as follows:

Page 2, line 1, after the word "Park" insert "(hereinafter referred to as the 'park'),"

Page 2, lines 3 through 15, strike out all of Section 2 and insert in lieu thereof the following:

SEC. 2(a) The park shall comprise the area generally depicted on the map entitled "Valley Forge National Historical Park", dated February, 1976, and numbered VF-91,000, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the superintendent of the park. After advising the Committees on Interior and Insular Affairs of the United States Congress, in writing, the Secretary may make minor revisions of the boundaries of the park when necessary by publication of a revised map or other boundary description in the Federal Register.

(b) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The effective date of such donation shall not be prior to October 1, 1976.

(c) Except for property deemed by the Secretary to be essential for visitor facilities, or for access to or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner, or the death of his or her spouse, whichever is the later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

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

(e) The term "improved property," as used in this section shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1975 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Page 2, strike out all of lines 19 through 21 and insert in lieu thereof:

park by publication of a notice to that effect in the Federal Register: *Provided*, That the park shall not be established until the Secretary receives commitments which he deems to be sufficient from the Commonwealth of Pennsylvania that the appropriations made by Acts 320 and 352 of 1974, and Act 12A of 1975, of the Legislature of the Commonwealth of Pennsylvania, will continue to be available and obligated for development purposes within the park. The Secretary shall administer.

Page 3, lines through 5, strike out all of Section 4 and insert in lieu thereof:

SEC. 4(a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than \$8,622,000 for the acquisition of lands and interests in lands.

(b) For the development of essential public facilities there are authorized to be appropriated not more than \$500,000. Within three years from the date of establishment of the

H.R. 1142

park pursuant to this Act, the Secretary shall, after consulting with the Governor of the Commonwealth of Pennsylvania, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the development of the park consistent with the objectives of this act, indicating:

- (1) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public;
- (2) the location and estimated cost of all facilities; and
- (3) the projected need for any additional facilities within the park.

H.R. 5621

#### PURPOSE

H.R. 5621,<sup>1</sup> as reported by the Committee on Interior and Insular Affairs would authorize the establishment of the Valley Forge National Historical Park in the Commonwealth of Pennsylvania. The bill would provide for the donation of the existing Valley Forge State Park, authorize appropriations for additional land acquisition, and direct the Secretary of the Interior to prepare a master plan for the park and submit his recommendations to the Congress.

#### BACKGROUND AND NEED FOR LEGISLATION

The place occupied by Valley Forge in American history is so familiar as hardly to need retelling. The ragged, battle-weary army that went into encampment in the winter of 1777-78 seemed a forlorn hope for a revolutionary cause that was being pursued against nearly impossible odds. Yet General George Washington and his army not only survived, but emerged from Valley Forge as a disciplined military force that could and did carry on the fight for independence.

The Commonwealth of Pennsylvania first established a State Park in 1893 including portions of the wintering area, and has added to the protected area several times since then. The park has preserved and interpreted structures and lands associated with the encampment. A number of recreational uses are also provided for in the park, which is administered by a State commission.

Although Valley Forge is owned and operated at the State level, the visitation to the area is certainly national in character. Many visitors assume that Valley Forge is already a unit of the National Park System. As both a site of primary significance during the Revolutionary War and as a lasting American symbol, Valley Forge is one of the major historical resources of our Nation.

In spite of several additions to the park through the years, the character of Valley Forge is undergoing continuing change. The Pennsylvania Turnpike now borders the park. Housing and other

<sup>1</sup> H.R. 5621 was introduced by Representative Richard Schulze and cosponsored by Representatives Blester, Coughlin, Dent, Edgar, Eshleman, Green, Goodling, Helms, Johnson of Pennsylvania, McDade, Moorhead of Pennsylvania, Murtha, Rooney, Schneebell, Vigorito, and Yatron. Also before the committee were the companion measures H.R. 2257 by Schulze, and H.R. 7939 by Schulze, Burgener, Carr, Emery, Fenwick, Gradison, Harris, Hastings, Hyde, Kelly, Mazzoli, Meeds, Pettis, Rodino, Sarbanes, Selberling, Solarz, Stark, Treen, and Young of Florida.

H.R. 1142

developments have increased rapidly around Valley Forge as the pressure for useable land in the greater Philadelphia urban area has grown. The park is rapidly becoming an island of undeveloped land in a densely populated region. There is even an industrial operation located within an enclave in the center of the existing park.

The Commonwealth of Pennsylvania has performed admirably in attempting to maintain the integrity of the area. In addition to the previously mentioned additions to the park, some \$10 million has recently been appropriated to improve the interpretive and visitor service facilities in the area. These improvement projects are currently under way, as the park is readied to meet the great numbers of visitors expected in the area during the Bicentennial year.

