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LAND AND WATER CONSERVATION  
FUND—HISTORIC PRESERVATION

GOVERNMENT PRINTINGS

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KANSAS STATE UNIVERSITY HEARING

BEFORE THE  
SUBCOMMITTEE ON PARKS AND RECREATION  
OF THE

COMMITTEE ON  
INTERIOR AND INSULAR AFFAIRS  
UNITED STATES SENATE

NINETY-THIRD CONGRESS  
SECOND SESSION

ON

**S. 3413**

A BILL TO AMEND THE LAND AND WATER CONSERVATION  
FUND ACT OF 1965, AS AMENDED

**S. 3806**

A BILL TO INCREASE THE AUTHORIZATIONS FOR GRANTS  
FOR THE PRESERVATION OF HISTORIC PROPERTIES UN-  
DER THE ACT OF OCTOBER 15, 1966, AND FOR OTHER  
PURPOSES

**S. 3839**

A BILL TO AMEND THE LAND AND WATER CONSERVATION  
FUND ACT OF 1965, AS AMENDED, TO ESTABLISH THE  
NATIONAL HISTORIC PRESERVATION FUND, AND FOR  
OTHER PURPOSES

**S. 3865**

A BILL TO AMEND THE LAND AND WATER CONSERVATION  
FUND ACT OF 1965

**S. 3866**

A BILL TO AMEND THE LAND AND WATER CONSERVATION  
FUND ACT OF 1965

AUGUST 2, 1974

Printed for the use of the  
Committee on Interior and Insular Affairs

U.S. GOVERNMENT PRINTING OFFICE



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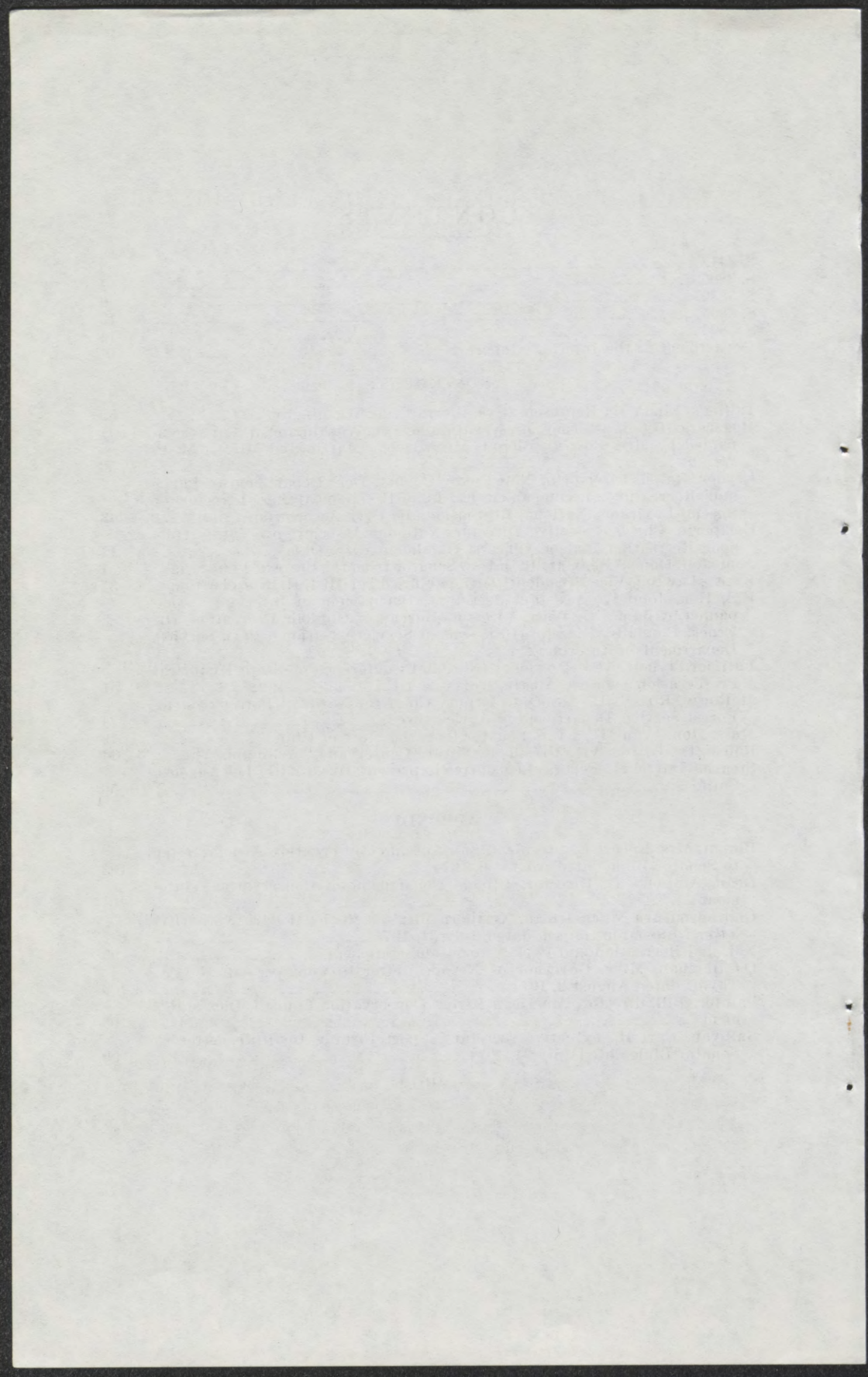
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# LAND AND WATER CONSERVATION FUND—HISTORIC PRESERVATION

FRIDAY, AUGUST 2, 1974

U.S. SENATE,  
SUBCOMMITTEE ON PARKS AND RECREATION,  
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C.*

The subcommittee met pursuant to notice at 10 a.m., in room 3110, Dirksen Office Building, Hon. J. Bennett Johnston, presiding.

Present: Senators Johnston, McClure and Hansen.

Also present: Jerry T. Verkler, staff director; James P. Beirne, special counsel; and W. O. Fred Craft, Jr., deputy minority counsel.

## OPENING STATEMENT OF HON. J. BENNETT JOHNSTON, JR., A U.S. SENATOR FROM THE STATE OF LOUISIANA

Senator JOHNSTON. The hearing will come to order.

Ladies and gentlemen, today we are holding hearings before the Subcommittee on Parks and Recreation on S. 3413, to amend the Land and Water Conservation Fund Act of 1965, as amended, S. 3806, to increase authorizations of grants for preservation of historic properties under the act of 1966, S. 3839, to amend the Land and Water Conservation Fund Act of 1965, National Historic Preservations, S. 3865, to amend the Land and Water Conservation Fund Act of 1965 and S. 3866, to amend the Land and Water Conservation Fund Act of 1965.

The hearings will focus on the recreational—in my judgment, we can no longer afford to take our land and water facilities for granted.

With each passing day, approximately 3,000 acres of land are lost to development.

As a matter of practicality, this means that each decade in the future will see urban sprawl absorbing an area greater than the entire State of New Jersey.

And over the next 30 years, an additional 18,000 square miles of undeveloped land will be converted to urban use.

These are sobering figures. They suggest that action is required now, if we are to preserve open spaces and historic and other fragile areas for future generations.

The witnesses that we are scheduled to hear today will give us more specifics on what our recreation, open space, fragile land and preservation needs are and how we can best meet those needs.

However, it is apparent that clear and critical needs are not being now met and that prompt action is required.

For instance, at present there is \$385,000 National Park Service backlog of authorized acquisition areas, and an additional \$200 million will probably be needed for the acquisition of the Big Cypress and the Big Thicket preserve.

The Bureau of Sports, Fisheries and Wildlife would require \$165,000 and the Bureau of Land Management, \$12 million if they are to acquire the lands which Congress already has authorized to be purchased.

In addition, the Forest Service has large financial needs for land acquisition.

Similar needs have been shown with respect to historic preservation.

In 1966, the Congress passed the Historic Preservation Act to provide funds to match State preservation efforts.

The Federal funding for this program will be \$24.4 million next year.

Yet, the States have \$165 million or almost seven times the available Federal matching funds, available for needed projects.

In my State of Louisiana last year, request for over \$500,000 were met by the Federal Government only to the extent of \$100,000.

And this year, Louisiana has requested four times as much as last year for historic preservation.

Yet there is little likelihood, at present funding levels, of any substantial portion of those requests being met.

Obviously, there are substantial funding needs for all of these programs.

How to deal with those needs will be one of the key issues to be dealt with at those hearings.

At this point, I shall request that copies of the bills, together with the Department report, be made a part of the record.

[The bills and Department report follow:]

93<sup>d</sup> CONGRESS  
2<sup>d</sup> SESSION

# S. 3413

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## IN THE SENATE OF THE UNITED STATES

MAY 1, 1974

Mr. METZENBAUM (for himself, Mr. ABOUREZK, Mr. BAYH, Mr. DOMENICI, Mr. HASKELL, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. MANSFIELD, Mr. METCALF, Mr. MONDALE, Mr. PACKWOOD, Mr. TUNNEY, and Mr. WILLIAMS) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## A BILL

To amend the Land and Water Conservation Fund Act of 1965,  
as amended.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 That subsection 2 (c) of the Land and Water Conservation  
4 Fund Act of 1964, as amended (16 U.S.C. 460 1-5 (c))  
5 is amended as follows:

6 (a) In clause (1), strike out "\$300,000,000" and in-  
7 sert in lieu thereof "\$500,000,000".

8 (b) In clause (2), strike out "\$300,000,000" and in-  
9 sert in lieu thereof "\$500,000,000."

93<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3806

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IN THE SENATE OF THE UNITED STATES

JULY 24, 1974

Mr. JACKSON introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## A BILL

To increase the authorizations for grants for the preservation of historic properties under the Act of October 15, 1966, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That the Act of October 15, 1966 (80 Stat. 915), as  
4       amended (16 U.S.C. 470), establishing a program for the  
5       preservation of additional historic properties throughout the  
6       Nation, is further amended as follows:

7       (a) Subsection (c) of section 102 is redesignated as sub-  
8       section (d), and the following new subsection (c) is inserted  
9       before said subsection:

10       “(c) The Secretary may in his discretion waive the

1 requirements of paragraph (3) of subsection (a) of this  
2 section for the purposes of making grants for the preparation  
3 of statewide historic preservation plans and project plans,  
4 but any such grants shall not exceed 70 per centum of the  
5 cost of such plans; and he may waive the requirements of  
6 said paragraph (3) for the purposes of making grants for  
7 projects to preserve historic meeting houses and endangered  
8 historic properties of national significance, and to demon-  
9 strate methods and techniques of historic preservation, but  
10 any such grant shall not exceed 90 per centum of the cost  
11 of a project, and the total of such grants made pursuant to  
12 this clause in any one fiscal year shall not exceed one-third  
13 of the funds appropriated for that fiscal year pursuant to  
14 section 108.”.

15 (b) Section 108 is amended by deleting the first sen-  
16 tence and inserting in lieu thereof the following: “To carry  
17 out the provisions of this title, there are authorized to be  
18 appropriated such sums as may be necessary, but not to ex-  
19 ceed \$150,000,000 for each of the fiscal years 1975 through  
20 1979.”.

93<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3839

---

IN THE SENATE OF THE UNITED STATES

JULY 30, 1974

Mr. JOHNSTON (for himself and Mr. JACKSON) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## A BILL

To amend the Land and Water Conservation Fund Act of 1965, as amended, to establish the National Historic Preservation Fund, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That the Land and Water Conservation Fund Act of 1965  
4       (78 Stat. 897), as amended (16 U.S.C. 4601-4 et seq.), is  
5       further amended as follows:

6       (a) In clause (1) of section 2 (c) strike out "and not  
7       less than \$300,000,000 for each fiscal year thereafter through  
8       June 30, 1989" and insert in lieu thereof "not less than  
9       \$300,000,000 for each of the fiscal years 1971 through 1974,  
10      and not less than \$750,000,000 for each of the fiscal years

1 thereafter through June 30, 1989". In clause (2) of sec-  
2 tion 2 (c) strike out "or \$300,000,000" and insert in lieu  
3 thereof ", \$300,000,000 or \$750,000,000".

4 (b) After clause (2) of section 2 (c) insert the follow-  
5 ing new clauses:

6 " (3) of the \$750,000,000 authorized to be credited  
7 to the fund for each of the fiscal years 1975 through  
8 1989 under clause (2) a sum of \$250,000,000 shall be  
9 set aside each such year in a special account in the Treas-  
10 ury of the United States to be administered in conjunc-  
11 tion with, but separate from, the revenues in the Land  
12 and Water Conservation Fund. The revenues in this  
13 special account each such year shall be available for ap-  
14 propriation, in addition to appropriations authorized for  
15 the same purposes under any other law, to the Secretary  
16 of the Interior for grants to the States and through the  
17 States to local public bodies, under the terms and condi-  
18 tions specified in section 6 (f) of this Act or such other  
19 terms and conditions as the Secretary may prescribe, to  
20 finance not more than 70 per centum of the cost of ac-  
21 quiring open space land in urban areas, and fragile or  
22 historic lands, and the remaining share of such cost shall  
23 be borne by the State in a manner and with such funds  
24 or services as shall be satisfactory to the Secretary. The  
25 appropriations made pursuant to this clause shall be

1 available to the Secretary for administrative expenses  
2 and to provide technical assistance in connection with the  
3 grants authorized by such clause, and shall remain  
4 available until expended;

5 “(4) the appropriations made pursuant to clause  
6 (3) of this subsection shall be allocated to the States  
7 by the Secretary on the basis of needs as determined by  
8 him, except that the total allocation to an individual  
9 State shall not exceed 10 per centum of the total amount  
10 allocated to the several States in any one year. Any  
11 amount of any fiscal year allocation which has not been  
12 paid or obligated by the Secretary at the end of two  
13 succeeding fiscal years shall be allocated to the States  
14 without regard to such 10 per centum limitation.

15 “(5) As used in clause (3) of this subsection the  
16 term—

17 “(i) ‘Fragile or historic lands’ means those  
18 areas identified by the State in the comprehensive  
19 statewide plan required by subsection 6(d) as  
20 areas of critical environmental concern where uncontrolled or incompatible development could result  
21 in substantial damage to important historic, cultural,  
22 scientific, or esthetic values or natural systems that  
23 are of more than local significance, such lands to  
24 include shorelands, rare or valuable ecosystems and  
25

1 geological formations, significant wildlife habitats,  
2 wilderness areas, and wetlands.

3 “(ii) ‘Local public body’ means any public  
4 body (including a political subdivision) created by  
5 or under the laws of a State, or two or more States,  
6 or a combination of such bodies, and includes recog-  
7 nized Indian tribes.

