

The original documents are located in Box 64, folder “10/17/76 S400 National Park System Study Areas” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library

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APPROVED**OCT 17 1976**

810/17/76

THE WHITE HOUSE**WASHINGTON****October 16, 1976****ACTION****Last Day: October 19**

Posted 10/18/76

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *Jim Cannon*

SUBJECT: S. 400 - National Park System Study Areas

Archives 10/18/76

Attached for your consideration is S. 400, sponsored by Senator Kennedy and three others.

The enrolled bill would direct the Secretary of the Interior to study six areas for possible inclusion in the National Park System. The areas to be studied are:

- The Frederick Law Olmsted Home and Office, Brookline, Massachusetts;
- St. Paul's Church, Eastchester, New York;
- The National Museum of Afro-American History and Culture, Wilberforce, Ohio;
- The Kalaupapa Settlement on the Island of Molokai, Hawaii;
- The George W. Norris Home, McCook, Nebraska; and
- Mount Mitchell, North Carolina

The enrolled bill would also direct the Secretary of the Agriculture to study the Shawnee Hills area in Illinois for possible designation as a national recreation area.

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

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

RECOMMENDATION

That you sign S. 400 at Tab B.



001 10 SEP



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

OCT 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 400 - National Park
System study areas
Sponsors - Sen. Kennedy (D) Massachusetts
and 3 others

Last Day for Action

October 19, 1976 - Tuesday

Purpose

Directs (1) the Secretary of the Interior to study six areas for possible inclusion in the National Park System and (2) the Secretary of Agriculture to study one area for possible designation as a national recreation area.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval (Informally)
Department of Defense	No objection (Informally)
Council on Environmental Quality	Defers to Interior and Agriculture

Discussion

The enrolled bill would direct the Secretary of the Interior to study six areas to determine their suitability for inclusion within the National Park System. These studies are to be completed and transmitted to the Congress within two years of enactment (three years in the case of Mount Mitchell) and must include cost estimates for acquisition, development, operation, and maintenance of the proposed sites. In addition, the studies would include an analysis of various management alternatives for the administration and protection of each area.

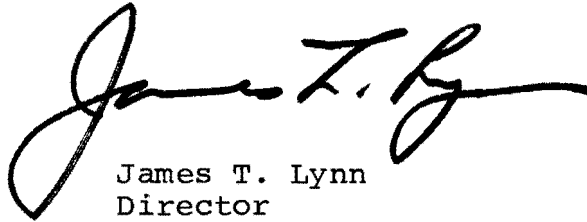
The areas to be studied are:

- The Frederick Law Olmsted Home and Office, Brookline, Massachusetts;
- St. Paul's Church, Eastchester, New York;
- The National Museum of Afro-American History and Culture, Wilberforce, Ohio;
- The Kalaupapa Settlement on the Island of Molokai, Hawaii;
- The George W. Norris Home, McCook, Nebraska; and,
- Mount Mitchell, North Carolina

The bill would also direct the Secretary of Agriculture to study the Shawnee Hills area in Illinois for the purpose of determining its suitability for designation as a national recreation area. No funds would be authorized by the bill.

In reports to the Congress, the Department of the Interior opposed enactment of several previous bills which would have immediately established four of the described areas as units of the National Park System. Instead, Interior recommended either deferral of congressional action pending further study by the Department (Olmsted and Kalaupapa) or further consideration of alternative administrative arrangements other than inclusion in the National Park System (the Afro-American Museum and St. Paul's Church). Agriculture similarly opposed an earlier bill directing a special study of the Shawnee Hills area for designation as a national recreation area. In reporting on this legislation, Agriculture advised the committees that such designation was already one of several alternative management strategies under consideration for the area through the normal Departmental land management planning process. There was no opportunity for either Department to comment on legislation concerning the George W. Norris Home or Mount Mitchell sites.