But the pressures for development on the surrounding lands have made it increasingly clear that the State cannot bear the burden alone. Some ten separate parcels of land within or immediately adjacent to the existing park have been identified as in need of protection. The opportunities to bring these various lands within the protection of the park before additional alterations take place are rapidly diminishing.

The establishment of Valley Forge as a national historical park thus has the dual purpose of securing a larger land base for the park and of placing the area under the continuing protection and management of the National Park Service. The Congress, in this instance, will be building on the accomplishments of the Commonwealth of Pennsylvania to date, and is acting to guarantee that Valley Forge will continue to inspire Americans for long after the Bicentennial year.

#### LEGISLATIVE HISTORY

The Subcommittee on National Parks and Recreation conducted hearings on H.R. 5621 and companion measures on September 29, 1975. There was general agreement on the significance of Valley Forge, and on the need to protect this historic resource for future generations.

Considerable testimony was also received with regard to an adjacent tract of undeveloped land known as Chesterbrook. A planned development project for this property was opposed by a number of witnesses, with the view expressed that Chesterbrook should more appropriately become a valuable addition to the historical park.

The Subcommittee then conducted a field inspection of the Valley Forge area, viewing all of the proposed additional lands to be acquired. In markup, by the Subcommittee, the bill was amended to conditionally include the Chesterbrook tract, with the understanding that negotiations were underway to allow purchase of the tract for much less than the cost estimated by the Department of the Interior. Later, when the measure was considered by the Full Committee, it was apparent that a negotiated purchase of Chesterbrook at the lower price was not likely. Accordingly, the Committee voted to exclude this additional parcel of land from the park.

Additional amendments were also recommended by the Subcommittee, making technical changes in the bill, as well as permitting retained rights of use and occupancy for residential property owners.

To ensure the prompt completion of the current development program, an amendment was also adopted which precludes establishment

of the National Historical Park until satisfactory commitments are received by the Secretary that the appropriations amounting to approximately \$10 million recently made by the Commonwealth of Pennsylvania for the park will be obligated. The Secretary is to develop a master plan which will detail any development needs beyond those now existing or planned.

The Committee also noted that the restoration and strengthening of the historic integrity of the Valley Forge site should be the first priority for any Federal management of the area. The Committee expects the Secretary to take early and positive steps, once the National Park Service assumes operational responsibilities, to manage the park with increased emphasis on the restoration and maintenance of the historic scene. Nonconforming recreational uses are to be phased down or relocated. Nonhistoric technological intrusions such as grass mowing are to be eliminated where possible and appropriate, and the rerouting or elimination of inappropriate and unsafe roadways is to be undertaken, as is possible.

#### SECTION-BY-SECTION ANALYSIS

*Section 1* states that the purpose of the bill is to preserve and commemorate the historic area of Valley Forge, and authorizes the Secretary of the Interior to establish the Valley Forge National Historical Park.

*Section 2* defines the park boundaries by reference to a dated and numbered map which is to be kept on file in both the Washington and local offices of the National Park Service. The Secretary is authorized to make minor boundary changes, which would not involve a substantial change in the authorized area of the park, after advising the appropriate congressional committees and publishing a revised boundary description in the Federal Register.

The Secretary is to have full authority to acquire lands within the boundaries of the park with the following exceptions:

(1) Property owned by the Commonwealth of Pennsylvania or any local governmental unit may only be acquired to donation. In addition, the effective date of any such donation is not to be prior to October 1, 1976. This will ensure that the National Park Service will not be expected to take any operating role in the park during the current peak use season. In addition, this will preclude any hasty shifting of personnel and funds to the area before fiscal year 1977.

(2) Owners of improved property may retain a right of use and occupancy for residential purposes for up to twenty-five years or a life term. This reservation would not apply to property deemed essential for visitor facilities, access, or administration of the park. The fair market value of any such retained right would be subtracted from the purchase price paid by the Secretary. A retained right may be terminated upon a finding by the Secretary that the occupancy is not being exercised in conformance with the protection and interpretation of the park, and upon payment of the remaining value of the right.

This section also restricts the definition of "improved property" to those noncommercial dwellings upon which construction was begun before January 1, 1975. The lands and minor struc-

tures associated with such a residence are also included within the definition.

*Section 3* directs the Secretary to establish the park when a sufficient amount of lands and interests have been acquired to constitute an administrable unit. Such establishment is not to occur, however, until the Secretary has received firm commitments from the Commonwealth of Pennsylvania that the appropriations made by the legislature for various improvements within the park will continue to be obligated for this program. The specific recent Acts of the Commonwealth which provide this funding are referenced.