8 “(iii) ‘Open space land’ means any land located  
9 in an urban area and which has value for park and  
10 recreational purposes, for conservation of land and  
11 other natural resources, or for historic, architectural,  
12 or scenic purposes.

13 “(iv) ‘Urban area’ means any area which is  
14 urban in character, including those surrounding areas  
15 which, in the judgment of the Secretary, form an  
16 economic and socially related region, taking into  
17 consideration such factors as present and future  
18 population trends and patterns of urban growth,  
19 location of transportation facilities and systems, and  
20 distribution of industrial, commercial, residential,  
21 governmental, institutional, and other activities.”

22 (c) In the third sentence of section 6 (b), delete “7”  
23 and substitute “10”, and at the end of the fifth sentence of  
24 said section, change the period to a comma and add “without

1 regard to the 10 per centum limitation to an individual State  
2 specified in this subsection.”

3 (d) In section 6 (e) delete the paragraph numbered (2)  
4 and substitute the following paragraph:

5 “(2) DEVELOPMENT.—For development of basic  
6 outdoor recreation facilities to serve the general public,  
7 including development of Federal lands under lease to  
8 States for terms of twenty-five years or more: *Provided,*  
9 *however,* That not more than 25 per centum of the total  
10 amount allocated to a State in any one year may be ap-  
11 proved by the Secretary for the development of sheltered  
12 facilities for recreation activities normally pursued out-  
13 doors when unavailability of land or climatic conditions  
14 provide no other feasible or prudent alternative to serve  
15 identified unmet demands for recreation resources.”

## 16 TITLE II

### 17 National Historic Preservation Fund

18 The Act of October 15, 1966 (80 Stat. 915), as  
19 amended (16 U.S.C. 470), is amended as follows:

20 (a) Amend section 103 (a) by deleting “*Provided, how-*  
21 *ever,* That the amount granted to any one State shall not  
22 exceed 50 per centum of the total cost of the comprehensive  
23 statewide historic survey and plan for that State, as deter-  
24 mined by the Secretary,” and insert thereof: “*Pro-*  
25 *vided,* That the Secretary may, in his discretion, waive the

1 requirements of paragraph (3) of subsection (a) of section  
2 102 of this Act for the purposes of making grants for the  
3 preparation of statewide historic preservation plans and proj-  
4 ect plans, but any such grant shall not exceed 70 per centum  
5 of the cost of such plans.”

6 (b) Amend section 108 to read as follows:

7 “SEC. 108. To carry out the provisions of this Act, there  
8 is hereby established in the Treasury of the United States  
9 a special fund to be known as the National Historic Preserva-  
10 tion Fund (hereafter referred to as the ‘Fund’). During the  
11 period commencing July 1, 1974, and ending June 30, 1979,  
12 there shall be covered into such Fund \$150,000,000 annually  
13 from revenues due and payable to the United States under  
14 the Outer Continental Shelf Lands Act (67 Stat. 462, 469),  
15 as amended (43 U.S.C. 1338), and or under the Act of  
16 June 4, 1920 (41 Stat. 813), as amended (30 U.S.C. 191),  
17 which otherwise would be credited to miscellaneous receipts  
18 of the Treasury. Such moneys shall be used only to carry out  
19 the purposes of this Act. Moneys covered into the Fund shall  
20 be available for expenditure only when appropriated therefor.  
21 Any moneys not appropriated shall remain available in the  
22 Fund until appropriated for said purposes: *Provided*, That  
23 appropriations made pursuant to this paragraph may be made  
24 without fiscal year limitation.”

93<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3865

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## IN THE SENATE OF THE UNITED STATES

JULY 31, 1974

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## A BILL

To amend the Land and Water Conservation Fund Act of 1965.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        That this Act may be cited as the "Land and Water Con-  
4        servation Fund Amendments Act of 1974".

5        SEC. 2. The Land and Water Conservation Fund Act  
6        of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601-4  
7        to 4601-11), is further amended as follows:

8        (1) In section 2 (c) (1), strike "\$200,000,000" and  
9        the remainder of the sentence and insert in lieu thereof

1 \$1,000,000,000 for each fiscal year through June 30,  
2 1989.”.

3 (2) In section 2 (c) (2), strike “\$200,000,000 or  
4 \$300,000,000” and insert in lieu thereof “\$1,000,000,000”.

5 (3) The first sentence of section 6 (c) is amended to  
6 read as follows: “Payments to any State shall cover not  
7 more than 50 per centum of the cost of planning or develop-  
8 ment projects, and not more than 75 per centum of the cost  
9 of acquisition projects, that are undertaken by the State.”.

93<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3866

---

## IN THE SENATE OF THE UNITED STATES

JULY 31, 1974

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## A BILL

To amend the Land and Water Conservation Fund Act of 1965.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That this Act may be cited as the "Land and Water Con-  
4       servation Fund Amendments Act of 1974".

5       SEC. 2. The Land and Water Conservation Fund Act  
6       of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601-4  
7       to 4601-11), is further amended as follows:

8       (1) In section 2 (c) (1), strike "\$200,000,000" and  
9       the remainder of the sentence and insert in lieu thereof

1 "\$1,000,000,000 for each fiscal year through June 30,  
2 1989."

3 (2) In section 2(c) (2), strike "\$200,000,000 or  
4 \$300,000,000" and insert in lieu thereof "\$1,000,000,000".



## United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

AUG 1 1974

Dear Mr. Chairman:

Your Committee has requested the views of this Department on S. 3413, a bill, "To amend the Land and Water Conservation Fund Act of 1965, as amended", S. 3806, a bill "To increase the authorizations for grants for the preservation of historic properties under the Act of October 15, 1966, and for other purposes", and S. 3839, a bill "To amend the Land and Water Conservation Fund Act of 1965, as amended, to establish the National Historic Preservation Fund, and for other purposes."

We recommend against the enactment of these bills.

S. 3413 would increase the existing \$300 million annual income level of the Land and Water Conservation Fund each fiscal year through FY 1989 to \$500 million by utilizing Outer Continental Shelf mineral leasing receipts.

S. 3806 would raise the annual authorization for grants for historic preservation purposes to \$150 million for 5 years. In addition, it would provide that for the purposes of making grants for projects to preserve historic meetinghouses and endangered properties of national significance, the Secretary may provide up to 90 per centum of the cost of such project.

S. 3839 would increase the authorized annual ceiling of the Land and Water Conservation Fund to \$750 million. It would further provide that two-thirds of that amount would be available for the present purposes of the Fund and the remaining one-third would be available to the States on a 70 - 30 matching basis to acquire urban area land for recreation, historic, architectural or scenic purposes, or to protect fragile or historic lands. Title II of S. 3839 would establish a National Historic Preservation Fund to be funded at a level of \$150 million annually for 5 years to finance the programs under the Historic Preservation Act of 1966.

The Land and Water Conservation Fund Act of 1965 (P.L. 88-578; 78 Stat. 897) established a fund in the United States Treasury to provide a program for (1) the acquisition of lands for federally administered recreation areas; and (2) matching grants to State and local governments for planning, acquisition and development of recreation lands and facilities. The Fund is administered by the Bureau of Outdoor Recreation of this Department. Fund revenues are derived from the sale of Federal surplus real property, the Federal motorboat fuel's tax, and Outer Continental Shelf mineral receipts.

The Act of October 15, 1966 (80 Stat. 915), as amended, authorizes matching grants to the States for historic preservation plans and surveys and for projects involving the acquisition and rehabilitation of significant historic properties. As amended, the Act authorizes the appropriation of not more than \$15.6 million in fiscal year 1974, \$20 million in fiscal year 1975, and \$24.4 million in fiscal year 1976, after which date the authority expires. The Act requires that Federal grants not exceed 50 percent of the cost of plans and surveys and not to exceed 50 percent of the cost of historic preservation projects.

The claims against the Land and Water Conservation Fund and for historic preservation have increased since the enactment of both programs. However, the crucial domestic problem facing us today is inflation, and unless we begin now to reduce the rate of inflation, our economy and the high standard of living it has brought us will be imperiled. Providing more Federal dollars at this time for recreation and historic preservation programs would jeopardize the Administration's efforts to limit Federal spending and to control inflation. Meeting our economic goal of growth without an eroding inflation rate cannot wait, but a delay in increasing funds under these programs can be tolerated.

Before any increases of the magnitude suggested in the proposed bills could be justified, considerable programmatic analysis would be required to determine the actual demand for, and level of, the Federal participation in recreation activities. While the Nationwide Outdoor Recreation Plan provided a range of recreation opportunities for consideration, it did not reach conclusions which would provide specific support for the large increases contemplated by these bills. There is yet to be determined the recreation role to be filled by public-Federal, State and local or private efforts. Also there is need to analyze the potential effects of any such increased Federal investment on private-sector recreation. We are continuing to explore these and other questions to assure that any future Federal investments will be supplementary to local public and private recreation rather than to displace them.

We would also note that there is \$262 million currently authorized for the Land and Water Conservation Fund but not appropriated to date. This amount excludes the \$300 million recommended in the President's Budget for FY 1975. If more funds should be required for this program

and if fiscal policy constraints can be diminished in the future, the current authorization would be sufficient to meet any potential needs. Accordingly, we recommend against increasing the current authorizations.

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,

  
Assistant

Secretary of the Interior

Honorable Henry M. Jackson  
Chairman, Committee on  
Interior and Insular Affairs  
United States Senate  
Washington, D.C.

Senator JOHNSON. I am pleased we have scheduled such an outstanding group of experts to give us the benefit of their views on these key issues.

I welcome their testimony and look forward to hearing from them with their suggestions on the course we should follow in order to deal with these troublesome problems.

Our leadoff witness is the outstanding Senator from the State of Utah who has given great leadership in the area and field of parks and recreation and open spaces.

We look forward to hearing from Senator Moss.

**STATEMENT OF HON. FRANK E. MOSS, A U.S. SENATOR  
FROM THE STATE OF UTAH**

Senator Moss. Thank you Mr. Chairman. I feel right at home in this committee room and I am delighted to be here with you this morning.

I commend you and the committee for pushing ahead in this area of preservation of our historic and scenic and fragile areas.

Obviously, we have much to do. I was glad to have taken part, earlier, and this morning I wanted to lend my voice, particularly in the area of historic areas.

I am pleased you are holding this hearing.

Historical sites and structures form a substantial part of our irreplaceable natural resources, and we should guard them as devotedly as we guard the resources that nature itself has provided.

I understand that from these bills the subcommittee will draft a measure to serve as a substitute for S. 2877, the bill on which hearings were recently held to establish a meeting house preservation program as part of our American Revolution Bicentennial.

I was a cosponsor of that measure, and urged its adoption because the State of Utah has already chosen the meeting house it wishes to preserve—the historic old Devereaux House in Salt Lake City—and the State was anxious to restore it in time to use it during the Bicentennial, as a focus for the preservation of the area's physical and cultural heritage thereafter.

I suspect that many other States are in the same predicament as my own.

Utah cannot afford the entire Devereaux House restoration by itself.

It must have some Federal assistance.

I am aware, however, that all States have not found the "meeting-house" concept as welcome as did Utah, and that these States had other historic sites and buildings they wished to preserve instead.

So I am willing to adjust to the new approach offered in S. 3806, since it allows the making of grants under the Historic Preservation Act to preserve historic meetinghouses and other endangered properties of national significance, and allows grants up to 90 percent of the cost of the project.

I would hope that the restriction that the total of such grants shall not exceed one-third of the total funds appropriated for any 1 year would not prevent all of those States which wish to follow the meeting-house concept from doing so.

I also support the provision of S. 3806 which allows grants of up to 70 percent to the States for preparing statewide historic preservation plans.

The total amount authorized by the bill—a sum not to exceed \$150 million for each of the fiscal years 1975 through 1979, is not unrealistic, and I feel that this can be supported.

The historic preservation grants-in-aid program has been inadequately funded ever since its inception.

My own State of Utah, which is not a rich State when its financial resources are compared with those of large Eastern industrial States, has asked for—and been able to match on a 50-50 basis—far more funds than we have been able to get.

We feel, as do most other States, I am sure, that the Federal Government has not fulfilled our expectations at near the level which seems reasonable or just.

As an example of the ability of the States to match the Federal dollar in fiscal 1972, Utah requested \$236,400 and received \$56,800.

We received \$78,532 in fiscal 1973 when \$267,250 was requested.

In fiscal 1974 we requested \$692,000 and got \$180,265.

Utah has a 1975 application pending for \$556,650.

This amount represents the matching capability in work projects which could be undertaken immediately for historical preservation in Utah.

The requests would have been higher had there been more Federal moneys available, because availability would have generated more activity in the State.

Utah is a State rich in historic sites and buildings.

Because our history was more recently made, and some of our buildings more recently constructed, it has only been in the last 20 or 30 years that we have had wide, civic-backed, concentrated efforts and drives to save the best of our past.

But we now have many groups and individuals who dedicate themselves and devote much of their time to this task.

Leadership comes from the Division of State History, the Utah Heritage Foundation, the Daughters of Utah Pioneers, and Sons of Utah Pioneers, to name a few.

I hope that the chairman of this subcommittee and the subcommittee will move as rapidly as possible on this legislation so that States avail themselves of its provisions in restoring meetinghouses or other historic structures and sites for the bicentennial.

Senator JOHNSTON. Thank you very much, Senator Moss. I think you put the need for this legislation in very good perspective.

You are to be congratulated on your leadership and the State of Utah as well.

I knew Utah had a very active program. I did not realize it was this active.

I do not know if the public, in general, when we talk about historic preservation grants, understands fully that all of these projects, for example, \$692,000 in 1974, represented local funds that were put up in effect frontend-money, by the States. It is not just a request for the Federal Government to come in and do something, but a commitment on the part of the State and the local areas to match that Federal effort and a commitment already made in advance.

One thing that concerns me, Senator Moss, and concerns the country, as well, is the inflationary pressure of Federal spending.

Yesterday we saw an example of that. There was a lot of steam buildup behind budget cutting which, in principal, I support, but I think our job is to show the Nation, and hopefully our colleagues, that when we do invest money in historic preservation and in preserving our fragile scenic and recreational areas it is not spending money that is gone with the wind, but in preserving an historic heritage, which if not preserved now, will be forever gone or it is a question of preserving a recreation area which will be there.

It is not expended. It is not consumed. It is an investment in the future.

I do not regard that as being inflationary or being in the same category as this other kind of spending.

Senator McCLURE. Mr. Chairman, I wonder if one of the two of you could perhaps expand on the subject you just raised.