In their attached enrolled bill letters, both Interior and Agriculture recommend approval of S. 400. Although both indicate continued reservations concerning the appropriateness of special congressionally mandated studies of several of the areas described, neither voices serious objection to undertaking the required studies.

A handwritten signature in black ink, appearing to read "James T. Lynn", with a long, sweeping horizontal stroke extending to the right.

James T. Lynn
Director

Enclosure



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 8 - 1976

Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill S. 400, "To direct the Secretary of the Interior to conduct a one-year feasibility/suitability study of the Frederick Law Olmsted Home and Office as a national historic site."

We recommend that the President approve this enrolled bill.

Enrolled bill S. 400 would authorize the Secretary of the Interior to conduct studies of certain areas for possible inclusion in the National Park System. Such suitability/feasibility studies are to be prepared and transmitted to the Congress within two years from the date of enactment and must include, among other things, cost estimates for acquisition, development, operation and maintenance as well as alternatives for administration and protecting of the areas. The areas to be studied by the Secretary of the Interior are: (1) Frederick Law Olmsted Home and Office, Brookline, Massachusetts; (2) St. Paul's Church, Eastchester, New York; (3) National Museum of Afro-American History and Culture, Wilberforce, Ohio; (4) Kalaupapa Settlement on the Island of Molokai, Hawaii; (5) George W. Norris Home, McCook, Nebraska; and (6) Mount Mitchell, North Carolina.

S. 400 would also require the Secretary of Agriculture to study the Shawnee Hills in Illinois to determine the desirability and feasibility of establishing a national recreation area within the study area. We would defer to the Department of Agriculture as to the merits of conducting such a study.

With respect to the Olmsted site, this Department recommended against legislation that would have established the site as a unit of the park system and recommended in favor of legislation authorizing a study similar to that proposed in S. 400.

With respect to the Kalaupapa site, we recommended against establishment of legislation and also against study legislation, because we currently have such a study underway.

With respect to St. Paul's Church, we recommended against legislation which would have authorized the Secretary to accept donation of the church to be administered as a unit of the National Park System.

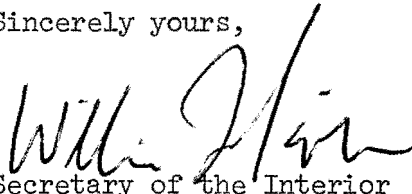


Although St. Paul's Church has been designated as a national historic site, the Park Service does not believe it to be of such significance as to warrant Federal ownership or Federal administration.

With respect to the Afro-American Museum, this Department opposed the inclusion of the museum in the National Park System on the grounds that the appropriate role of the National Park Service is the interpretation of actual historic sites associated with prominent historic figures. We suggested that the museum might be more appropriately administered by some other Federal agency in the Federal government.

With respect to the George W. Norris home and Mount Mitchell, this Department never had an opportunity to comment on legislation concerning these sites. However, we have no objection to conducting suitability/feasibility studies on them.

Sincerely yours,


Acting Secretary of the Interior
William L. Fisher

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

B

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 13

Time: 800pm

FOR ACTION: George Humphreys *on*
Max Friedersdorf *on* cc (for information):
Bobbi Kilberg *on*

Jack Marsh
Ed Schmults
Steve McConahey *on*

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 600pm

SUBJECT:

H.200 - National Park System Study Areas

ACTION REQUESTED:

☐ For Necessary Action

☐ For Your Recommendations

☐ Prepare Agenda and Brief

☐ Draft Reply

☒ For Your Comments

☐ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

.K. R. COLE, JR.
For the President



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

October 13, 1976

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

Dear Mr. Lynn:

As your office requested, here is our report on S. 400, an enrolled enactment "To authorize the study of certain areas by the Secretaries of Agriculture and the Interior."

Insofar as title V of the enactment would require the Secretary of Agriculture to make a study of the Shawnee Hills, Illinois, we recommend the President approve the enactment. We defer to the Department of the Interior as to the merits of the remainder of the enactment, although we have concerns about title VII which would require a study of Mount Mitchell, North Carolina.