The Secretary is also specifically directed to administer the properties acquired for the park in accordance with the Organic Acts for the National Park System and for the administration of historic properties.

*Section 4* includes a limitation of \$8,622,000 on the amount authorized to be appropriated for land acquisition in the park. Such appropriations would be used to acquire those parcels of private lands included within the boundary recommended by the National Park Service.

A limitation of \$500,000 is placed on the amount which may be appropriated for the development of essential public facilities. It is expected that those facilities being developed through the appropriations made by the Commonwealth of Pennsylvania will be sufficient to meet most of the construction requirements in the immediate future.

The Secretary is also to develop a full master plan within the next three years which will identify future additional needs. The plan is to be developed in consultation with the Commonwealth, and is to be sent to the appropriate Committees of the Congress, thus giving them the information necessary to consider any additional authorizations.

#### COST

H.R. 5621 authorizes the appropriation of up to \$8,622,000 for the acquisition of the additions to the existing park property. These appropriations will come from the Land and Water Conservation Fund.

An additional \$500,000 is authorized to be appropriated for development purposes. The immediate development needs of the area should be met by the projects now under construction by the Commonwealth.

#### BUDGET ACT COMPLIANCE

Sums authorized to be appropriated here will only be expended over a period of several years. No significant budget impact is expected to occur.

#### INFLATIONARY IMPACT

The impact of H.R. 5621 is expected to be slight. Only \$500,000 is authorized for development at this time. The \$8,622,000 authorized for land acquisition will be expended over several years in an area with high population, and individual land purchases are not expected to impact the local economy to any significant degree.

H.R. 1142

#### OVERSIGHT STATEMENT

Hearings in this case dealt with a new area proposal, and did not lend themselves to conducting oversight investigations. No recommendations were submitted to the Committee pursuant to rule X, clause 2(b) (2).

#### COMMITTEE AMENDMENTS

The amendments as discussed elsewhere in this report were all adopted by the Committee.

#### COMMITTEE RECOMMENDATIONS

On May 5, 1976, after adopting the amendments as discussed, the Committee on Interior and Insular Affairs, meeting in open session, reported H.R. 5621, as amended, by unanimous voice vote, and recommends that the bill as reported be approved.

#### DEPARTMENTAL REPORT

The report of the Department of the Interior, dated September 27, 1975, is here printed in full:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., September 27, 1975.

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

Dear Mr. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 2257, a bill "To provide for the establishment of the Valley Forge National Historical Park in the Commonwealth of Pennsylvania and for other purposes."

H.R. 2257 would authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania not to exceed 3,500 acres consisting of the Valley Forge State Park together with such additional lands and interests therein as the Secretary deems necessary for the proper interpretation, protection, and administration of the national historical park. Lands may be acquired by donation, purchase, or exchange, except that any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The bill would authorize the appropriation of such sums as are necessary to carry out its provisions.

Valley Forge was the site of the encampment of General George Washington's Continental Army during the bitter winter of 1777-1778. Following the battles of Brandywine and Germantown in the fall of 1777 Lord Howe billeted his victorious British army comfortably in the Patriot Capital of Philadelphia, while Washington and his army of 11,000 in December went into camp at Valley Forge. Located about 20 miles west of Philadelphia, the site was defensible and yet permitted the Continentals to cover the western approaches to the city.

H.R. 1142

No name evokes the spirit of patriotism and independence that gave birth to the United States more than that of Valley Forge. Here in the utmost of want and suffering a nucleus of the army survived, became disciplined and proficient, and emerged as a respectable fighting force. The Valley Forge story has been a source of inspiration for Americans for 200 years.

A portion of the campsite became a Pennsylvania State Park in 1893. Now containing approximately 2,300 acres, the park is located in Montgomery and Chester Counties near Fort Kennedy and Phoenixville. It is administered by the Valley Forge State Park Commission. The park is traversed near its north boundary by the Schuylkill River and near its west boundary by Valley Creek. The Pennsylvania Turnpike, which bisects the campsite, bounds the park on the south; its main entrance is on Pennsylvania Route 393 on the east. The park is a mixture of rolling meadow and wood lots dominated by a tree-covered hill called Mount Joy.

Valley Forge became a national landmark in 1962. Pursuant to the authority of the 1966 Historic Preservation Act, grants totalling \$133,962 were made in fiscal year 1973 to the State of Pennsylvania for preservation work at Valley Forge. No subsequent requests for grants have been received. We understand also that no grants for the park have been made from the Land and Water Conservation Fund.