I just came from the floor of the Senate where another one of those budget-cutting efforts is underway and this time, led by the minority whip as well as the Senator from South Carolina, asking for a better than 3 percent cut in the appropriations measure now pending on the floor.

Many of these are hardware items too. They do not go with the wind either.

We have, in this measure, a rather unique responsibility, at least unique to this committee.

This is simply not an authorizing statute. This is not a statement of need that has been scrutinized by the Appropriations Committee.

We are actually, under this particular bill, taking money from the Treasury, sending it directly to a stated need and thereby, reducing, by that amount, the amount of money which might otherwise go to the Treasury.

I am intrigued by your statement that action cannot be inflationary in the sense an appropriation of money in other ways is inflationary.

It seems to me when we reduce the amount of money available for a welfare program, health program, for highway building, for any of the other myriad activities of the Government, we have increased by that amount the pressures upon the budget.

While I am just as concerned about this program as any man here, I have worked with this ever since the days of the Golden Eagle passports, before it was even known as the Golden Eagle passport, trying to get money into this fund.

I supported efforts for money to go into the OCS fund, but I cannot understand the rationale that says because we do it that way, it has no impact on the budget or on inflation.

Senator JOHNSTON. I think these are matters that are being preserved and not consumed, if you wanted to make a different accounting entry, you are just transferring, on the Federal budget, the dollars here are cash dollars being spent, and put that over on the same side of the ledger in terms of land or historic buildings or what have you.

To be sure we do not intend to sell these historic areas or sell your parks or recreation areas and use that, but it does, in truth, represent an asset, which, in truth can be sold.

Senator Moss. I have been through this discussion before and I think it is an oversight that we do not have some kind of accounting of the assets actually owned by the Federal Government.

I have argued this point before on reclamation projects.

We build a huge dam, water distribution system, a powerhouse and that money has been spent. It is there. It is in a physical asset.

If it showed up on a balance sheet, we would not seem to be so far in debt as we would the way we show our deficit now.

I cannot dispute it has an impact on the budget, whatever we take out of moneys that would flow into the general fund, of course, make the likelihood of imbalance greater, and therefore, has a greater impact.

However, I am persuaded, as the chairman said, that the urgency of timing here is so great.

These assets will be gone if they are not preserved now. Many of them are fleeting.

This is our last chance to get them.

For that reason, I think we could ill afford to pass over in its judgment; the administration might be able to say that is a building that will be there for another 10 years, so therefore, we should not move on that now, but those that will be gone, such as the place I spoke of in Salt Lake City ought to be preserved now because there is no other chance.

It will be gone if we do not get it in the next year or so.

Senator McCLURE. Mr. Chairman, if I might, I do not want to belabor the point. The point just made is valid if you do not move on them now, the opportunity is lost and there is, therefore, a very logical and adequate reason to assign priority to that kind of an action and the assignment of funds.

I am concerned, as I know all of us are, about budget cutting and it is in vogue, at least in talk.

The Senate yesterday voted to cut some and that is a significant step, I think, when the Senate comes as close to reducing expenditures as they did.

Senator Moss. It was a tie vote.

Senator McCLURE. The second point I would make, it is not simply the fact as the Senator from Alaska, Mr. Stephen, remarked on the floor a few minutes ago, it is not simply a result of the fact that the President of the United States made a 15-minute speech and everyone is scurrying around trying to fall in line.

I note the Democratics undertook to respond to the President's speech on the state of the economy. Senator Bentsen was the spokesman for the Democratic Party in doing that.

He outlined some priorities he thought were absolutely essential for the Nation.

I might note in passing that Senator Goldwater, on the floor, commended that speech by Senator Bentsen as responsible and the third point he makes, and I read from page 5 of the printed text of his statement, "a third immediate step"—this is Senator Bentsen's word—"A third immediate step, we must step up our reference efforts to rein in Federal spending."

"The U.S. Congress, in my judgment, is serious about fiscal responsibility."

Again, later on on the same page of that speech, "The appropriations bills acted upon by the House earlier this year and those currently before the Senate represent a reduction from the President's requests of almost \$1 billion."

"I think I can assure you that further reductions will be made."

I mention that again only in the context of my earlier remarks.

We are not just sitting as an authorizing committee. We are making an appropriation of moneys and assignment of priority, in my judgment, ought to be completely outside of the capacity of the appropriations committee or the administration to deviate from.

Once we have enacted this legislation, and created the diversion of moneys into a trust fund, I think Congress has acted.

Then it is up to the administration to administer whatever is in that fund according to what is passed by the Congress and it will have an effect upon the budget and upon our ability to deal with all of the problems of inflation and our economy.

I only mention that because I share your concern and your concern, Mr. Chairman, about doing what we can about historic preservation.

I have been one of the most enthusiastic supporters of this bill.

I have been a cosponsor of every increase in the amounts of money that go into this fund, but I am troubled when we get to the point where we are today, of cutting back, in every other area, then talking about massive increases here.

I just throw it out because I am very much concerned and I am certain my speech had better weight—I do not mean to say it is wasted on you gentlemen, but not all of the committee is here.

I am sure I will need to make the same speech later.

Senator JOHNSTON. Thank you, Senator Moss. We appreciate your testimony.

Senator Moss. Thank you. I appreciate your time.

Senator JOHNSTON. We are pleased to have as our next witness, Assistant Secretary, Mr. John H. Kyl, from the Department of Interior.

**STATEMENT OF HON. JOHN H. KYL, ASSISTANT SECRETARY, DEPARTMENT OF INTERIOR; ACCOMPANIED BY JAMES G. WATT, DIRECTOR, BUREAU OF OUTDOOR RECREATION, DR. ERNEST CONNALLY, DIRECTOR, PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF INTERIOR**

Mr. KYL. Thank you, sir. I have some experts with me this morning.

First, I would like to introduce Mr. Russell McRorey, Deputy Chief, U.S. Forest Service, Department of Agriculture, who has a short statement he would like to submit for the record, and he is available for questioning, Mr. Chairman.

I also have Mr. James Watt, Director of the Bureau of Outdoor Recreation and Dr. Ernest Connally, Assistant Director, Professional Services, National Park Service, Department of Interior.

Senator McCLURE. Might I interrupt a moment because I think, Mr. Secretary, you have some experts with you.

I would state at the outset, this committee, at least this member, regards you as something of an expert, too.

Certainly in the field of concern we are addressing here today, we consider you an expert also.

I know of your long interest and the great amount of work when you were a Member of the House of Representatives in this very field.

So I as one member, when you say you are accompanied by experts I regard you as an expert, too.

Mr. KYL. Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today to testify on S. 3413 to amend the Land and Water Conservation Act, S. 3806 to increase the annual authorization for grants for historic preservation to \$150 million for 5 years, and S. 3839, a bill which would both raise the ceiling on the land and water conservation fund and establish a \$150 million national historic preservation fund.

S. 3413 would increase the existing \$300 million annual income level of the land and water conservation fund each fiscal year through fiscal year 1989 to \$500 million by utilizing Outer Continental Shelf mineral leasing receipts.

In addition to raising the annual authorization for grants for historic preservation purposes to \$150 million for 5 years, S. 3806 would also provide that for the purpose of making grants for projects to preserve historic meetinghouse and endangered properties of national significance, the Secretary may provide up to 90 percent of the cost of such project.

S. 3839 would increase the authorized ceiling of the land and water conservation fund to \$750 million.

It would further provide that two-thirds of that amount would be available for the present purposes of the fund and the remaining one-third would be available to the States on a 70-30 matching basis to acquire urban area land for recreation, historic, architectural or scenic purposes, or to protect fragile or historic lands.

Title II of S. 3839 would establish a national historic preservation fund to be funded at a level of \$150 million annually for 5 years to finance the programs under the Historic Preservation Act of 1966.

The Land and Water Conservation Fund Act of 1965, as amended, has been most effective and beneficial legislation in preserving, developing, an assuring accessibility of outdoor recreation resources.

Chairman Bible was among the foresighted designers of the land and water conservation fund as it was originally enacted almost 10 years ago, and many members of this committee were involved in the significant 1968 and 1970 amendatory acts that increased the annual authorization for appropriation from the fund to \$200 million and then to \$300 million.

The past 10-year record is impressive and one which could not have been made without the wholehearted support of this committee.

The accomplishments might be measured several ways.

Over \$1 billion has been made available to the States and their communities from the fund for matching grants and over \$700 million from the fund has been made available to the National Park Service, Forest Service, Fish and Wildlife Service, and Bureau of Land Management for recreation acquisition.

Dollars are a means to an end. A total of more than 2¼ million recreation acres have been preserved across the Nation.

Nearly 1.3 million acres have been added to our national systems of parks, forests, wildlife refuges, wild and scenic rivers, trails and recreation areas; and over 1 million acres have been added to State and local park and recreation resources.

The fund grants to the States and local governments have paid half the price of approximately 14,000 individual outdoor recreation planning, acquisition and development projects—found in every State, the District of Columbia, and the territories.

The real worth of this record is reflected in the contribution these recreation resources will make toward improving the quality of life for present and future generations of Americans of all ages and backgrounds.

Mr. Chairman, departing from the script a moment, those words are good words. They are true words.

I believe them, but from this point, my comments are not so warm toward the legislation.

I was a member of the Outdoor Recreation Resources Review Committee which recommended the establishment of the land and water conservation fund.

I was a member of the Interior Subcommittee which worked on the legislation.

I want you to know, I have from the conception of the idea, been a total wholehearted supporter of both the outdoor recreation program and the national historic preservation system.

I speak in these fiscal matters also with great conviction and I cite only one figure before I return to the script.

According to this week's official figures, our national outlays in this fiscal year will be \$305.4 billion and the receipts will be \$294 billion, which means at this point in time, as best as these estimates can be made, we will face an \$11.4 billion deficit in this fiscal year.

Thus, it is the administration's assessment, presented first in the President's address on the economy on July 25, that in order to cope effectively with existing inflationary pressures the fiscal year 1975 budget should be reduced below the level proposed in February 1974, rather than being increased, and that a balanced budget is needed for fiscal year 1976.

The administration, therefore, recommends against the enactment of any increase in the present \$300 million annual level authorized for the land and water conservation fund.

Mr. Chairman, it is not clear what, if any, increase in the level of funding of historic preservation plans and projects might be necessary to maintain a viable program.

However, the central question we must face is whether there is so critical a need to divert moneys into this program that we jeopardize the administration's efforts to limit Federal spending and to control inflation.

It is our position that the financial assistance already authorized for this program should be utilized, but that additional funding can and should be delayed.

The Historic Preservation Act was last amended on July 1, 1973, at which time authorization levels were increased to not more than \$15.6 million in fiscal year 1974, \$20 million in fiscal year 1975, and \$24.4 million in 1976.

Since the 1966 act was passed, a total of \$32,339,000 has been appropriated for grants to be made to States and the national trust for State, local, and private projects and plans.

Active projects supported by this program for the preservation of historic districts, sites, and structures are now continuing in all 50 States and the District of Columbia, American Samoa, and Guam.

In his final fiscal 1975 budget, the President requested \$20 million for historic preservation grants.

Mr. Chairman, we are concerned with preservation of our Nation's historical heritage. But we must recognize that the crucial domestic problem facing us today is inflation, and unless we begin now to reduce the rate of inflation, our economy and the high standard of living it has brought us, will be imperiled.

Thus, we oppose the enactment of any increase in the program for historical preservation grants on the same basis that we oppose any increase in the land and water conservation fund.

This concludes my prepared remarks. I will be pleased to respond to your questions.

Senator JOHNSTON. Thank you very much, Mr. Secretary. Has the Department of Interior developed an acquisition plan that reflects the acquisition needs of the States?

Mr. KYL. Yes, sir.

Senator JOHNSTON. For what period of time does that plan deal?

Mr. KYL. I should perhaps let Mr. Watt respond to this more fully.

The program is constantly in revisions, and as a matter of fact, with the current bills which are pending in the Congress, and which, quite obviously, will pass, there will have to be some other adjustments made.

The figure you cited as a backlog for acquisition is an accurate figure.

In addition to that, even more frightening, of course, is the fact that we are about \$2.3 billion behind in development of national parks already authorized.

Mr. WATT. Mr. Chairman, the land planning activities we have were 5 to 7 years, in that range.

Senator JOHNSTON. In advance?

Mr. WATT. Yes.

Senator JOHNSTON. What are the Federal/State acquisition needs reflected in that?

Mr. WATT. We now have the figures, as Secretary Kyl pointed out, change with each proposal, but the next 5- to 7-year program of acquisition for existing areas designated by Congress total \$688 million, \$353 million for the National Park Service.

Parenthetically for your understanding, the figures I am giving are figures remaining after the estimated expenditures against fiscal year 1975 funds.

Senator JOHNSTON. May we have a copy of that for the record?

Mr. WATT. Yes; \$353 million for the Park Service, \$175 million for the Forest Service, \$150 million for the Fish and Wildlife Service, and \$10 million for the Bureau of Land Management, for the grand total of \$655 million for existing areas of the four agencies.

Senator JOHNSTON. Obviously, the land and water conservation program would provide only a fraction, but this would be under your own plan; is that correct?

Mr. WATT. We would have the figures, yes.

Senator JOHNSTON. Let the record reflect there was laughter in the room. [Laughter.]

If we passed legislation S. 3039, increasing the land and water conservation fund to \$750 million, would the States have the capability of matching their share of the fund?

Mr. KYL. I will ask Mr. Watt to answer that, too, because he does manage this program day by day.

Mr. WATT. The capability of the States is considerable. The record they have established is remarkable.

This committee has done a tremendous amount of work in the area Secretary Kyl is talking about, since the legislation was first created.

The study we have, and Senator McClure is particularly interested in this, is a study done by the Bureau of the Census which shows that local and city governments were making capital investments in park and recreation resources in 1955 about at the level of \$150 million. To chart these capital investments on an annual basis, it goes along with a reasonable increase until 1965, at which time the Land and Water Conservation Fund Act became the source of the seed money for State and local governments.

At that time, the line shoots skyward. The capital annual investment of local, city, and county governments, excluding State governments, is over \$800 million in 1972.

These States are investing, according to the figure we received from the National Park and Recreation Association, in excess of \$200 million a year, which shows their capability to match considerable amounts of money to accelerate this program.

Senator JOHNSTON. What you are saying is this program is not just a program by a few ecologists, environmentalists, or historic preservation nuts, or some of us on this committee, but is a program that has broad support throughout this country, throughout all of the States, where they, themselves, are willing to put up their hard cash and resources on a high priority level to support their program; is that correct?

Mr. WATT. Yes. I think the local and State governments deserve a high vote of confidence. They have done an outstanding job.

Senator McCLURE. It might be useful at this point if you would yield to compare the amount of money which is in the State-approved recreation plans.