Title V of S. 400 would require the Secretary of Agriculture to study the Shawnee Hills in Saline, Pope, Gallatin, and Hardin Counties, Illinois, to determine the desirability and feasibility of establishing a national recreation area. The Secretary would be required to submit a report and his recommendations to the Congress within three years from the date of enactment. No special funds would be authorized to be appropriated for the study.

The "Shawnee Hills Study Area" cited in title V contains about 172,000 acres within the Shawnee National Forest. About 92,000 acres (53 percent) are National Forest lands. Many areas of the Forest are intermingled with numerous small privately owned tracts.

We recommended to the 94th Congress that action be deferred on the bill (H.R. 14732) that became title V of S. 400, because the desirability and feasibility of designating a national recreation area will be one of the alternatives considered during the land management planning process now underway on the Shawnee National Forest. The planning schedule generally coincides with the 3-year requirement in title V in that we expect to complete the Forest land management plan by the end of 1979.

We believe the ongoing assessment of all resources within the entire National Forest and the evaluation of several management alternatives--including a possible national recreation area--is preferable to a specialized recreation study within only a portion of the Forest. However, we have no serious objections to the enactment of title V, because the title V study process could be incorporated in the land management planning process for the entire Forest.

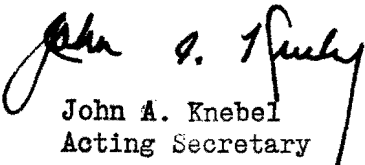
Title VII of S. 400 would require the Secretary of the Interior, in consultation with the Governor of the State of North Carolina and the Secretary of Agriculture, to study the Black Mountain Range of North Carolina to determine the desirability and feasibility of designating a Mount Mitchell National Park. The Secretary would be required to submit a report to the Senate and House Interior Committees within three years of enactment. No special funds would be authorized to be appropriated for the study.

The Mount Mitchell study area is poorly defined in title VII. There is neither a map reference nor an estimated study area acreage. The area is described in a very general way as "including the Mount Mitchell State Park, and the nearby federally owned lands adjacent to the Blue Ridge Parkway, including the Craggy Mountains." Large areas of the Pisgah National Forest are adjacent to the Blue Ridge Parkway within the general area described. Local news stories have indicated that about 60 percent of the study area is now within the National Forest System.

Neither the House nor the Senate conducted hearings on the proposed Mount Mitchell study during the 94th Congress. To our knowledge, the matter was not publicly mentioned in the Congress until September 22 when the House agreed to the Mount Mitchell study without debate. On October 1, the Senate agreed, without debate, to the House amendments to S. 400 after amending each of the seven titles to delete language authorizing the appropriation of funds. Later the same day, the House agreed, without debate, to the Senate amendments.

We believe title VII of S. 400 represents a poor decisionmaking process. In effect, the President is being asked to approve a special national park study of unknown cost within a poorly defined area that is already managed to a large extent by State and Federal conservation agencies. However, we do not believe this provision in the enrolled bill merits an adverse recommendation from us to the President, since we are confident that we can work closely with the Department of the Interior in conducting the study and formulating recommendations under title VII.

Sincerely,


John A. Knebel
Acting Secretary



DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310

13 OCT 1976

Honorable James T. Lynn

Director, Office of Management and Budget

Dear Mr. Lynn:

The Secretary of Defense has delegated responsibility to the Department of the Army for reporting the views of the Department of Defense on enrolled enactment S. 400, 94th Congress, "To authorize the study of certain areas by the Secretaries of Agriculture and the Interior."

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

The primary purpose of the enrolled enactment is to authorize the Secretaries of the Department of Agriculture and the Department of the Interior to prepare feasibility/suitability studies of various areas and or places numerated in the various titles of the enactment with views for inclusion in the National Park System, or designation as a national recreation area. The enactment further provides that the results of such studies be transmitted to the Congress for its consideration.