The current State budget for the park is \$527,000 annually with 35 full-time employees. The National Park Service estimates that it would need about \$2 million annually to operate and maintain the park at National Park System standards because of higher pay scales, fewer volunteers, and a different mix of skills if jurisdiction is transferred.

In addition, the State has approved a \$10 million development program which includes building a new museum, rehabilitating several houses and closing two roads. The National Park Service would probably adopt this plan and add sewer connections and historic and archeological studies. The Park Service estimates that Federal development costs for the park, should it become a unit of the System, could approach \$16 million, which is in addition to the \$10 million State developments now underway.

H.R. 2257 would place the entire responsibility for day-to-day management and interpretation of the existing State park, together with any additional land acquisition and development, under the Federal Government even though Pennsylvania has kept this area preserved as a park for 80 years.

Acquisition of the 869.08 acre Chesterbrook property nearby the State park will cost approximately \$22,350,000, according to our current estimates; acquisition and removal of the 46-acre Keene industrial plant within the park will cost an additional, \$3,878,450. The Chesterbrook acquisition alone would amount to almost one-third of the entire appropriation requested for land acquisition in the National Park System in fiscal year 1976 of \$77,440,000. As of fiscal year 1975, the total land acquisition for authorized but not yet purchased units of the National Park System is \$572,600,000. Within this latter sum are included the acquisition of Big Cypress and Big Thicket National Preserves and Cuyahoga Valley National Recreation Area which the Congress has indicated must be acquired within six years.

We believe that the Federal Government does not have sole responsibility for preserving, developing and operating nationally significant historic sites. This responsibility is shared with local governments, individual citizens and private institutions. Accordingly, we have reservations about the enactment of H.R. 2257. However, we would look forward to the opportunity to work with the Committee in an effort to assuage these reservations.

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

Sincerely yours,

NATHANIEL P. REED,  
*Assistant Secretary of the Interior.*

H.R. 1142

## VALLEY FORGE NATIONAL HISTORICAL PARK

MAY 12, 1976.—Ordered to be printed

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

### REPORT

together with

### MINORITY VIEWS

[To accompany S. 1776]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 1776) to authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes, having considered the same, reports favorably thereon with an amendment to the title and an amendment to the text and recommends that the bill as amended do pass.

### AMENDMENTS

The Committee adopted an amendment in the nature of a substitute. It reads as follows:

That in order to preserve and commemorate for the people of the United States the area associated with the heroic suffering, hardship, and determination and resolve of General George Washington's Continental Army during the winter of 1777-1778 at Valley Forge, the Valley Forge National Historical Park (hereinafter referred to as the "park") in the Commonwealth of Pennsylvania, is hereby established.

SEC. 2. Within the boundaries of the park, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange, except that any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired by donation only.

SEC. 3. The boundaries of the park shall be those generally depicted on the map numbered VF-91,000 which shall be on file and available for public inspection in the offices of the Director, National Park Service, Department of the Interior. Following reasonable notice in writing of his intention to do so to the Committees on Interior and Insular Affairs of the Senate and House, the Secretary, by publication of a revised map or other boundary description in the Federal Register, may make minor boundary adjustments in the boundary of the park: *Provided* that the total acreage in the park may not exceed 2,800 acres.

SEC. 4. The Secretary shall administer the park in accordance with the Act of August 25, 1916 (39 Stat. 535) as amended, and the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 5. There are hereby authorized to be appropriated not to exceed \$8,622,000 for the acquisition of lands or interests in lands.

The Committee also amended the title so as to read:

A bill to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes.

#### PURPOSE

The purpose of S. 1776 is to authorize the Secretary of the Interior to accept the donation of the 2,250 acre State Park, to acquire adjoining parcels and inholdings (total acreage of the park not to exceed 2,800) and establish and administer the Valley Forge National Historical Park.

#### BACKGROUND AND NEED

Valley Forge was the site of the encampment of General George Washington's Continental Army during the bitter winter of 1777-1778. Following the battles of Brandywine and Germantown in the fall of 1777 Lord Howe billeted his victorious British army comfortably in the Patriot Capital of Philadelphia, while Washington and his army of 11,000 in December went into camp at Valley Forge. Located about 20 miles west of Philadelphia, the site was defensible and yet permitted the Continentals to cover the western approaches to the city.

No name evokes the spirit of patriotism and independence that gave birth to the United States more than that of Valley Forge. Here in the utmost of want and suffering a nucleus of the army survived, became disciplined and proficient, and emerged as a respectable fighting force. The Valley Forge story has been a source of inspiration for Americans for 200 years.