There is a large backlog there. Could you give us the figure of the backlog in the State-approved plans?

Mr. WATT. Yes. We inventoried all of the States and asked them to give us their best estimates of the moneys required for the life of the Land and Water Conservation Fund program, through 1989, of 15 years from now for acquiring recreation park, wildlife habitat and those areas of recreation resources identified in their statement.

The total figure the 50 States gave us is in excess of \$45 billion for this 15-year period.

Senator McCLURE. That is acquisition?

Mr. WATT. That is for acquisition and development. It does not include operation and maintenance, which is a tremendously costly item.

Senator McCCLURE. That is the total of the approved plans for the portion of this fund for which the States would qualify?

Mr. WATT. That is correct. I need to be a little bit redundant here. That \$45 billion figure includes acquisition and development for the several purposes, but not for operation and maintenance.

Senator JOHNSTON. In your judgment, Mr. Watt, are acquisition needs or development needs the greater problem at this time?

Mr. WATT. We both would answer the same. We feel acquisition is crucial at this point in time, but of course, there needs to be a balance so that we can properly utilize the lands we are acquiring.

Senator JOHNSTON. You say if you have wetlands where the ecosystem is destroyed, you cannot reclaim it. Why?

Mr. WATT. Yes.

Mr. KYL. There is a further response essential there, too. For some of the kinds of lands being purchased, those which are intended for almost a pure preservation state, acquisition is the cost. There is very little cost except for the acquisition and segregation of such areas, and this kind of area is becoming more popular.

However, in relation to this question and the previous one too, I think that it is important that we remember there are other Government programs dealing with the same propositions.

Tomorrow, because of the cooperation of the departments, I am helping to dedicate a recreation area that was paid for by HUD in the State of Maryland. They also have an acquisition program.

We also have been transferring surplus Federal property to counties or cities where there is no cost to the local government for acquisition. Sometimes the BOR does assist in the development of those lands once they are transferred under law, passed by this committee, and its counterpart in the other body.

We talk about the needs or desires. I am not going to argue the difference between the two at this point. But there is some difference. If we include, as some of the bills which are pending in either body of the Congress, the cost of covering swimming pools, tennis courts, ice skating rinks, then you might multiply that mean figure or desired figure by almost whatever figure you want to include.

If we also step up programs to acquire our urban area lands, and I am not arguing the merits of it—I am relating it to the question because that land is generally far more expensive in urban areas than it is in the rural areas. The desire or need for money will increase drastically again.

Whatever figures we talk about on the current basis would be altered if we change the program.

There is another factor I would like to mention here too. Simply not being able to buy a historic spot at this time, it does not necessarily mean it is going to be destroyed because we cannot purchase it through a historic fund. We do have programs under other laws which could save those things.

As a matter of fact, they prevent Uncle Sam from building roads or anything else that would disturb such lands which are on the Historic Register.

Senator JOHNSTON. I agree with you and the thought Senator McClure had of the necessity of curbing those activities of the Govern-

ment which produce inflation, but I would like to take issue with the statement that money invested in acquiring recreation areas or acquiring historic preservation spots is inflationary.

I challenge that. I think you can make an argument that in fact it does have the opposite effect.

Suppose, for example, you had extra dollars in the bank available for investment and you invest those dollars in land.

Obviously you can consider them a good investment, can you not?

Mr. KYL. If there is a return on the investment, yes, sir.

Senator McCLURE. Would the gentleman yield at that point?

Senator JOHNSTON. Yes.

Senator McCLURE. You started out with a fallacious assumption, you said assume you have dollars in the bank to invest.

If you had a look at Uncle Sam's bank account lately, you would recognize that Uncle Sam does not have dollars in the bank.

Uncle Sam is going out and borrowing, so why do you not ask the gentleman as well as you would ask yourself whether he is going to take some money he has in the bank and invest it or if he is going to borrow that money and invest it.

That would be more accurate.

Senator JOHNSTON. These bills take—it is not borrowed money. It is money produced from revenues, non-recurring revenues that will soon be gone.

You can make the argument well, you take this money out of that and you have to borrow it somewhere else, perhaps, but even so, that is a different thing—it is not a perfectly logical comparison, but there is a difference, is there not, between taking money and putting it in land and buildings and putting it in salaries or any equipment that has a very short lifespan?

Mr. KYL. Yes, I think this is the essential element that is different and becomes important in the context of this area.

If the Government buys lands which it is not going to sell and from which it does not get revenue, it does have a capital value.

If the Government needs money and cannot sell that land or cannot derive money from that land, then the Government has to borrow.

The Government, under present circumstances, such as the present budget figures I showed you, would have to borrow money.

I need not tell you two gentlemen when the Government borrows a dollar, it is not borrowing a dollar because the multiplier effect usually gives the equivalent of \$6 pumped into that borrowing market.

Regardless of what kind of capital or wealth you have, when you need the money and do not have it and have to borrow it, that is where the inflationary effect comes in.

Senator JOHNSTON. That is not the only inflationary effect.

Mr. KYL. Absolutely not, you are perfectly right, Senator.

Senator JOHNSTON. There is a great amount of difference in the quantity and quality of inflation by producing a budget that goes into nonpermanent goods and services and one that goes into a capital investment.

Mr. KYL. As far as the balance sheet is concerned on capital, et cetera. But as far as the short-term effect of money availability on the amount of money that Uncle Sam has to pay out in interest, insofar as the money market is concerned, it is devastating in terms of inflation.

Senator JOHNSTON. Perhaps this series of questions ought to be put to an economist, but there is a difference in inflationary effect when you pump money in and you distribute it among workers who in turn put it in the grocery stores and do that sort of thing; it has more of a heating effect on the economy than taking money and putting it in land.

Mr. KYL. Depending on what the person who owned the land and gets the money does with this money that he receives for the property.

Senator JOHNSTON. An economist will tell you there is a difference between spreading it broadly and putting it in the hands of the landowner.

Mr. KYL. Of course there is.

Senator JOHNSTON. I think there is a real and important difference between this kind of program and another one as far as inflation is concerned.

I think we can justify that difference. I recognize there is the need to save money and stop Federal borrowing and the need is great, but every year that goes by, if we wait, maybe you do not lose all of your historic preservation sites, but the value is going up and you are going to have to either face the prospect of losing the land or the building or paying a much greater price for it, a much greater inflated price at some further time down the road.

I think the figures on farmland last year went up 25 percent.

I would guess that is a fair assessment of how much these recreation areas went up on the average.

Mr. KYL. May I respectfully submit if we knowingly, or unwittingly contribute to the inflation, then we accelerate that price even more than we will have to pay in the future and if we do have some success in containing the inflation, then we can get back to the point where it is not so costly.

The economists argue if you are paying with dollars that are worthless, you balance that effect.

That is why I plead guilty to not being an economist.

Senator JOHNSTON. We can argue the economics of this all day, but I think there is a very important need now to continue the program.

There is a difference between wants and needs and we will not get into that either, but it is only a fraction of what we either need or want under the most generous program we have represented by either of these bills.

I hope we do not miss what I think is an opportunity.

Senator McClure, I will let you destroy all of my logic.

Senator McCLURE. This is not a time to enter into an argument with my good friend from Louisiana on the economics.

While we may have some disagreement as to economic effect, we have no disagreement at all concerning the very, very great need to move forward in this program we are talking about today.

I think Mr. Secretary you would agree that is correct?

Mr. KYL. We want to continue the program. We are not engaging in idle chatter when we say the contributions of this program have been immense.

Senator McCLURE. The Senator from Utah mentioned the question of loss of opportunity to invest because historic structures might be destroyed.

I think the Senator from Louisiana mentioned the possibility of valuable ecosystems being destroyed or some irreversible change occurring in either event giving this program a legitimate priority.

I would agree those are considerations we must keep in mind.

I think you would agree too, would you not?

Mr. KYL. Certainly.

Senator McCLURE. It has also been suggested there should be a priority in dollars here because of price escalation.

In other words, recreation properties are going up very rapidly and if we do not buy them now, they are going to cost us much more later.

I agree, the economists might argue, well, the dollars you pay for them in the future would be worth less.

At least our history has proven the price escalation of these properties has been much greater than the drop in the value of the dollar.

In other words, the inflation of the prices has been greater than the inflation in the economy in general.

Mr. KYL. That is true. We should also point out, as a matter of historical fact, the greatest increase in the value of a piece of recreation property begins at the point some agency of government becomes interested in acquiring it for public purposes.

Senator McCLURE. That is unfortunately true. Human nature, being what it is, Uncle Sam's coffers being what they are, the expectations of a property owner are very greatly whetted when the Government wants to buy it.

There is the assumption they can pay any price for it.

There is some historical precedent that indicates that is true.

I mention these things because I think there is a reason for us to seriously consider the priorities of dollars in the total Federal budget that go into this particular program.

I think also those factors I have mentioned, the possibility of irreversible change or loss and price escalation are factors that need to be and are being considered in the assignment of available moneys within this program; is that not correct?

Mr. KYL. It is true.

Senator McCLURE. Perhaps Mr. Watt could respond to that.

Mr. WATT. Yes, they are considered and they are causing tremendous problems.

Escalation is a tremendous factor.

Senator McCLURE. There is a third consideration I think that needs to be considered in terms of priorities.

While I agree that acquisition has been, as you stated this morning, and is still a priority basis, there is another priority and that is the fact that for the last 10 years or more, we have been promising people and those promises have not been fulfilled.

We have been promising communities, if you will allow this program to go forward in your area, we will disrupt this portion of your economy, but we will replace it with the stimulation to the economy of development.

We put all of our money into acquisition, very little into development and the promises we have made have not been kept.

I supported the priority for acquisition. I think it has been a rational priority, but I think at some point we must also begin to offset against that.

The good faith we should exhibit to people when we make promises to them about what we will invest, in the development of a program on a timeframe that is realistic.

I have in my State, for instance, a park proposal, the Nez Perce National Historic Park.

Almost no money has gone into development and I have acquiesced in that because there was no disruption, no loss to the local economy, no jobs lost, no people dispossessed of their properties, as a result of the development of the park.

In other words, it was to be a net additional to the economy, but there are other areas in our country where we have severely disrupted the economy of a community and at the same time, we promised we would offset that disruption by investment of development funds.

I think, in all honesty, for the people involved, we have got to crank that into our discussion of priority.

Mr. KYL. And costs too in trying to deal equitably with the citizens.

Such acts as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 have increased the cost of doing business.

Senator McCLURE. I think there is another end of it which is not directly involved in this legislation but is involved in the basic legislation.

The administration has come before us almost every year and asked for an increase of the Federal share of these funds.

Yet, the figures clearly indicate to me the backlog of need is greater at the State level than it is at the Federal level, which seems to me to completely refute the argument the Federal Government's share of the funds should be increased.

Mr. KYL. You will remember when the Land and Water Conservation Fund Act was passed, there probably was no one on the committee in either body that thought the land and water conservation fund would be the sole source of funding for acquisition or development of Federal lands from that time on.

As a matter of fact, as soon as the act was passed, the Appropriations Committees of the two bodies said all of the money that we have for that purpose comes from the land and water conservation fund.

Senator McCLURE. I will correct your memory on one point.

That is when we did go from the receipts of the sales of the permits to the OCS fund and we established this at \$100 million and I predicted that is exactly what would happen.

I think the record would hear out that I warned the committee at that time, while I supported the action because we needed the additional money, that the \$100 million a year was not the total need either Federal or State, but because we had increased that fund to that size, it would be taken by others to be a ceiling rather than a floor for the program.

At least this member made that statement some years ago.

Unfortunately my conception of what the Appropriations Committee would do was accurate at least in one instance.

Senator JOHNSTON. \$300 million in 1965 would represent in real dollars about how many inflated 1974 dollars?

Senator McCLURE. We should put it in the right context.

The \$300 million was not in 1965.

Senator JOHNSTON. All right, in 1968.

Mr. KYL. There is another matter which I know is of interest to the committee which I would like to bring to the record and Senator Bible is very interested in having it.

However, before I forget, since both of you mentioned the State relations and so on, I do want to get into the record that in our present concern and in our review of our activities in regard to Federal-State relations, I think the Bureau of Outdoor Recreation and the National Park Service of Interior handling the Historic Preservation Act are really models in giving the States the prerogatives which were intended under these laws.

As a matter of fact, the State really makes the decisions on where they are going to put the money and these agencies' regional offices, in cooperation with the States, usually signs off on applications as a pro forma proposition.

There are a few exceptions when they have unusual, critical elements involved, but I think the actions of both of these agencies could be taken as an example by departments of the Federal Government where there are similar laws because they have had tremendous success in working cooperatively with the States.

I would ask Mr. Watt to bring to the committee's attention some figures on development because it is a matter of interest to you.

Mr. WATT. I think you will recall yesterday at the hearing on Santa Monica, Senator Bible asked us to present to the committee today, the figures of the four recreation managing agencies as they anticipate their development costs for the lands presently acquired.

I think it is appropriate to put it in the record at this time.

It ties into what Senator McClure has talked about. We do have a tremendous backlog.

Yesterday, Senator McClure, we were testifying on behalf of the administration against enactment of legislation to create a Santa Monica Urban Park.

One of the arguments we were using then was with expectations of huge Federal backlogs, when frequently the State government can do the job much more aggressively and satisfactorily.

We have been making the money available to the States and they have been putting about 60 percent of their moneys in recent years into the development of the lands they are acquiring.

They have been responsive and have been moving aggressively, but on the Federal side, the backlog for development of National Park Service alone is between \$2.3 and \$2.5 billion, spelled with a "B."

The Fish and Wildlife Service has a backlog of \$180 million. The Bureau of Land Management's backlog is \$8.6 million and Russ McRorey will give the figures for the Forest Service.

Senator JOHNSTON. These figures will be put into the record.

Mr. McROREY. The Forest Service is \$765 million.

Senator McCLURE. I do not think you responded to the question the Senator from Louisiana had asked before I interrupted.

As a preference to the answer, my recollection was the 1966 act, going into effect in 1967, that increased the fund or set the fund at \$100 million.

The 1968 act increased it to \$200 million and the 1970 act increased it to \$300 million.

Mr. WATT. Up until the 1968 act, the fund received all the revenues from the sale of the Golden Eagle Passports, as you mentioned earlier, plus the revenues of the sale of surplus properties, plus the revenues from motor boat fuel taxes. They never did come up to very much money and it varied for several years up to about \$100 million.

In 1965, we had a total income to the fund of \$28 million; 1966, \$110 million; 1967, \$95 million; 1968, \$104 million; and then the amended act was passed to put it at \$200 million annually using OCS receipts.