The studies and other activities authorized by the enrolled enactment do not directly affect the Department of Defense, except with regard to the establishment of the Kalaupapa National Historical Park Advisory Commission authorized by Title IV. Section 405 of Title IV states that the Chief of Engineers, Department of the Army, shall not, without prior approval of the Secretary of the Interior, undertake license or implement any project which in the determination of the Secretary would diminish the value of natural resources within one-quarter mile of the proposed Kalaupapa Park. The Department of the Army has no objection to this requirement.



Approval of the enactment will cause no apparent increase in budget requirements of the Department of Defense.

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

Sincerely,

A handwritten signature in black ink, reading "Bruce A. Hildebrand". The signature is written in a cursive, slightly slanted style.

Bruce A. Hildebrand
Acting Assistant Secretary of the Army
(Civil Works)

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

OCT 8 1976

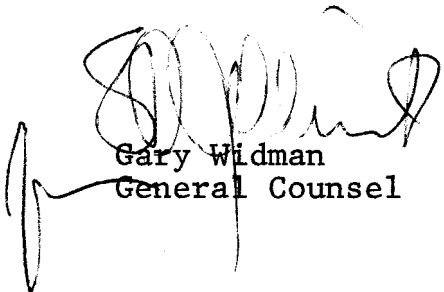
MEMORANDUM FOR JAMES M. FREY
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Ms. Ramsey

SUBJECT: Enrolled Bill, S. 400, "To authorize the study of certain areas by the Secretaries of Agriculture and the Interior."

S. 400 directs the Secretary of Interior to study six areas for possible inclusion in the National Park System. The Secretary of Agriculture is directed to study the Shawnee Hills area in Illinois for consideration as a National Recreation Area.

The Council on Environmental Quality defers to the Departments of Interior and Agriculture concerning S. 400. We have no recommendation to make at this time.



Gary Widman
General Counsel

Date: October 13

Time: 800pm

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilbergcc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 600pm

SUBJECT:

S.400 - National Park System Study Areas

ACTION REQUESTED:

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

REMARKS:

please return to judy johnston, ground floor west wing

*I recommend approval
and*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

ACTION MEMORANDUM

THE WHITE HOUSE

WASHINGTON

LOG NO.:

Date: October 13

Time:

800pm

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg

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

FROM THE STAFF SECRETARY

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

REMARKS:

please return to judy johnston, ground floor west wing

No objection
R. Logans
10/14

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

Date: October 13

Time:

800pm

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilbergcc (for information): Jack Marsh
Ed Schmultz
Steve McConahey

FROM THE STAFF SECRETARY

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

REMARKS:

please return to judy johnston, ground floor west wing

Recommend Approval.
[Signature]

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

FREDERICK LAW OLMSTED HOME AND OFFICE NATIONAL HISTORIC SITE

AUGUST 20, 1976.—Ordered to be printed

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

REPORT

[To accompany S. 400]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 400) to establish the Frederick Law Olmsted Home and Office in Brookline, Mass., as a national historic site, having considered the same, reports favorably thereon with amendments to the title and text and recommends that the bill as amended do pass.

AMENDMENTS

1. The committee adopted an amendment in the nature of a substitute. Strike all after the enacting clause and insert the following:

The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within one year from the date of enactment of this bill, a feasibility/suitability study of the Frederick Law Olmsted Home and Office in Brookline, Massachusetts, as a national historic site. The study shall include cost estimates for any necessary acquisition, operations and maintenance, and development as well as any alternatives.

2. Amend the title to read:

To direct the Secretary of the Interior to conduct a one-year feasibility/suitability study of the Frederick Law Olmsted Home and Office in Brookline, Massachusetts, as a national historic site.

PURPOSE

S. 400 would direct the Secretary of the Interior to conduct a one-year feasibility/suitability study for the Frederick Law Olmsted Home and Office in Brookline, Massachusetts, as a national historic

site. In conducting the study, the Secretary should consult with appropriate State and local officials as well as with private individuals who could be of assistance in developing alternatives or a specific plan for this site.