A portion of the campsite became a Pennsylvania State Park in 1893. Now containing approximately 2,300 acres, the park is located in Montgomery and Chester Counties near Fort Kennedy and Phoenixville. It is administered by the Valley Forge State Park Commission. The park is traversed near its north boundary by the Schuylkill River and near its west boundary by Valley Creek. The Pennsylvania Turnpike, which bisects the campsite, bounds the park on the south; its main entrance is on Pennsylvania Route 393 on the east.

The park is a mixture of rolling meadow and wood lots dominated by a tree-covered hill called Mount Joy.

Valley Forge became a national landmark in 1962. Pursuant to the authority of the 1966 Historic Preservation Act, grants totalling \$133,962 were made in fiscal year 1973 to the State of Pennsylvania for preservation work at Valley Forge.

S. 1776 would place the responsibility for day-to-day management and interpretation of the existing State park, together with any additional land acquisition and development, under the Federal Government. As amended, S. 1776, would propose the acquisition of approximately 250 acres at a cost of \$8,622,000. These parcels are as follows:

1. *The open land bordering Route 363 at the northeast corner of the present State park.*—Estimated Cost: \$15,710.

Route 363 is the main entrance road, and commercial or industrial development on this tract would be extremely intrusive.

2. *The tracts lying between Route 23 and 363 at the northeast corner of the State park.*—Estimated Cost: \$1,056,830.

These are small tracts with single family residences and one or two small gas stations. Present uses are compatible. However, Route 23 is now and will remain part of the park circulation system. Commercial development on these parcels would not only be an intrusion on the park but would create traffic hazards. Purchase of development rights or purchase in fee subject to retention of occupancy rights for life or a term of years is recommended.

3. and 4. *Two tracts of vacant, open land on the east facing slope of Mount Misery.*—Estimated Cost: \$66,000.

These are visible from several segments of the park tour road. They should be acquired to prevent possible future construction which would add still another visual intrusion upon the setting of the park.

5. *The Keene Property.*—Estimated Cost: \$3,878,450.

This industrial property lies well within the boundaries of the State park in a valley between the Reception Center and the Washington Memorial Chapel. As private property located in a most sensitive area, any adverse change in its use would have a very great impact on the park. The primary concern, therefore, is to assure that no adverse change in its use will occur. The present operation, the manufacture of insulating covers for pipes, is inconspicuous at worst, and invisible at best, from the key areas overlooking it because it is screened by trees. Were the level of development to change, the parcel could become a very adverse intrusion. In view of the impact on the park that any change in use might have, the National Park Service should keep a close check on the property and be prepared to purchase it should a change in ownership or use appear imminent. As funds are available, the property should be purchased in any event when a favorable opportunity to do so at a good price occurs.

6. *A tract of vacant land, zoned commercial, on the south side of Route 23 opposite Von Steuben's Headquarters.*—Estimated Cost: \$612,885.

This parcel should be acquired to prevent construction of a commercial development just across the road from Von Steuben's Quarters.

7. *Valley Forge Village.*—Estimated Cost: \$630,170.

This tract contains a number of small residential and commercial properties. It is an inholding surrounded by State park lands on three sides and Route 23 on the fourth side.

The present uses of this tract have little impact on the visitor or park values. More intensive commercial use would impact adversely on such values, and high-rise development might be visible from the Washington Headquarters Area. Purchase of development rights or purchase in fee subject to continued occupancy for a term of years would be acceptable.

8. *Tract on Thomas Road.*—Estimated Cost: \$322,155.

This tract contains two large old houses and related outbuildings. It is visible from the Pennsylvania Line (Wayne Statue segment of the park tour road).

The present use complements park use. However, any future commercial development would be intrusive. Since Thomas Road does not carry any substantial volume of traffic and since the residences on the tract are of high quality, we feel that the present use of the parcel is not likely to change. We feel that the tract should be included within the park boundary so that it could be acquired if the type of use threatened to change, but that otherwise the tract should not be acquired. Acquisition of development rights would also be appropriate, as would purchase in fee subject to continued occupancy for life, should the owners prefer this.

9. *The tract bordering the Pennsylvania Turnpike at the western park boundary.*—Estimated Cost: \$795,170.

This tract contains two properties, on one of which is Lafayette's Headquarters. The Commonwealth of Pennsylvania is negotiating to purchase these properties, and they will probably be acquired within the next few months. There is a possibility that the western part of this tract will not be included in the purchase. If it is not, it should be deleted from the proposed boundary.

In view of the significant contribution made by Lafayette to the success of the American Revolution, the two properties should have high priority for fee acquisition in the event that purchase by the Commonwealth does not occur.