Senator JOHNSTON. I am sure you do not have a precise figure, but the point is since the last time it was increased, inflation has gone up, Federal spending, Federal tax receipts have all gone up while that fund has stayed at a constant level.

Perhaps we ought to consider making it a percentage of the Federal budget which I guess would be less than one-third of 1 percent, if my more generous bill is passed.

Land acquisition needs are continuing and we are getting further and further behind while the real dollars in the fund are going down.

They are not even staying constant. I think that is the point we should all understand.

Senator McCURE. I have one further question.

It seems to me I recall Secretary Morton, earlier this year, testified in terms of need, the fund should be tripled.

I assume the testimony of the administration today is not an expression of need of money in the fund; is that correct?

Mr. KYL. The expression today, Senator, is entirely a consideration of the present fiscal condition and the inflation which results in part from that.

Senator JOHNSTON. Or maybe even more accurately, is the assessment of someone else and is the priority of this program and is not as high in relationship to some of the other programs as maybe some of us would like.

I will not say some of us. I really think I include some of you sitting at that table.

Thank you very much, gentlemen. I hope we can drag the administration screaming and yelling into the realization that we need to preserve these things for our children in the future.

Mr. KYL. That realization is already present.

[The prepared statement of Mr. McRorey follows:]

PREPARED STATEMENT OF RUSSELL P. MCROREY, ASSOCIATE DEPUTY CHIEF FOR NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the committee, I appreciate this opportunity to present the views of the Department of Agriculture on S. 3413, S. 3806, and S. 3839.

The main purpose of S. 3413 and Title I of S. 3839 is to amend the Land and Water Conservation Fund Act of 1965 to increase the authorization for appropriation to the Land and Water Conservation Fund from revenues derived under the Outer Continental Shelf Lands Act. Under existing law, there is authorized to be appropriated \$300 million for each fiscal year through June 30, 1989. S. 3413 would delete the \$300 million figure and insert in lieu thereof the figure of \$500 million. Title I of S. 3839 would delete the \$300 million figure and insert in lieu thereof the figure of \$750 million.

Under the Land and Water Conservation Fund Act, moneys from the fund are allotted to the Forest Service of this Department to acquire inholdings within wilderness areas of the National Forest System and other areas of the National Forests which are primarily of value for outdoor recreation purposes. As of January 1, 1974, 747,000 acres had been acquired at a total cost of approximately \$149,000,000. This program, as well as all government programs, must relate to the overall economic and budgeting situation. We do not believe any increase in the authorization for appropriation of the fund can be justified at this time. All Federal programs are being reviewed to determine where expenditures can be reduced in order to achieve the objectives of avoiding further inflation and a possible tax increase.

S. 3806 and Title II of S. 3839 would amend the Act of October 15, 1966, to increase the authorizations for grants to States for the preservation of historical properties. Since the Secretary of the Interior is directly responsible for the administration of the program of grants-in-aid to States under that Act and the proposed amendments would not directly affect the operations of the Department of Agriculture, we defer to the Department of the Interior with regard to recommendations on the amendments.

Mr. Chairman, this completes my prepared statement. I will be happy to respond to any questions you may have.

Senator JOHNSTON. Our next witness will be Mr. Lawson Knott, vice president, National Trust for Historic Preservation.

#### **STATEMENT OF LAWSON KNOTT, VICE PRESIDENT, NATIONAL TRUST FOR HISTORIC PRESERVATION**

Mr. KNOTT. Mr. Chairman, members of the committee, I am Lawson B. Knott, Jr., executive vice president of the National Trust for Historic Preservation, which, as you know, was chartered by the Congress in 1949 as a charitable, educational, and nonprofit organization to, among other things, facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest.

On behalf of the President James Biddle, the boards of trustees and advisors as well as more than 50,000 members of the National Trust, I am pleased to have this opportunity to support the objective of S. 3806 and title II of S. 3839.

Senator JOHNSTON. If I might interrupt at this point, they have just sounded the bell for a vote and I have to catch an airplane.

I want to give you the opportunity to speak to two of us in person, rather than just one.

If, perhaps, you wanted to summarize some of the more important parts of it.

Mr. KNOTT. The proposed amendment to section 103(a) of the Historic Preservation Act of 1966 for which title II, S. 3839, provides would enable the Secretary of the Interior to recognize the costs of all facets of historic preservation programs and projects are increasing at rates disproportionate with the slower increase in the income stream from non-Federal sources available for matching Federal grants.

The prospect of greater Federal financial support would, in my judgment, provide an immediate additional stimulus for increased public participation in and support for historic preservation and would facilitate the work of the States in the preparation of comprehensive statewide surveys and plans.

The National Trust applauds the splendid work and the increasing visibility of the State historic preservation officers as they move for-

ward with the preparation of State plans and with their implementation.

It is my understanding that since the preparation of comprehensive statewide historic surveys and plans was authorized by the 1966 act and their cost funded to a limited extent in later years by Federal grants, a great wealth of information has been compiled that projects an order of magnitude of the historic preservation problem that confronts the Nation.

We believe the provisions of title II, S. 3839, for amendment of section 103(a) of the 1966 act to authorize greater financial assistance to States in making and firming up comprehensive statewide historic surveys and plans would be a positive step toward bringing the full scope and costs of the historic preservation job into sharp focus.

However, we do not think this amendment goes far enough and that the consideration of S. 3806 and S. 3839 by the committee offers an excellent opportunity to develop from both bills a measure that would be a timely landmark amendment of the 1966 act.

The National Trust, therefore, recommends the substitution of subsection (a) of S. 3806 for subsection (a) of title II, S. 3839, and striking the proviso in section 103(a) of the 1966 act.

In addition to authorizing greater financial assistance to States in meeting the costs of statewide historic plans and project plans, adoption of this recommendation would:

(A) Authorize 90 percent Federal funding of projects to preserve historic meeting houses and endangered historic properties of national significance and to demonstrate methods and techniques of historic preservation.

These are the principal features of a program for which 100 percent Federal funding was contemplated in S. 2877 sponsored by Senator Tower and eleven other Senators and endorsed by the National Trust as well as others.

(B) Authorize the Secretary of the Interior to fund programs of the National Trust as well as States in carrying out the preservation projects and activities mentioned in this subsection.

The National Trust has developed considerable expertise in demonstrating methods and techniques of historic preservation and is continuing to expand its capabilities through workshops and other training techniques in furtherance of its charter obligation "to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest."

As in the case of statewide surveys and plans, the costs of the services we render are continuing to escalate.

The National Trust fully supports the amendment to section 108 of the 1966 act to authorize the appropriation of moneys not to exceed \$150 million for each of the fiscal years 1975 through 1979.

We believe that the historic preservation movement is rapidly coming of age and that the authorization of which this amendment would provide would give direction and a reasonably secure base on which to make plans for the future.

While the funding the National Trust has received beginning with fiscal year 1968 has made it possible to undertake projects and to carry out programs we could not have otherwise undertaken, the amounts have been far below the need and the Trust's matching capabilities.

Of the \$1,750,000 of Federal grants which the National Trust requested and was prepared to match with private funds in each of the three fiscal years, 1968, 1969, and 1970, only \$300,000 or 17.14 percent of the amount requested was received by the Trust in 1968; only \$17,500 or 1 percent of the amount requested was received by the Trust in 1969, and only \$300,000 or 17.14 percent in 1970.

At the request of the National Park Service, the Trust, on March 5, 1969, submitted a 5-year historic preservation program which would involve Federal grants over the period totaling \$13,445,060, and an equal amount of matching private funds to carry out the responsibilities of the Trust.

The amount actually granted during the 5 years totaled \$5,447,421 or 40 percent of the programmed total.

We believe that the proposed amendment of section 108 would go far toward eliminating or substantially reducing the peaks and valleys in programing and program execution and that this constructive action will greatly advance the cause of historic preservation, the basic purpose of the Historic Preservation Act of 1966.

In confidently expressing this belief, I am mindful of the distinction between an authorization for an appropriation such as this bill contemplates and an appropriation of spendable funds.

I am also aware of the very real concern expressed with sincerity about the impact of this legislation on mounting inflationary pressures.

Nonetheless, I believe the public confidence the enactment of this measure will engender through the further commitment of the Federal Government to the policies enunciated in the 1966 act outweighs any inflationary implications of this authorization in support of a program so vital to the preservation of our heritage and the shaping of the environment in which we live.

While the manner in which section 108 of the 1966 act is amended to provide for the needed funding authorization is essentially a matter of the fiscal policies and procedures of the Federal Government about which Federal representatives are in a better position to advise the committee, we support the views of those who strongly advocate the establishment of a National Historic Preservation Fund such as is contemplated in the amendment of section 108 of the 1966 act for which title II, S. 3839 provides.

Mr. Chairman, I urge careful consideration and favorable action on this important legislation.

Senator JOHNSTON. We have heard interest by the State to the matching dollars about the need to have greater levels of Federal funding.

What percentage of these buildings or projects are in danger of being lost if not funded or acquired now?

Mr. KNOTT. We have not been making comprehensive surveys. I think that is a question that Mr. Latimer can perhaps answer better from the standpoint of the statewide surveys that have been made.

Generally when the national trust gets into the building, it is when one is about to go.

It is a matter of record that more than half of the buildings surveyed by the American Historic Building Survey begun in 1933 have since been destroyed.

They have not been saved.

I think the figure, this is subject to correction, but I think the figure is over 8,000 of those identified have been lost.

Senator JOHNSTON. If we wait until some time in the future, it may be a mythical time that never comes, but if we are back to 3 percent perhaps inflation, we may have permanently lost some of these buildings.

It may not be a question of how much they cost and how much—but they are simply gone from our heritage forever.

Mr. KNOTT. Exactly. As far as the funding is concerned, we yield because we realize it is a matter of Federal fiscal policies to yield to the better knowledge of Federal representatives who are expert in the field, but we strongly support those who believe there should be a separate Historic Preservation Fund.

This fund comes out of the land and water conservation fund or the Outer Continental Shelf. Other sources of revenue that have been set aside are still adequate safeguards, particularly with the recent passage of the budget control act and the new look the Congress is going to take through its new committees at the priorities. There is ample control. These funds are not, of course, available to the Agencies immediately.

They must go through the appropriation process and always have as I understand it, but the appropriation safeguard is still there and I think this has been strengthened by this recent enactment of the Congress.

Senator JOHNSTON. We appreciate your testimony. I apologize for cutting you short, but all statements will receive very close attention.

Those given this afternoon and this morning.

Senator McCLURE. Before Mr. Knott leaves, is there within your organization, the ability to tell us with any degree of accuracy—let me rephrase that—to assist us in resetting the priority of funds, where the money should go first, among the several different priorities within historic preservation?

I know your organization has been very active and I read your publication.

I recognize almost all of your activities deal with saving something which is in imminent danger of loss and it seems to me that is what the Senator from Louisiana is concerned with.

Can you give us assistance in that?

Mr. KNOTT. We cannot give you the same kind of assistance as the National Park Service, through its historic building survey, which is an on-going thing, the National Register of Historic Places and through the State offices.

We simply do not have that. Ours is simply a catalytic role in stimulating the interest of private persons.

Senator McCLURE. In conclusion, I would say that we have not made certain your statement will appear in the record, as if read.

Senator JOHNSTON. All statements will be put in the record as if read.

Senator McCLURE. Let me conclude in this way because we must go and vote.

Emotionally, I am very much torn because I could weep when I see some of the irreversible actions take place.

We are going to the floor right now to vote on an amendment offered by Senator Byrd of West Virginia to cut Department of Transportation funds by 3.5 percent.

There are critical priorities in that bill. The need for urban mass transit, the need to move forward on the efforts to clean up the pollution effects all the transportation, the needs of rural America for good transportation, and the needs of the cities for improving the transportation within our metropolitan areas.

Yet we are called upon now to go over there and say despite the massive need and the massive amount of human interest and concern that we must cut that.

We are involved in a very, very difficult budgetary question here, as well as in the pending motion on the floor.

Mr. KNOTT. It occurred to me, Mr. Chairman, that one of the things we might do is at least provide for some option provisions.

There is a whole new body of legal thinking now that says if you may not, because of environmental laws and others, move in on the Historic Preservation Act of 1966 on historic properties, that you have constructively taken without paying for them.

Senator McCLURE. Understand I have to go to the floor, I will come back. I would say to you in the room that we will probably have one half hour more of testimony before recessing for lunch.

[Recess.]

Senator McCLURE [presiding]. Our next witness will be Mr. Chris T. Delaporte, executive director, National Association of State Outdoor Recreation Liaison Officers.

**STATEMENT OF CHRIS DELAPORTE, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF STATE OUTDOOR RECREATION LIAISON OFFICERS, OKLAHOMA CITY, OKLA.**

Mr. DELAPORTE. I would like to point out in my statement there is an error, the third paragraph, first sentence.

The figure 300 should be in place of 400 in the first sentence of the third paragraph.

Senator McCLURE. That correction will be made.

Mr. DELAPORTE. I will try to be brief. I know others are waiting and we do not want to be redundant.

The organization I represent is that organization which has the responsibility of 50 persons responsible to the Federal Government.

I am not representing the Government per se, as I am sure you can understand, there are divergent views and philosophies even administering this program at the State level.

We have been able to resolve ourselves on four basic changes this year.

We favor an authorization level of one billion. We favor a 70-30 acquisition match.

We are in favor of the Burdick amendment to the Organic Act, which has passed the Senate and is before the House at this time.

I should say, generally, Mr. Chairman, we favor discretion of each State liaison officer at the State level of each grant-in-aid program.

We would ask the Congress exercise considerable restraint when it

begins to make the program more categorical in terms of meeting the needs of the cities simply because to write the program in that fashion, works its will against Idaho, Oklahoma and other States which are basically rural in nature.

We favor strong State plans and I should draw from that in terms of the administration grant-in-aid program also and I should note I am speaking for myself and no other organization.

I am concerned this committee and Mr. Taylor's committee on the House side be concerned with changes in the Organic Act with numerous amendments referred to it without good evaluation of this program, Mr. Chairman.

For example, the Congress has not provided and it is not mandatory upon the State to evaluate its program.

You do require a plan and you give us money to implement the plan under a grant-in-aid program, but the third leg to the table is missing. There is nothing mandatory that I report to the Governor, the legislature or even the Bureau of Outdoor Recreation giving them a quantitative and qualitative evaluation of the impact of this program on my State.

For example, you might ask the question if this program is used in some rural areas where those States have a consciousness about them to retard movement to urban areas, if not this program could be used to provide money to smaller communities.

Along with water and sewer grants, along with other Federal support programs, that we would stabilize and impede the movement from urban areas to rural communities in our State.