The committee believes that prior to enacting this legislation as introduced, additional information is necessary and, therefore, has adopted a substitute amendment to acquire the needed information.

BACKGROUND AND NEED

The Frederick Law Olmsted Home and Office is a designated National Historic Landmark. Frederick Law Olmsted is recognized as a unique and talented landscape architect noted for its outstanding ability in designing urban parks, planning for areas of natural beauty, and striving for conservation of natural resources. Olmsted is best known as a principal designer and chief architect of Central Park in New York City. He campaigned for the preservation of Yosemite as a public park. He and his associates had planned some 80 parks in urban areas by the time of his death in 1903.

Today, Olmsted Associates, the landscape firm which he founded, owns and occupies the home where he lived and had his office for 20 years. The house was built in 1810. Both Olmsted and his son, Frederick, Jr., made extensive changes to the interior, added more rooms and an office, which was enlarged after his death.

LEGISLATIVE HISTORY

Similar legislation was introduced in the 93d Congress by Senator Kennedy.

This measure was introduced in the Senate on January 27, 1975. The Subcommittee on Parks and Recreation conducted a hearing on July 27, 1976.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Interior and Insular Affairs, in open business session on August 4, 1976, by unanimous vote of a quorum present recommends that the Senate pass S. 400, if amended as described herein.

COMMITTEE AMENDMENTS

1. The committee, upon review of the record of the subcommittee hearings, determined that additional information was needed in order to properly consider this measure and accordingly has provided for a 1-year feasibility/suitability study of the proposed site in lieu of the original text of the measure.

The committee in adopting this amendment is aware of the great importance of Frederick Law Olmsted to landscape architecture and to park planning and the invaluable contribution which his papers can make to students, scholars, and the general public. The committee is concerned that in the establishment of the Frederick Law Olmsted Home and Office as a national historic site, his papers, sketches, and

drawings be carefully preserved and interpreted. The committee is aware of the interest of the Library of Congress as well as several universities in assuring access to the Olmsted papers.

The committee expects the Secretary in conducting his study to detail the necessary costs of acquisition, development, and operations and maintenance as well as to explore the possibility of cooperative agreements with the Library of Congress and universities to lessen the costs of acquisition of the Olmsted papers.

2. The committee amended the title to reflect the difference in the text.

COST AND BUDGETARY CONSIDERATIONS

The committee estimates that the cost of this study will be approximately \$25,000.

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. 400, are set forth below:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., June 3, 1976.

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

DEAR MR. CHAIRMAN: This is in response to your request of March 24, 1976, for the views of the Office of Management and Budget on S. 400, a bill "to establish the Frederick Law Olmsted Home and Office in Brookline, Mass., as a national historic site."

The Office of Management and Budget concurs in the views of the Department of the Interior in its report on S. 400, and accordingly, recommends that action on the bill be deferred.

Sincerely yours,

JAMES M. FREY,
Assistant Director for Legislative Reference.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 28, 1976.

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

DEAR MR. CHAIRMAN: This responds to the request of your committee for the views of this Department on S. 400, a bill to establish the Frederick Law Olmsted Home and Office in Brookline, Mass. as a national historic site.

We recommend that action on this bill be deferred.

S. 400 authorizes the Secretary of the Interior to acquire by gift or purchase with appropriated or donated funds the lands and improve-

ments in Brookline, Mass., comprising the Frederick Law Olmsted Home and Office together with such additional lands as he may deem necessary for the purpose of establishing the Home and Office as a national historic site. The bill further authorizes the Secretary to acquire in a similar manner appropriate materials for historic preservation, including original drawings and prints and reproductions, photographic negatives and prints, mechanical and technical equipment, written and printed documents and reports, books and publications, libraries, memorabilia, and any other such materials deemed appropriate by the Secretary.