10. *Stirling Quarters Property.*—Estimated Cost: \$1,244,630.

This property, bisected by Yellow Springs Road and part of a larger ownership, contains the quarters of William Alexander, Lord Stirling. While less well known than many of his fellow general officers, Stirling served with distinction throughout the Revolution.

This property should only be acquired in the unlikely event that the owner might at some future time wish to dispose of it.

#### LEGISLATIVE HISTORY

S. 1776 was introduced on May 20, 1975. The Subcommittee on on Parks and Recreation conducted a hearing on October 30, 1975. The Subcommittee also conducted an on-site inspection of the area on December 8, 1975.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Interior and Insular Affairs, in open business session on April 28, 1976, by majority vote of a quorum

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present recommends that the Senate pass S. 1776, if amended as described herein. The minority views of Senator McClure are included at the end of this report.

#### COMMITTEE AMENDMENTS

The Committee adopted an amendment in the nature of a substitute. The amendment differs from S. 1776 as introduced in the following respects:

1. Immediate establishment of area rather than Secretarial announcement.
2. Precise map reference.
3. Exclusion of 869 acre Chesterbrook tract at a cost of \$22,350,000.
4. Acquisition authorization ceiling of \$8,622,000.

#### COST AND BUDGETARY CONSIDERATIONS

The fiscal year impact land acquisition authorization of \$8,622,000 cannot be accurately estimated due to the fact that appropriations have been limited to amounts available under the Land and Water Conservation Fund each fiscal year. It is anticipated that funds will be allocated for this project at some point from the general appropriations for land acquisition by the National Park Service.

The development schedule for the next five fiscal years is as follows:

Year	Roads, trails, parkways	Buildings, utilities, etc.	Total
1.....		211, 100	211, 100
2.....	50, 000	862, 300	912, 300
3.....	306, 000	2, 879, 800	3, 185, 800
4.....	270, 800	818, 300	1, 089, 100
5.....		2, 951, 600	2, 349, 900
Total.....	626, 800	7, 723, 100	8, 349, 900

The operations schedule for the next five fiscal years is as follows:

Year	Operation <sup>1</sup>	Planning, development	Total
1.....	2, 145, 000		2, 145, 000
2.....	1, 801, 900		1, 801, 900
3.....	1, 903, 600		1, 903, 600
4.....	1, 972, 000		1, 972, 000
5.....	2, 010, 000		2, 010, 100
Total.....	9, 832, 600		9, 832, 600

<sup>1</sup> This figure includes the hiring of 61 additional permanent personnel (rising to 71 by the 5th yr) and 15 temporary (rising to 20).

#### EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the Committee from the Office of Management and Budget and from the Department of the Interior setting forth Executive agency recommendations relating to S. 1776 are set forth below:

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EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT AND BUDGET,  
Washington, D.C., October 20, 1975.

HON. HENRY M. JACKSON,  
Chairman, Committee on Interior and Insular Affairs, U.S. Senate,  
3106 New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request of August 22, 1975, for the views of the Office of Management and Budget on S. 1776, a bill "to authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes."

In its report to your Committee on S. 1776, the Department of the Interior notes that Valley Forge has been a part of the Pennsylvania State Park System for over 80 years, and that the State has recently approved a \$10 million development program to upgrade the park. Accordingly, Interior expresses reservations about enactment of the bill. Interior's report emphasizes that local governments, individual citizens and private institutions all bear responsibility for preserving, developing, and operating nationally significant historic sites.

We concur in the views expressed in Interior's report, and we hope that the Administration will be able to work constructively with the Congress in overcoming our reservations on this legislation.

Sincerely yours,

JAMES M. FREY,  
Assistant Director for  
Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., October 15, 1975.

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on S. 1776, a bill "To authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes."

S. 1776 would authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania not to exceed 3,500 acres consisting of the Valley Forge State Park together with such additional lands and interests therein as the Secretary deems necessary for the proper interpretation, protection, and administration of the national historical park. Lands may be acquired by donation, purchase, or exchange, except that any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The bill would authorize the appropriation of such sums as are necessary to carry out its provisions.

Valley Forge was the site of the encampment of General George Washington's Continental Army during the bitter winter of 1777-1778. Following the battles of Brandywine and Germantown in the fall of 1777 Lord Howe billeted his victorious British army comfortably in the Patriot Capital of Philadelphia, while Washington and his army of

11,000 in December went into camp at Valley Forge. Located about 20 miles west of Philadelphia, the site was defensible and yet permitted the Continentals to cover the western approaches to the city.