We use this program in Oklahoma in that fashion. Ninety percent of all the money is given to the subdivisions of the State and only 10 percent retained at the State level.

However, there is a great variety from State to State as you might imagine.

In Utah, for example, they are acquisition oriented.

Senator McCURE. Let me ask this question. At that particular juncture, how do you square your desire for a mandatory reevaluation with some Federal guidelines as to objectives with the earlier statement that you leave it to the States, to their own discretion.

Mr. DELAPORTE. Are you talking about the General Accounting Office report?

Senator McCURE. I am talking about your two statements you made here in the last 5 minutes.

One, you want the States to run their own programs and then you suggest that the Government should set up some mandatory review procedures to direct them—

Mr. DELAPORTE. You are talking about evaluation?

Senator McCURE. Yes.

Mr. DELAPORTE. I would not favor the Federal Government telling me I had to spend 50 percent of my money in urban areas.

What I am saying is the process of accountability should be required of us, in my personal opinion, to evaluate my own program.

However, I make the decisions as to how I spend this money?

In Oklahoma it is my decision to make. The Governor does not participate actively and I have no advisory board. I make those decisions.

It behooves my own program in Oklahoma to have an evaluation process and I think it would provide the Congress, in a reporting way, and to the Bureau of Outdoor Recreation, a better understanding of how diverse this program is and the purposes for which it is used.

For example, to what extent in the respective States do we spend land and water conservation fund money for development projects that may or may not normally be considered proprietary functions of the government?

To what extent is this money spent in the States that is conducive to the development of tourism or has an economic thrust to it rather than human potential and development thrust?

To make my point, I do not think those—I think an evaluation program is very important.

What is the philosophy? How do you make your decisions? Where does the money go? What is the impact of that money?

You build a swimming pool in a community, like I did this year, that drew down the water supply so greatly that half of the community did not have water.

You build a swimming pool that cannot be properly maintained or has no programing function provided by the community, no money to hire anyone to teach the youngsters to swim.

You take four small communities and ask them to go with the county and build a regional park and make a first-class investment.

Those sort of decisions are what I am speaking about.

If we have an increase in this fund and spend more money, Senator, we want you to know that we are evaluating our effort and reporting to the public and explaining how we spend this money.

I think there has to be that kind of public disclosure.

Senator McCURE. I do not disagree with what you are saying. I would caution you, however, there is an irresistible impulse on all Members of Congress to see how you are making decisions to say wait, that decision is wrong.

I have had them do it this way.

Mr. DELAPORTE. I know when the Democrats were in office they felt you gave your quarter, you put the money in, you punched the tunes and danced the music.

Now you put that quarter in and they tell you if you have picked the right tunes.

There is a great emphasis in this program to quote, as Mr. Watt said.

I will be honest with you, Senator, there is some advantage to having a strengthened Federal program and second-guessing some of my decisions.

I am very vulnerable in my State. These are Federal dollars, even though they are not tax dollars.

I think one should come in and evaluate Mr. Delaporte every 2 years. I think that is all right.

Let us take a look at to what extent he put the money, where the people were, did he put it in primary public projects, did he look the other way on bond issues and go with some political project somewhere that did not even have a public hearing behind it?

I think the Members of Congress are entitled to know how we make those decisions.

[The prepared statement of Mr. Delaporte follows:]

PREPARED STATEMENT OF CHRIS THERELL DELAPORTE, EXECUTIVE DIRECTOR,  
NATIONAL ASSOCIATION OF STATE OUTDOOR RECREATION LIAISON OFFICERS

Mr. Chairman, members of the committee: Last May NASORLO had the opportunity to appear before the Appropriations subcommittees on Interior and Insular Affairs in both the House of Representatives and the Senate. At that time we called for an increase in the appropriations ceiling from \$300 million to \$1 billion. NASORLO had previously testified in support of S. 2661.

We are pleased and honored to appear here today to testify in support of legislation which will accomplish these necessary changes.

One year ago, the appropriation to the Land and Water Conservation Fund was reduced from the authorized \$400 million to \$66 million for Fiscal Year 1974. The rationale for this reduction was to allow a year for the states to "catch-up" on the obligation of funds allotted to them. During Fiscal Year '74, the balances of almost all states have been substantially reduced—we have caught up with the money available for expenditure. As of 30 June 1974, only a total of 18 million dollars remained unobligated among all the States.

Unfortunately, while we have been catching up with our balances, we have been falling farther and farther behind the demand of the American people for recreational opportunities. Our citizens are being increasingly cut off from the land. Our nation is increasingly urbanized and industrialized. Our jobs are increasingly specialized and routine.

As our people have given up their farms and ranches for backyards, and their backyards for apartment balconies, the need for access to the land for recreational purposes has grown geometrically, and has been multiplied by the increasing technological sophistication of the recreationist.

As the demand has increased, so have the costs of meeting this demand. And, unfortunately, as demand and costs increase, many opportunities for valuable acquisition and development are on the verge of being lost. The time is fortuitous for the expansion of the Land and Water Conservation Fund Program and for an unequivocal renewal of commitment to meeting the recreational needs of this Nation.

The Land and Water Conservation Fund Program has worked so well partially because of its reliability. Cities, counties, and states have been able to commit resources with confident anticipation of an equal commitment on the part of Federal Government.

Last year's cut-back has shaken this confidence. Across the nation, bond programs have been passed for park and recreation purposes in expectation of receiving federal matching funds. This money now lies fallow. The Land and Water Conservation Fund even if funded fully at the current authorization level is not adequate to the demand. National commitment to the provision of recreational opportunities is being questioned.

In response to the obvious demand, and in order to restore continuity to the Program, we urge this Committee to act favorable toward the increase of the authorization level of the Land and Water Conservation Fund to 1 billion dollars per year.

The one objection to this action which must be seriously addressed is that an increase in Land and Water Conservation Fund expenditures will be inflationary. Our feeling is that any inflationary effect would be minimal, yet the effect in both human and economic terms of inaction would be staggering. Opportunities to provide for the recreational needs of generations of Americans would be irretrievably lost.

In considering this factor we ask you to weigh the possibilities of a minimal bad effect against the certain adverse consequences of inaction. We also point out that the inflationary effect can be reevaluated and considered each year in appropriations hearings and adjustments made if necessary.

The Land and Water Conservation Fund Program is one of the most functional programs enacted by Congress. The idea of using depletable natural resources to fund investment in new public resources is one of the most fundamentally sound public policies of this Nation.

As this revenue from use of these depletable resources increases, as the demand for additional recreational experiences increases, so do the opportunities to serve

increase. We, as State Liaison Officers, feel privileged to be a part of this Program, and we ask you to help us take advantage of these increased opportunities by increasing the authorized funding level to 1 billion dollars.

Senator McCLURE. Thank you very much. The next witness will be Mr. Bruce Chapman, chairman, Parks and Public Grounds Committee, Seattle City Council, Seattle, Wash.

Is Mr. Chapman here?

[No response.]

Senator McCLURE. Now we will move to Mr. John Gunther, executive director, U.S. Conference of Mayors

He is not here.

Now we will move to Mr. Ralph Cryder, director of New Castle County, Del., Department of Parks and Recreation.

**STATEMENT OF RALPH CRYDER, DIRECTOR OF NEW CASTLE COUNTY, DEL., DEPARTMENT OF PARKS AND RECREATION; ACCOMPANIED BY JOHN P. LAGOMARCINO, DIRECTOR OF SPECIAL PROGRAMS, NATIONAL RECREATION AND PARK ASSOCIATION**

MR. CRYDER. Senator, the National Recreation and Park Association appreciates this opportunity to testify on S. 3413 and related proposals to amend the Land and Water Conservation Fund Act.

I am Ralph Cryder, director of parks and recreation, New Castle County, Del. and chairman of the NRPA National Issues Advisory Committee.

The National Recreation and Park Association is a private, non-profit organization devoted to the improvement and expansion of park, recreation and leisure systems and services for all people.

Policy is determined by a board of trustees representing lay persons responsible for public policy for parks, recreation, and leisure, and professional and technical staff who directly plan and manage a diverse range of park and recreation facilities and services.

Our membership exceeds 18,000 individuals, agencies and organizations.

Those association members professionally employed in this field are primarily from the public sector, particularly State and local governments.

There is considerable representation from the private sector, as well, however.

Our national headquarters is located at 1601 North Kent Street, Arlington, Va.

The association commends the many sponsors and cosponsors, both in the Senate and House of proposals to amend and expand the Land and Water Conservation Fund Act.

The bipartisan nature of this support is, we believe, a tribute to the importance and success of this excellent program.

However, we feel the Nation's present and environmental conditions dictate some changes in the basic laws affecting park, recreation and leisure services and facilities.

We believe the political climate is receptive to positive change, and this committee can take the lead in this area.

The Land and Water Conservation Fund Act must be considered one of the most important programs dealing with parks and recreation in the history of the United States.

The record of this program, including the manner in which it has been administered, clearly sets it above many other Federal efforts which started with high goals and good intentions but somehow fell short.

Over the last 10 years, \$982.8 million have been made available for over 13,500 State and local acquisition, development and planning projects.

Some 1.053 million acres of parks and open space have been acquired for a wide range of park and recreation uses.

The States and local governments have matched this Federal commitment and have expended additional billions for maintaining and programing parks, recreation and leisure.

Our comments deal principally with those aspects of the land and water conservation fund affecting State and local activities.

We believe it is time for changes in the land and water conservation fund to make it more responsive to current needs.

We do not propose major changes in the concept or operation of the fund, but offer our full support for amendments which will give the land and water conservation fund flexibility, responsiveness, and realistic fiscal levels.

We recommend the following six specific amendments to the Land and Water Conservation Fund Act.

Increase the total authorization to \$1 billion per year.

Change the Federal grant percentage for eligible State activities to 75 percent.

Require an opportunity for local participation in preparation of the statewide comprehensive outdoor recreation plan, as is being done in my home State of Delaware.

Change the apportionment formula to 20 percent apportioned equally among the States, 70 percent apportioned to each State on the basis of need, and 10 percent made available for research, evaluation, demonstration projects, special purposes and emergency grants.

Authorize 90 percent grants for areas in the national natural landmarks system administered by the National Park Service; park and recreation areas serving predominately low-income residents; areas providing access to coastal waters; projects using less-than-fee simple acquisitions; facilities for the handicapped and demonstration projects.

Eliminate the seven-State apportionment maximum and allow the above formula to determine the State apportionment level.

Although the bill before you S. 3413 recommends an increase in the fund to \$500 million, we feel there is good justification for an even more significant increase in the authorization level.

We are far behind in land acquisition and development programs, and time exacerbates the problems.

The unpublished first version of the nationwide outdoor recreation plan prepared under Interior Secretaries Udall and Hickel indicated that \$25 billion would be required over a 5-year period simply to give urban residents the same general access to outdoor recreation experiences that nonurban residents enjoy.

That plan would have recommended appropriation of \$6.3 billion during the fiscal year 1971—fiscal year 1975 period “to meet the urban recreation problem \* \* \*”

Not only is there the need for additional open space and the money to save it, time is also in short supply.

A study done for the Commission on Population Growth and the American Future estimated that urbanized land in the United States will increase at an average rate of over 9,900 square miles or over 1.5 million acres of additional urban area per year through 1980.

The development pressure on areas that should be retained for public park and recreation use is obvious.

A recent survey of State outdoor recreation liaison officers indicated that approximately \$250 million in approvable projects could be matched by the States in fiscal year 1975.

A BOR survey, which asked State liaison officers to project their needs based on a slightly expanded program over 15 years resulted in an estimate of \$45 billion.

The record over the years shows that the money can be effectively spent and we have no reason to suspect that this figure is exaggerated.

The question of whether a major increase in the Land and Water Conservation Fund is appropriate now has been raised.

The administration would argue that because of inflationary and budgetary pressures little or no money should be added to the authorization level of the Land and Water Conservation Fund.

We strongly disagree with this proposition.

The existence of strong inflationary pressures in our economy are well documented, but overall the Congress has largely maintained administration budget levels.

The Congress assessment priorities has differed on numerous occasions, but its annual budget outlay has usually matched the total request of the administration.

The Committee should not view this legislation solely for its possible effect on the economy, but should balance that factor against the demonstrated public need for a large expansion of park and recreation facilities.

We feel that this is a well-justified, high priority public expenditure, that should have the opportunity to compete with other priorities on a more realistic basis.

Park and recreation officials have already borne a large inflationary burden and are well aware of its implications.

They have been forced to deal with these problems over the last year with a greatly decreased Federal contribution from the Land and Water Conservation Fund.

They, like everyone else, have been caught in the inflationary squeeze.

First, land prices continue to escalate dramatically.

A recent joint NRPA-NASORLO survey of State liaison officers indicated the annual inflationary rate of land ranges from a low of 7.5 percent in some parts of the Pacific Northwest to a high of 26 percent in parts of the south central region.

The effect of these rates can be particularly devastating on local park and recreation budgets.

There is no relief in sight from these rates of increase, and delays in acquisition nearly always means higher costs later on.

The costs of labor, equipment, material and virtually every thing connected with the operation of State and local park and recreation systems have increased.

The general affects of inflation on one hand and economic stagnation in some areas on the other, coupled with energy shortages, have reduced citizen mobility and put more pressure on park and recreation resources close to where people live.

The need for more assistance from the Land and Water Conservation Fund becomes more apparent each day to those concerned with this vital part of our lives.

As more and more emphasis is put on improving the physical and spiritual quality of our lives, the creation and development of parks and open space becomes a crucial factor in that quest.

It is eminently reasonable and logical to put the return realized from the depletion of one natural, nonrenewable resource—oil—into the acquisition, protection and development of another resource—park and recreation systems for all people.

We urge the Committee to increase the Land and Water Conservation Fund authorization to 1 billion per year.

We believe that a 75-percent Federal/26-percent State matching formula would more nearly meet State and local fiscal needs and make park and recreation acquisition and development a competitive priority with other programs.

Though we feel that an increase in the Federal share would be highly desirable, we do not believe that assigning specific matching ratios based on the type of project is desirable.

Some House of Representatives bills recommend a variable increase in the Federal grant percentages for acquisition, development, and planning.

We feel individual States and localities are in the best position to determine planning, development, or acquisitions priorities because there are legitimate needs for each.

A variable percentage may benefit some areas but be distinctly disadvantageous to others.

We feel that an increase in the level of Federal support is essential, however, for the following reasons.

One, there is no local financial "bonanza" comparable to the soaring revenues generated by Outer Continental Shelf oil leases and royalties.

For the States to generate necessary matching revenues in the absence of "new" money may be difficult, particularly in the first years of an expanded program.