The bill authorizes the Secretary to enter into cooperative agreements with public and private agencies, institutions, organizations, and other entities to assist in the preservation and interpretation of the properties and materials, and to authorize such agencies to utilize the facilities and materials in the national historic site. The bill establishes a Frederick Law Olmsted Home and Office Advisory Commission of 13 members, appointed by the Secretary from recommendations submitted by named architectural and planning institutions, the Olmsted Sesquicentennial Committee, the Library of Congress, and other organizations. Sums as may be necessary are authorized to be appropriated.

The property referred to in S. 400 is located at 99 Warren Street, in Brookline, Mass. It is a two-story clapboard house in which Frederick Law Olmsted, a nationally known landscape architect and planner who figured prominently in the development of Central Park in New York and in preservation of the Yosemite National Park area in California, lived from 1883 until his death in 1903.

It is owned and occupied for office purposes by Olmsted Associates, the landscape architectural firm which he founded. Olmsted's house was built in 1810. Both he and his son, Frederick, Jr., changed the interior. Other major changes were made after the senior Olmsted's death. With the addition of rooms on the west, the building became a 16-room house. Olmsted's attached office, originally smaller than it is at present, was enlarged about 1917, some years after his death. Olmsted Associates now occupies the office as well as the house and has made numerous smaller changes in the building. None of the original household furnishings remain.

Criteria which we have developed for recommendations for new historical areas in the National Park System include the following:

"While many localities associated with a particular aspect of American history or prehistory may possess national significance, inclusion in the National Park System should be limited to those places most strongly illustrating the historical, archeological, artistic, architectural, and cultural values they represent. The attributes of historical association, integrity, and interpretive potential should all be present to a high degree at each historical area."

The National Park Service has not studied this site as to its suitability and feasibility as a possible unit of the National Park System. We believe action on this legislation should be deferred until the National Park Service is able to study the site and determine whether Olmsted's life and work can be effectively commemorated at his home or if there are other locations or other means whereby this might be done.

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the committee notes that no changes in existing law are made by the bill S. 400 as reported.

○

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 study of certain areas by the Secretaries of Agriculture and the Interior.

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

TITLE I—FREDERICK LAW OLMSTED HOME AND OFFICE, BROOKLINE, MASSACHUSETTS

SEC. 101. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study of the Frederick Law Olmsted Home and Office as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

TITLE II—SAINT PAUL'S CHURCH, EASTCHESTER, NEW YORK

SEC. 201. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study of Saint Paul's Church as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

TITLE III—NATIONAL MUSEUM OF AFRO-AMERICAN HISTORY AND CULTURE AT OR NEAR WILBERFORCE, OHIO

SEC. 301. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study for a National Museum of Afro-American History and Culture at or near Wilberforce, Ohio. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration of such museum.

TITLE IV—KALAUPAPA SETTLEMENT ON THE ISLAND OF MOLOKAI, HAWAII

SEC. 401. (a) The Congress finds:

(1) Since 1866 a colony for the care and treatment of the victims of leprosy, known as the Kalaupapa settlement, has existed on the island of Molokai in the State of Hawaii. On this site Father Joseph Damien de Veuster (1840–1889) worked for sixteen years among those victims

until at last succumbing to their disease. This inspiring work made him a figure of such national acclaim that a statue of him rests in the Nation's Capitol. This work led to proceedings for his beatification by the Catholic Church and to worldwide veneration of this devotion and mission. This respect and admiration served to focus unprecedented attention on the disease of leprosy and stimulated charity and scientific research toward its cure.

(2) The Kalaupapa settlement constitutes a unique and nationally significant cultural, historical, educational, and scenic resource.

(b) The purposes of this title are—

(1) to preserve and interpret the Kalaupapa settlement for the education and inspiration of present and future generations, and

(2) to provide that the preservation and interpretation of that settlement be managed and performed by native Hawaiians, including patients and former patients of the Kalaupapa settlement, to the extent practical, and that training opportunities be provided such persons in management and interpretation of the settlement's cultural, historical, educational, and scenic resources.