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The current State budget for the park is \$527,000 annually with 35 full-time employees. The National Park Service estimates that it would need about \$2 million annually to operate and maintain the park at National Park System standards because of higher pay scales, fewer volunteers, and a different mix of skills if jurisdiction is transferred.

In addition, the State has approved a \$10 million development program which includes building a new museum, rehabilitating several houses and closing two roads. The National Park Service would probably adopt this plan and add sewer connections and historic and archeological studies. The Park Service estimates that Federal development costs for the park, should it become a unit of the System, could approach \$16 million, which is in addition to the \$10 million State developments now underway.

S. 1776 would place the entire responsibility for day-to-day management and interpretation of the existing State park, together with any additional land acquisition and development, under the Federal Government even though Pennsylvania has kept this area preserved as a park for 80 years.

Acquisition of the 869.08 acre Chesterbrook property nearby the State park will cost approximately \$22,350,000, according to our current estimates; acquisition and removal of the 46-acre Keene industrial plant within the park will cost an additional, \$3,878,450. The Chesterbrook acquisition alone would amount to almost one-third of the entire appropriation requested for land acquisition in the National Park System in fiscal year 1976 of \$77,440,000. As of fiscal year 1975, the total land acquisition for authorized but not yet

purchased units of the National Park System is \$572,600,000. Within this latter sum are included the acquisition of Big Cypress and Big Thicket National Preserves and Cuyahoga Valley National Recreation Area which the Congress has indicated must be acquired within six years.

15.

We believe that the Federal Government does not have sole responsibility for preserving, developing and operating nationally significant historic sites. This responsibility is shared with local governments, individual citizens and private institutions. Accordingly, we have reservations about the enactment of S. 1776. However, we would look forward to the opportunity to work with the Committee in a effort to assuage these reservations.

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,

DOUGLAS P. WHEELER,  
*Acting Assistant Secretary of the Interior.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1776, as reported.

#### MINORITY VIEWS, S. 1776

It is not a very great exaggeration to charge that this bill is a fraud! Fraud is a calculated deception and that is the unfortunate result of the Committee's action. I am in favor of making Valley Forge a part of the National Park System, but only if, in doing so, we can do a significantly better job than the State of Pennsylvania is doing now. If we fail to do so, we fail to respond to the great urgency that has led to the introduction of this legislation and we break faith with thousands of Americans in every State who have waited for years for funding of their own park proposals. We deceive local sponsors who have hoped for action to protect Park values and we deceive backers of dozens of other park proposals that this proposal should have priority over theirs.

Chesterbrook should be acquired if we are to make Valley Forge a National Park. Historically, it has buildings relevant to the Winter of '76 and is part of the ground Washington's men used during the encampment. It is the last natural, undeveloped area adjacent to Valley Forge. The Park was established and has been managed with the objective of preserving, as close as possible, the kind of conditions Washington's men encountered. Chesterbrook is the vista essential for maintaining the traditional setting. But it is being threatened by development and although the State of Pennsylvania has preserved the Park for 83 years, they can't afford to preserve Chesterbrook. Congress can!

Yet the Interior Committee has decided, by passing this legislation, that we can afford \$8 million for inholdings in Valley Forge—most of which aren't a threat to the value of the Park. We should be using, however, Land and Water Conservation Funds for the priority uses for which it allows and that is to acquire areas being threatened. In the last 10 years, we have authorized over \$700 million worth of Park Service projects that we deemed vital to the conservation and preservation of America. These are projects that Congress has promised in almost every State—projects over which Valley Forge is taking priority. Yet the primary reason for federal government involvement isn't even included in the legislation. By failing to include Chesterbrook we are only relieving the State of Pennsylvania of a financial burden. Valley Forge is preserved. Chesterbrook is not, and time is running out.

The second point needed to be addressed is one which the residents in the Valley Forge area first brought to my attention. High rise buildings have already blocked the view of the rolling Pennsylvania hills on the east side. Development plans for Chesterbrook itself call for six story apartment buildings. Development is coming and Congress must face that problem squarely. Will a wall of high rises surround Valley Forge in the years to come? If the Park is engulfed by development, the concept of Valley Forge itself will be eroded. I believe local seats of government stand ready and willing to prevent the encroachment of high rise buildings along the Park borders. I hope Congress will stand behind them and offer encouragement.

(9)

In order to try to resolve both the problem of acquisition and preservation of the setting, I have twice offered an amendment that would include Chesterbrook on the basis that Congress, while not mandating local restrictions, would set the conditions under which we are willing to invest the taxpayer's money. Local government should give assurances aimed at curbing high rise development which may in areas detract from the historical setting of the Park. In order to establish a basis for maintaining such standards, the Secretary of Interior has the authority to resell Chesterbrook if local governments do not maintain appropriate local ordinances.