Two, many less affluent communities are already excluded from program participation because even the 50-percent matching grant is difficult or impossible for them to raise.

This particularly applies to densely populated urban areas where demands for services are great and the tax base is low.

Three, different matching ratios in the numerous Federal programs tend to distort local priorities, and lead local dollars into whatever programs provide the highest match, thus working against rational planning and allocation of funds.

The Land and Water Conservation Fund must be competitive with other grant programs.

Two of the bills under consideration in the House, H.R. 289 and H.R. 4865, suggest a State apportionment formula more responsive to populated areas.

We strongly support this initiative.

The present apportionment formula—40 percent divided equally among the States; 60 percent to the States on the basis of need—has caused major per capita disparities in distribution of the Land and Water Conservation Fund appropriation.

For instance, under the present formula some States receive up to \$6 or \$7 per capita. While others receive less than 1 dollar—we strongly support an apportionment formula that will more equitably distribute the Land and Water Conservation Fund resources.

There are several other areas that the committee might consider in apportioning funds and setting matching percentages, including research, evaluation, demonstration, and special high-priority needs in the field of parks and recreation.

We recommend, for instance, the committee direct that a thorough evaluation of the Land and Water Conservation Fund be undertaken to review its 10-year operation—has it really been meeting the highest priority unmet demands for parks and recreation?

How can multijurisdictional recreation needs and multijurisdictional resources be best handled?

Should large multijurisdictional areas with high recreation potential, such as river systems, valleys, and mountains, be acquired by Federal agencies or could some State, regional, or local mechanism and funding process be developed to handle these very important, large resource areas?

What are the potential uses of less-than-fee acquisition techniques and in what situations are they most suitable?

How can lands and facilities in public ownership for other than recreation purposes be used in an auxiliary way for recreation, municipal water district lands, school facilities?

What are the potential recreation uses of abandoned railroad rights-of-way?

Land and Water Conservation Fund money should be available to address these and other numerous questions.

In the past, the Contingency Fund has been used to finance high-priority projects.

The Secretary has delineated areas of special Federal interest.

We feel the Secretary's authority should be broadened to allow 90-percent grants or supplemental grants for the following special purposes identified by this committee as having high priority.

Areas identified as eligible for the national natural landmarks program administered by the National Park Service.

Coastal zone areas, especially those providing water access.

Facilities serving predominantly lower income residents.

Less than fee acquisition projects which expand limited resources and leave lands on the tax rolls.

Projects to develop special facilities to meet the recreation needs of the handicapped.

Demonstration projects which will test ideas having potentially broad applicability.

In order to accomplish these activities we suggest a slight modification of the apportionment formula as proposed in H.R. 289 and H.R. 4625.

We suggest that the apportionment formula be: 20 percent apportioned equally among the States; 70 percent apportioned on the basis of need; and 10 percent to be used by the Secretary for research, evaluation, and technical assistance and made available to individual States to meet special or emergency needs, as determined by the Secretary.

To be sure that the above formula can be fairly applied the existing 7 percent maximum State apportionment must be removed from the law.

We recommend the new formula be permitted to set the State apportionment level, without regard to percentage of the total fund.

However, no State should receive an apportionment of less than it has received under the present formula.

A "hold harmless" clause should be included to protect all of the States from a decreased apportionment.

The present law states that "the plan \* \* \* shall be correlated so far as practicable with other State, regional, or local plans."

This is interpreted in the Outdoor Recreation Grants-In-Aid Manual as—

\* \* \* a State outdoor recreation plan may be prepared by an agency of the State government, either independently or jointly with assistance of its political subdivisions or other public agencies. (Pt. 630.2.1.)

Thus, while much of the money is used and matched by local levels of government, their participation in the planning process is optional.

We suggest that the creation of realistic statewide comprehensive outdoor recreation plans and their successful implementation must reflect meaningful involvement by all levels of government.

We strongly recommend, therefore, that section 6(d) of the Land and Water Conservation Fund Act of 1965 be amended to require that the comprehensive State planning process include an opportunity for full participation.

If we have any objection to the proposals on this question, it is that none goes far enough.

We believe the longstanding arbitrary definitions that artificially distinguish between indoor and outdoor facilities should be abolished, and recreation and leisure programs should deal with recreation and leisure needs for people in a comprehensive and systematic way.

We should focus on meeting the needs of the whole person and the whole community. Toward this end, Senate passage of S. 2661 is clearly a step in the right direction.

As we stated at the outset, the Land and Water Conservation Fund has been a significant catalyst for meaningful actions.

It is not the total answer to this Nation's park, recreation, and leisure service needs.

We need more broadly defined legislation if we are going to make progress in this multifaceted field.

Yet we believe expansion and modification of the fund generally as suggested will greatly increase its significance.

We commend the subcommittee for holding these hearings and encourage you to pursue these efforts.

Thank you.

Senator McCLURE. Thank you, Mr. Cryder. I am sorry our time is limited.

I have two questions. One is how long have you been involved in your present position in Delaware?

Mr. CRYDER. Eight and one-half years.

Senator McCLURE. So your experience has spanned most of the development of this program?

Mr. CRYDER. Yes.

Senator McCLURE. Aside from a statement you may make on behalf of the association, drawing on your experience, do you see other problems that may make a significant impression that they should be made a part of your statement?

Mr. CRYDER. The inclusion of the so-called indoor-outdoor facilities is a very necessary part, we feel, more so in the Northern States where they do not have the use of outdoor facilities on a year-round basis.

Senator McCLURE. You wanted added, as a list of eligible projects, rather than in any way limited your discretion?

Mr. CRYDER. Yes, sir. The enclosure of swimming pools do make them both, indoor and outdoor, an important project to be included and in the Northwest, ice skating rinks, covered and other types of facilities, covered to be used outdoor as well as indoors.

Senator McCLURE. Have you suggested to your State administration that local participation be made mandatory under State law?

Mr. CRYDER. Not by State law, but by policy. We have already met with our new liaison officer to discuss this.

Senator McCLURE. So there is mandatory local participation in the administrative directive?

Do you know of other State directors who have done so? Is this a question that the State legislatures have discussed and rejected or is it simply a matter they have not yet acted upon?

Mr. CRYDER. I think it is probably because they have not yet acted on it. I am not sure how the other States have done this.

Each State has its own way of handling this.

Senator McCLURE. Rather than mandating that procedure, might it not be well to give the States the opportunity to determine if they wish to make it mandatory?

Mr. CRYDER. I think if that occurs, the local municipalities and the counties, which I consider a local level of government, are not assured of getting that kind of input into the overall plan.

Sometimes they may be bypassed and they are closest to the citizens.

Senator McCLURE. I served in the State legislature for 6 years and at the same time, I was a city attorney and had been an attorney for the county.

It seemed to me in any of those capacities the League of Cities had pretty good input into the legislative process.

I would think if local units of government really wanted mandatory local involvement, and went to their State legislature, they would probably get a statute that would require local development of land.

Mr. CRYDER. I think that is possible, but we would like to see it mandatory to make sure.

Senator McCLURE. It could be mandatory at the State level rather than being mandated from Washington.

I resist the effort to persuade one body of government rather than persuading their own body of government.

It is something, however, that I think does deserve some attention, the question of local involvement.

Mr. CRYDER. We would appreciate it very much.

Senator McCLURE. The committee will stand in recess now until 2 p.m.

[Whereupon, at 12:05 o'clock, the hearing was recessed to reconvene this same day at 2 p.m.]

#### AFTERNOON SESSION

Senator HANSEN [presiding]. The hearing will come to order. The Chair would like to apologize for keeping you busy people waiting as long as you have been.

I can weakly say I am also a member of the Finance Committee and we had an executive markup session this morning and this has not been the least busy committee on the Hill.

Senator Fannin and I, both being members of Finance and Interior, have done our best to discharge our duties with the Finance Committee.

We have been marking up a trade bill. I am just sorry I was not able to have helped more than I was.

I express again my regret at having kept you waiting so long.

I understand the next witness is Mr. Tersh Boasberg, accompanied by Mrs. Beverly Blount, Mrs. Wright, and Mrs. Martin.

#### STATEMENT OF TERSH BOASBERG, ATTORNEY, PRESERVATION ACTION, WASHINGTON, D.C.; ACCOMPANIED BY MRS. BEVERLY BLOUNT, MRS. BROOKS MARTIN AND MRS J. M. P. WRIGHT

Mr. BOASBERG. Thank you, Senator. We will be glad to wait a couple of days for this kind of bill because we think S. 3806 is a marvelous bill.

Our wait is nothing compared to your responsibility.

I would like to introduce on my right, Mr. J. M. P. Wright and Mrs. Wright is president of Historic Annapolis.

Perhaps you have been to Annapolis, Md. and seen the number of wonderful things Mrs. Wright has done.

To her left is Mrs. Brooks Martin, a past president of the San Antonio Conservation Society of San Antonio, Tex.

To her left is Mrs. Brooks Martin, a past president of the San Antonio Preservation Society.

They are Government liaison. They have come all the way from San Antonio and we are awfully glad to have them.

Preservation Action is a new organization, a lobbying group composed of local conservation societies and preservation groups around the Nation.

We are about 2 months old. We have representatives from Annapolis, Seattle, New York, San Antonio, Savannah, Pittsburgh, North Adams, Mass., Chicago, Wilmington, N.C., Indianapolis, and Denver.

We would like to give you our point of view.

I would like to reference one or two points and ask Mrs. Wright and Mrs. Blount if they would say a few words.

First of all, we are so pleased a bill of this nature is finally being presented by the Congress.

The funds at the local level have been few and far between with the HUD open space and the urban renewal programs being under freeze for the last 18 months.

There are no funds we can use at the local level for historic preservation.

The second point is the historic preservation movement has undergone quite a change in the country away from the forts and the battlefields and so forth, which we are all kind of familiar with.

What is happening is we are trying to use the old historic districts and make them commercially profitable today so that we can draw tourists, we can bring people in, we can save these places and make them economically viable.

To do that, we need a little front end money to buy the property and fix them up, to economic development studies, hire lawyers, accountants, architects, and so forth.

I would like the people here to tell you, with the little bit of Federal money we have been able to attract, sometimes \$10 and \$20 for every dollar of Federal funds, we need this support very much at the local level.

One last point is we would urge the Congress to allow the States and the Department of Interior to pass as much money through to local communities as possible in fiscal 1973 because there is so little money around, very little money got down to the local level.

We hope the Interior Department and States will be able to use the in-kind match, not the value of services to match some of the Federal dollars.

Now I will turn it over to Mrs. Wright who can tell you what they have been able to do in Annapolis.

Mrs. WRIGHT. Thank you very much for letting us come. We are very much in support of this bill.

We work on the local level and we know just how much Federal assistance can do to revitalize the desire to save our towns in Annapolis.

The report I have in front of me shows that \$320,000 worth of Federal funds went into help us in our projects and this and the State funds we were able to get generated a total of \$11 million of which \$5 million, the largest amount of money, came from private investors who encouraged the national interest in Annapolis as a national historic district and with help from the Federal Government, saw fit to restore their own properties.

This led to a very interesting development, specifically the evidence of the buying power and the evidence of the money that has come in and been raised, articles from the Annapolis paper that state: "the

property values rising in Annapolis have led to the city fathers being able to get better interest rates on their bonds or credit being given to historic preservation."

With historic preservation we have revitalized the town, property values have risen 112 percent.

We also, as we think of Annapolis, what has happened there, we know we are in trouble in many respects.

Just a little bit of this Federal money we would so much like to see would save us from the problems we are facing.

I have these problems listed in "A Broadside" which went out to our members.

It shows the various properties in real danger and to damage the entire historic district.

Just a small amount of money could help us save that district.

Our last piece of evidence—this is five fund raising projects starting now.

Of the five projects we have, we have been able to fund only one. The rest we are still trying to get funds for.

This is a communitywide drive and also statewide.

We do not find the money is there. Everyone has pressing problems and we are aware of the fact if we do not succeed in this that much of the heritage of this particular community and communities throughout the country will go.

Inflation is here. It make it hard for us to fund our own projects, but we know if we do not find a way to save these projects, they will not be here for future generations to enjoy as we have enjoyed them, so we appeal to you in the hope that you can help us.

Thank you.

Senator HANSEN. Thank you, Mrs. Wright. You make an appealing presentation.

Mrs. BLOUNT. Good afternoon and thank you for letting us appear before you today.

Our concern is—we have a great deal of urban decay in our cities and this is where all of the old historic buildings are usually located.

What preservations are advocating is that we use these for adaptive use.

We do not—we need financial help in order to do this.

We bought a piece of property in San Antonio in 1965. The price tag was \$350,000.

Last year we received \$11,862 as aid under this Historic Preservation Act of 1966, so you can see what is just a drop in the bucket compared to what we need to even purchase the building.

In addition to that, it is going to take another \$500,000 to \$700,000 to restore it.

We feel if we can revitalize these older buildings in the city, we will increase the tax base for individual cities. It will bring our inner cities back to life, but we need financial aid to do it, so all of us in Texas hope this money will be allocated.

Thank you.

Senator HANSEN. Thank you, Mrs. Blount.

You have no statement, Mrs. Martin?

Mrs. MARTIN. No, thank you very much.

Senator HANSEN. This may be of some interest to you.

I am informed with respect to the problem of historic preservation, next year's appropriation will be \$24.4 million.

The States have submitted, I am informed, requests for \$165 million.

The two bills contemplate an authorization of \$150 million.

One would establish a fund using OCS and miscellaneous receipts from the Mineral Leasing Act.

That gives you some concept of the dimension of the problem.

What is in the bill does not always carry through into real life and follow through in the appropriation process so as to make the money available.

I think what you have done is certainly a great stimulus to legislators if money can be found to help.

I commend you for your worthwhile efforts.

Mr. BOASBERG. We commend the committee for your efforts with every dollar, we could probably match that with 10 times private investment.

It is really key.

Senator HANSEN. Thank you very much.

[Mr. Boasberg's, Mrs. Blount's, and Mrs. Wright's joint prepared statement follows:]

JOINT STATEMENT OF TERSH BOASBERG, GENERAL COUNSEL OF PRESERVATION ACTION ;  
MRS. BEVERLEY BLOUNT, PRESIDENT OF PRESERVATION ACTION ; AND MRS. J. M. P.  
WRIGHT, SECRETARY OF PRESERVATION ACTION

My name is Tersh Boasberg, and I am a partner of the law firm of Boasberg, Hewes, Klores & Kass, 1225 19th Street, N.W., Washington, D.C., 20036. I appear before you in my capacity as General Counsel for a newly organized national citizen's lobby for historic preservation called Preservation Action. Our membership is composed of non-profit community groups, local historic preservation organizations, and historical societies which seek to protect and enhance our Nation's rich heritage and its man-made environment. Preservation Action was organized by the leaders of local preservation efforts in Annapolis, Seattle, New York City, San Antonio, Savannah, Pittsburgh, North Adams, Massachusetts, Chicago, Wilmington, North Carolina, Inlandapolis and Denver and numerous other groups representing large and small communities throughout America.