SEC. 402. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall study the feasibility and desirability of establishing as a part of the National Park System an area (hereinafter referred to as the "proposed park area") comprising all, or a portion of, the lands, waters, and interest in Kalawao County on the island of Molokai.

(b) As a part of such study, the Secretary shall consult with other interested Federal agencies, with other interested State and local bodies and officials, with patients and former patients presently in residence at the Kalaupapa settlement and with the Commission established by section 404, and he shall coordinate the study with other applicable planning activities.

SEC. 403. (a) The Secretary shall submit to the President and the Congress within two years after the date of the enactment of this title a report of his study. The report of the Secretary shall contain, but not be limited to, findings with respect to the historic, cultural, educational, scenic, and natural values of the resources involved and recommendations for preservation and interpretation of those resources.

(b) The report of the Secretary referred to in subsection (a) shall include a detailed proposed master plan for the development of the proposed park area. Such plan shall include: (1) a schedule of acquisition of the proposed park area, (2) an assessment of planned restorations of historic sites, (3) an estimate of park development and long-term operation costs, (4) a plan for the development of programs (including training programs) for native Hawaiians, including patients and former patients of the Kalaupapa settlement, to manage and perform the preservation and interpretation of the park, (5) provision for the preservation of existing, exclusive hunting and fishing (konohiki) rights of the residents of Kalawao County, and (6) provision to prevent the dislocation or displacement of any patient or former patient presently in residence at the Kalaupapa settlement and to maintain transportation and hospital facilities and other public services as may be necessary for any remaining patients or settlement staff.

SEC. 404. (a) There is hereby established a Kalaupapa National Historical Park Advisory Commission.

(b) The Commission shall be composed of fifteen members, at least six of whom shall be native Hawaiians, appointed by the Secretary, as follows:

until at last succumbing to their disease. This inspiring work made him a figure of such national acclaim that a statue of him rests in the Nation's Capitol. This work led to proceedings for his beatification by the Catholic Church and to worldwide veneration of this devotion and mission. This respect and admiration served to focus unprecedented attention on the disease of leprosy and stimulated charity and scientific research toward its cure.

(2) The Kalaupapa settlement constitutes a unique and nationally significant cultural, historical, educational, and scenic resource.

(b) The purposes of this title are—

(1) to preserve and interpret the Kalaupapa settlement for the education and inspiration of present and future generations, and

(2) to provide that the preservation and interpretation of that settlement be managed and performed by native Hawaiians, including patients and former patients of the Kalaupapa settlement, to the extent practical, and that training opportunities be provided such persons in management and interpretation of the settlement's cultural, historical, educational, and scenic resources.

SEC. 402. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall study the feasibility and desirability of establishing as a part of the National Park System an area (hereinafter referred to as the "proposed park area") comprising all, or a portion of, the lands, waters, and interest in Kalawao County on the island of Molokai.

(b) As a part of such study, the Secretary shall consult with other interested Federal agencies, with other interested State and local bodies and officials, with patients and former patients presently in residence at the Kalaupapa settlement and with the Commission established by section 404, and he shall coordinate the study with other applicable planning activities.

SEC. 403. (a) The Secretary shall submit to the President and the Congress within two years after the date of the enactment of this title a report of his study. The report of the Secretary shall contain, but not be limited to, findings with respect to the historic, cultural, educational, scenic, and natural values of the resources involved and recommendations for preservation and interpretation of those resources.

(b) The report of the Secretary referred to in subsection (a) shall include a detailed proposed master plan for the development of the proposed park area. Such plan shall include: (1) a schedule of acquisition of the proposed park area, (2) an assessment of planned restorations of historic sites, (3) an estimate of park development and long-term operation costs, (4) a plan for the development of programs (including training programs) for native Hawaiians, including patients and former patients of the Kalaupapa settlement, to manage and perform the preservation and interpretation of the park, (5) provision for the preservation of existing, exclusive hunting and fishing (konohiki) rights of the residents of Kalawao County, and (6) provision to prevent the dislocation or displacement of any patient or former patient presently in residence at the Kalaupapa settlement and to maintain transportation and hospital facilities and other public services as may be necessary for any remaining patients or settlement staff.