Perhaps Congress is doing more harm to the Park by refusing to take the opportunity to work with local governments who wish to do their part in helping to preserve Valley Forge as it should be preserved!

I have not taken this subject lightly. I have met with the Park Service, the developer of Chesterbrook and have had contact with local officials in trying to work out a reasonable and practical way of negotiating on Chesterbrook and setting the conditions on which it should be acquired. Even the Office of Management and Budget has indicated their willingness to pay \$12 million to assist in acquiring Chesterbrook although financially the records would show this is not adequate. The local residents have informally made commitments to raise funds to help acquire the tract. The State of Pennsylvania has supplied \$10 million for improvements in the Park. Support has come from everywhere except Congress.

In this year of our Bicentennial, we are making a big mistake by pushing such legislation through without a more concerned look at what we are losing. We are only deceiving the American people when we say we have given them Valley Forge. We have not given them anything more than what they already had. Thus if we can't pass legislation that is a significant contribution to our National Park System, then we should not pass it at all—but we can and we should!

JAMES A. McCLURE,  
*U.S. Senator.*

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# Ninety-fourth Congress of the United States of America

## AT THE SECOND SESSION

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

### An Act

To authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to preserve and commemorate for the people of the United States the area associated with the heroic suffering, hardship, and determination and resolve of General George Washington's Continental Army during the winter of 1777-1778 at Valley Forge, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Valley Forge National Historical Park (hereinafter referred to as the "park") in the Commonwealth of Pennsylvania.

SEC. 2. (a) The park shall comprise the area generally depicted on the map entitled "Valley Forge National Historical Park," dated February 1976, and numbered VF-91,000, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the superintendent of the park. After advising the Committees on Interior and Insular Affairs of the United States Congress, in writing, the Secretary may make minor revisions of the boundaries of the park when necessary by publication of a revised map or other boundary description in the Federal Register.

(b) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The effective date of such donation shall not be prior to October 1, 1976.

(c) Except for property deemed by the Secretary to be essential for visitor facilities, or for access to or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner, or the death of his or her spouse, whichever is the later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

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

(e) The term "improved property", as used in this section shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1975 (hereafter referred

to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 3. When the Secretary determines that lands and interests therein have been acquired in an amount sufficient to constitute an administerable unit, he shall establish the park by publication of a notice to that effect in the Federal Register: *Provided*, That the park shall not be established until the Secretary receives commitments which he deems to be sufficient from the Commonwealth of Pennsylvania that the appropriations made by acts 320 and 352 of 1974, and act 12A of 1975, of the Legislature of the Commonwealth of Pennsylvania, will continue to be available and obligated for development purposes within the park. The Secretary shall administer the property acquired for such park in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 4. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than \$8,622,000 for the acquisition of lands and interests in lands.

(b) For the development of essential public facilities there are authorized to be appropriated not more than \$500,000. Within three years from the date of establishment of the park pursuant to this Act, the Secretary shall, after consulting with the Governor of the Commonwealth of Pennsylvania, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the development of the park consistent with the objectives of this Act, indicating:

- (1) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public;
- (2) the location and estimated cost of all facilities; and
- (3) the projected need for any additional facilities within the park.

*Speaker of the House of Representatives.*

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

OFFICE OF THE WHITE HOUSE PRESS SECRETARY  
(Valley Forge, Pennsylvania)

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THE WHITE HOUSE

REMARKS OF THE PRESIDENT  
UPON SIGNING H.R. 5621

VALLEY FORGE STATE PARK

9:40 A.M. EDT

Governor Shapp, Senator Scott, Senator Schweiker, Congressman Schulze, Secretary Kleppe, distinguished guests:

This is a great privilege for me, to sign this very important bill on George Washington's desk. I am deeply grateful because of the strong Congressional support. Over a long period of years, Senator Scott, Senator Schweiker, Congressman Schulze and many others took the lead and the net result is that under this legislation the Federal Government will take over this historic site and it will be known as the Valley Forge National Historic Park.

It will be a great tribute to those I mentioned in my remarks and those who gave so much, and the sacrifices they made.

So, I congratulate you, Scott, I congratulate the other Members of the House and Senate who did such a fine job in making this signing possible.

Governor, we are delighted to take over and make certain that the good work of the State of Pennsylvania is carried on and that this historic site will become another in the complex of national historic sites for the preservation of those things that mean so much to us, those sites that contribute so significantly to our national history and our national progress.

Thank you very much.

END (AT 9:43 A.M. EDT)