SEC. 404. (a) There is hereby established a Kalaupapa National Historical Park Advisory Commission.

(b) The Commission shall be composed of fifteen members, at least six of whom shall be native Hawaiians, appointed by the Secretary, as follows:

(1) two members, one of whom will be appointed from recommendations made by each of the United States Senators representing the State of Hawaii, respectively;

(2) two members, one of whom will be appointed from recommendations made by each of the United States Representatives for the State of Hawaii, respectively;

(3) five public members, who shall have knowledge and experience in one or more fields as they pertain to Hawaii of history, ethnology, education, medicine, religion, culture, and folklore and including representatives of the Bishop Museum, the University of Hawaii, and organizations active in the State of Hawaii in the conservation of resources, to be appointed from recommendations made by the Governor of the State of Hawaii;

(4) two members to be appointed from recommendations made by local organizations representing the native Hawaiian people;

(5) at least two members representing the patient's organization; and

(6) two members to be appointed from recommendations made by the mayor of the county of Maui.

(c) The term "native Hawaiian", as used in this title means a descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to the year 1778.

(d) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(e) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this title on vouchers signed by the Chairman.

(f) The Commission shall cease to exist at the time of submission of the Secretary's report referred to in section 403(a) to the President and the Congress.

SEC. 405. During the period commencing with the date of the enactment of this title and ending with submission of the Secretary's report to the President and the Congress and any necessary completion of congressional consideration of recommendations included in that report (1) no department or agency of the United States shall, without prior approval of the Secretary, assist by loan, grant, license, or otherwise in the implementation of any project which, in the determination of the Secretary, would unreasonably diminish the value of cultural, historical, educational, scenic, or natural resources relating to the proposed park area and (2) the Chief of Engineers, Department of the Army, shall not, without prior approval of the Secretary, undertake or assist by license or otherwise the implementation of any project which, in the determination of the Secretary, would diminish the value of natural resources located within one-quarter mile of the proposed park.

TITLE V—SHAWNEE HILLS, ILLINOIS

SEC. 501. The Congress finds that the Shawnee Hills in the State of Illinois contain unique recreational resources; that the Shawnee Hills possess historical, cultural, educational, recreational and natural qualities which offer outstanding opportunities for public enjoyment; and that such opportunities should be utilized and developed to their optimum potential for the full enjoyment of present and future generations.

SEC. 502. The Secretary of Agriculture is authorized and directed to study the Shawnee Hills in Saline, Pope, Gallatin, and Hardin Counties, Illinois, as depicted on the map entitled, "Shawnee Hills Study Area," dated June 1976, which shall be on file and available for inspection in the Office of the Chief, Forest Service, United States Department of Agriculture. Within three years from the date of enactment of this title, the Secretary shall submit a report to the Congress, including his recommendation as to the desirability and feasibility of establishing a national recreation area within the Shawnee Hills Study Area. Such report shall include the estimated costs of such establishment and proposed legislation to implement any recommendation for the establishment of such area.

TITLE VI—GEORGE W. NORRIS HOME, McCOOK,
NEBRASKA

SEC. 601. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study of the George W. Norris home as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

TITLE VII—MOUNT MITCHELL, NORTH CAROLINA

SEC. 701. The Secretary of the Interior, in consultation with the Governor of the State of North Carolina and the Secretary of Agriculture, shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives within three years from the date of enactment of this Act a feasibility/suitability study of the Black Mountain Range of North Carolina, including the Mount Mitchell State Park, and the nearby federally owned lands adjacent to the Blue Ridge Parkway, including the Craggy Mountains, as a proposed Mount Mitchell National Park. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

Speaker of the House of Representatives.

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