With me is Mrs. J. M. P. Wright who has been President of Historic Annapolis, Inc., for seven years. Her organization is one of the founding members of Preservation Action, and I can honestly say that few in America have done more for preservation than Mrs. Wright. Under her energetic and imaginative leadership, Annapolis has saved and enhanced its rich architectural, historic and cultural heritage. The City has successfully blended preservation with progress to become a bustling, economically viable and attractive community which represents a model for others to follow. As Mrs. Wright's organization has so ably demonstrated, historic preservation means expanding upon the best in our past for the material and spiritual benefit of the present, and for the guidance of countless future generations.

With me also is Mrs. Blount, the President of the 50 year-old, vigorous, San Antonio Conservation Society.

Today, the cause of preservation stands at the crossroads. Over 50 percent of the 12,000 buildings listed in the Historic America Building Survey since 1933 have been destroyed. That is not a very comforting thought as our Nation approaches its Bicentennial. It is of great significance, therefore, to the preservation of our American way of life that this Committee has proposed H.R. 15357 to help bridge the gap between public funding and the great unmet need to preserve our historic and cultural heritage.

There must be a sense of urgency to these proceedings. Parts of our National heritage are being bulldozed and gobbled-up by speculators on a daily, even hourly, basis. Once our historic buildings, areas and districts have been destroyed

in our precipitate rush toward modernity, they are lost forever. Never can they be replaced.

The growing historic preservation movement in America is currently undergoing a significant change in direction. Once the province of wealthy matrons and staid historical societies, preservation is fast becoming a major nation-wide cause involving businessmen, lawyers, architects, bankers, environmentalists, volunteers of all kinds, and diverse community groups. Fed by the national concern for environmental quality and the upsurge of Bicentennial interest, the preservation movement offers a real hope that our cities yet can stave off economic and social catastrophe.

Nothing has been more satisfying to us than to watch the membership of the National Trust for Historic Preservation pass the 50,000 mark. The Trust's vigorous leadership and imaginative programs and publications have spearheaded the historic preservation cause in America.

Over 80 percent of our Nation now lives in urban areas. Our interest in historic preservation is no more or no less than a concern for the quality of life in Twentieth Century urban America. For historic preservation means not only recognition of the values and landmarks of our past; but it means community renewal, economic development, and local progress for our future.

A few examples from the membership of Preservation Action will illustrate how the historic preservation movement has gone beyond simply preserving the house museum or old fort to embrace the notion of large-scale community and economic development. Cities such as Seattle, Savannah, Denver, Charleston, San Francisco, Providence, Pittsburgh, Annapolis and San Antonio are all currently engaged in broad projects of urban rejuvenation and community development based on the expanded concepts of historic preservation. These activities include downtown commercial development, creation of multi-family housing units, and saving attractive residential neighborhoods.

All across our Country, local, non-profit historic preservation groups such as Historic Annapolis, the San Antonio Conservation Society, the South Street Seaport Museum, Historic Denver and the Pittsburgh History and Landmarks Foundation are seeking to protect and enhance historic districts and convert their handsome buildings to new adaptive uses, such as stores, restaurants, condominiums, office space, cultural and performing arts centers, educational institutions and a host of other Twentieth Century uses.

Preservation, in this expanded sense, means progress. It means economically viable and attractive new uses. In the words of the National Trust, it means "preservation for the future".

However, in order to succeed, there is an urgent need for these local groups to receive adequate funding to develop and implement their imaginative plans. While we vigorously support S. 3806 and its \$150 million proposed funding level, we would like to offer a few additional ideas for this Committee's consideration so that this important legislation might better achieve its primary purpose: To assist local communities in improving the quality of their environment and the lives of their citizens.

*First*, the Interior Department's historic preservation grant program has been traditionally administered as a state discretionary program. Decisions as to where funds go within a state have been left wholly to the discretion of each state. As a result, the majority of these monies have not gone to local projects.

We believe that the states should be required to distribute the great majority of these new federal funds to local communities, especially for the development projects of local non-profit groups. We would recommend that at least 75 percent of the new monies go directly for state-approved local preservation efforts.

As an alternative, you may wish to consider language which would enable the Department of Interior to reward those state historic preservation plans which provide that the majority of their federal funds will go to local community preservation efforts. For example, states which strongly encourage local developmental efforts could be awarded more funds under an appropriate formula.

Currently, funds are distributed to states on two bases: (1) an equal distribution to all states of 30% of the appropriation; (2) 45% of the appropriation is distributed on the basis of state demand. But this demand can be for state projects or for local projects. Nothing in the present legislation encourages a state to assist local communities in the development, funding and implementation of their own projects.

We would also suggest that states be required to facilitate the participation of representatives of local community groups in the formulation of state preservation plans. Local groups should have a legal say in how their own federal tax dollars are spent. In this regard, something more than advisory status is requested for local project organizations.

One note of caution. We do not mean to imply by these suggestions that state preservation efforts and state historic sites are not worthy of funding. They are, indeed. Many SPHOs have performed Herculean tasks with virtually no money at all. We merely point out that in the past the majority of preservation funds has not found its way into local non-profit or public projects.

Often, this may have been because there was so little money for anyone. Now, with the greatly increased funding proposed by this Committee, we hope this pattern could change. We strongly believe that the battle to save our cities can best be fought by local forces who are familiar with local problems and who are the direct beneficiaries of local action.

*Second*, we would encourage greater flexibility in the use of historic preservation funds. States should be permitted to allow local communities to use grant funds not only for the acquisition and development of historic properties, but also for the planning and development stages of local projects.

Without such "front-end" money, large-scale local development realistically cannot be launched; expert legal, financial, and architectural help cannot be secured; project staffs cannot be initially hired; economic feasibility studies and market research cannot be done; and communities cannot be alerted to the dangers of inaction and destruction. Also, such grants should be flexible enough to cover costs for historic preservation exhibits and studies. We hope this Committee will broaden the current Bill so that states are permitted to make 70% flexible planning and development grants for local community projects as well as for their own state-wide historic preservation planning.

*Third*, we would ask this Committee to increase the possible federal matching share for local projects from 50 percent to at least 70 percent. Otherwise, only states and the more wealthy communities will be able to participate in this vital program. The greatest need for historic preservation is often in the poorest communities. In many inner-city areas, minority groups are especially hard-pressed to raise the necessary match for their vital preservation projects.

There is no way most of our financially-strapped communities can raise \$50,000 or \$100,000 to match a proposed federal grant of the same amount. For example, in North Adams, Massachusetts, the City Council was able to raise only \$20,000 toward the local preservation group's \$3 million project. In Galveston, Texas, \$200,000 was needed to start a revolving fund. Under no circumstances could the City of Galveston provide these funds. Luckily, the money was secured from a private foundation; but most communities are not as fortunate as Galveston to have a well-financed local foundation situated in its midst.

Many federal programs for health, manpower, education, housing and economic development provide for 75-90 percent federal funding. Our need is just as urgent. The demand for local development is just as heavy. We strongly urge that this Committee not discriminate against poorer communities and consider raising the federal portion of all matching grants from 50% to at least 70%.

*Fourth*, we would ask this Committee and the Federal and State program administrators to experiment with new methods and techniques for historic preservation. For example, we are particularly impressed with the outstanding efforts of The National Endowment for the Art's "City Options" program, which seeks to encourage local community public and non-profit organizations to explore a wide spectrum of historic preservation options. These range from finding new uses for abandoned railroad stations to funding large-scale adaptive use demonstration programs in commercial downtown areas and transitional residential neighborhoods.

As America's most prominent architectural critic, Ada Louise Huxtable has said:

"What is most intriguing about [NEA's] architectural and environmental programs is the combination of informed sensitivity and innovative idealism that is shaping them. In a very conscious way, they reach for exploratory studies in extremely broadly defined environmental areas. The National Endowment is concerned with large ideas critical to problems of the cities that are at once abstract and intellectual and firmly anchored in reality."

In exploring new historic preservation ideas, we should examine the possibility of creating a revolving loan fund for financing local projects which could be administered either nationally or through state agencies. Revolving funds have been highly successful in Savannah, Georgia, Galveston, Texas, Pittsburg, Pennsylvania and many other communities. Loan funds are used to acquire buildings, restore them and then when they are resold, the proceeds are plowed back into the revolving fund for other purchases, restoration and resale.

If federal seed funds were matched by state appropriations, twice as much money could be returned into local revolving funds. We should consider the use of both grant and low-interest loans as seed money to launch such local revolving funds. We know that in numerous communities—"preservation pays"; that monies used to buy and restore properties can be returned many times over.

The Government already has developed examples of similar types of revolving loan funds. The Small Business Administration, the Farmer's Home Administration, HUD and others have successfully used a type of revolving fund at the national level to leverage federal dollars with private commercial funds. The National Trust for Historic Preservation also has had success in seeding revolving funds in local communities. There is no wiser investment we can make than an investment in America's future.

In addition, the Federal Government or states can use their funds to guarantee local commercial loans to preservation groups. Public funds can be greatly stretched by private dollars. We need to experiment much more with such new methods of leveraging public monies with private commercial, individual and foundation funding sources.

*Fifth*, we submit that \$150 million for preservation is not an exorbitant sum. But who can put a price tag on America's heritage?

Some will characterize the expenditure of this \$150 million as inflationary; but is it inflationary to preserve our way of life? Is it inflationary to protect and enhance our urban environment and to provide jobs for our citizens? We submit that to raise our ideals, to aspire to preserve national values, is not inflationary—it is uplifting.

A few examples will suffice:

1. HUD's Open Space Program had an FY 73 Congressional Appropriation of \$100 million. You all know, this program has been frozen since January 5, 1973. In the past 18 months—this freeze, alone, already has saved the entire cost of this Committee's proposal.

2. FY 72 estimates of the Federal Highway Administration show that three years ago, one mile of urban interstate highway construction cost an average of \$5.182 million. Are we so shortsighted as to be unwilling to sacrifice less than 30 miles of highway construction for the preservation of our Country's heritage?

3. We are now in the process of ordering 240 new B-1 bombers. Each plane costs \$61 million. If we ordered three fewer planes (in the name of our Bicentennial) we could more than finance this Committee's full authorization. These new bombers are being purchased in order to better defend America. Let us spend just 1% of our B-1 bomber money to enhance the quality of life we so earnestly seek to defend.

Senator HANSEN. The next witness is Darrel H. Stearns, Federal legislative representative, city of Los Angeles, Calif.

**STATEMENT OF DARREL H. STEARNS, FEDERAL LEGISLATIVE  
REPRESENTATIVE, CITY OF LOS ANGELES, CALIF.**

MR. STEARNS. I have a short statement and I will read it.

Mr. Chairman, we thank you for this opportunity to appear before you and add our voice to those who support: 1, a substantial increase in the annual allocation to the fund, 2, a revision of the distribution formula to States and localities which parallels the demands of population density and the dramatic changes occurring in the country related to these population changes.

We believe, Mr. Chairman, that as you ponder the facts brought to your attention in this hearing, including especially the rapid rate of

inflation affecting the acquisition of properties, the expected increase in income from those sources which are used to maintain the fund and the backlog of needs, that you will want to consider increasing the annual allocation to at least the \$1 billion level.

We know from the comments of committee members yesterday, and from the testimony you heard regarding the Santa Monica Mountains from Senator Bible and Senator Johnston, that you have an appreciation for the problems besetting large urban areas in meeting the recreation needs of the people.

We believe that as you consider increasing the fund it is imperative that you use that opportunity to find a way to involve local elected officials more fully in the preparation of future State plans and otherwise allocate to the cities and States with large population concentrations a proportional share which more nearly meets their pressing needs.

Mr. Chairman, we commend you for moving ahead on this matter at this time and again thank you for this opportunity to appear before you.

Senator HANSEN. Mr. Stearns, thank you very much for your statement.

I must say to you with all due appreciation for our system of national parks and other recreational areas around the country that are accessible to people who have the ability as well as the time and money to go to those areas, there is continuing and a very critical need, I think, in the big cities of America for playgrounds for youngsters, for places where families can find some recreation.

It is not enough to tell people they can drive 50 miles or 250 miles and find a nice place to spend a Sunday.

They do not have that much time or the means to get there.

I was in New York a few years ago when the Gateway National Recreation Area was being discussed.

I recall among the witnesses were some people from the city of New York, pointing out the fact that within a distance, not too far from the seashore area, that was under discussion at that time, led in excess of 20 million people whose only means of transportation were the public conveyances owned by the city.

It brought home to me very forcefully the fact that those folks need a place they can get to, where they can get an opportunity to put a toe in the water and set on their cheeks in areas that would otherwise not be available to them.

I appreciate your appearing here.

Mr. Truett Latimer?

**STATEMENT OF TRUETT LATIMER, VICE PRESIDENT, NATIONAL CONFERENCE OF STATE HISTORICAL PRESERVATION OFFICERS, AUSTIN, TEX.**

Mr. LATIMER. I am director of the Texas Historical Commission and the State historic preservation officer for the National Historic Preservation Act in Texas.

I am speaking for the people in the State who actually administer the National Historic Preservation Act.

From the beginning of this act, we have envisioned it as a partnership effort with the Federal Government on one side and with the States, local government, political units and private groups and individuals on the other side.

The States and the private groups of individuals have indeed responded and as you stated previously, we now have the matching capability on the 1975 fiscal year of \$165 million.

We could say there is a preservation deficit which exists today in the United States and we feel this particular bill, S. 3806, will go a long way toward curing that particular deficit and help liquidate that particular deficit.

I would like to discuss specifically some of the proposals as contained in S. 3806.

We do firmly support the funding provisions. We support also the 30-70 matching provision which would allow the Secretary of the Interior to give this particular funding to the States for State preservation plans and project plans.

We also like the position of the 90-10 funding provision, which again, authorizes the Secretary of the Interior to provide this type of funding for endangered historical properties of national significance.

We deem these to be national historic landmarks.

Also for demonstration of techniques of historic preservation and also for the inclusion of meetinghouse funding proposal, providing the funding level stays at \$150 million for the entire act.

I would also like to discuss, Mr. Chairman, some provisions of title II of S. 3839, which we are also hearing today.

The Johnston-Jackson bill, we think is indeed a great step or could be a great step forward in the historic preservation field in the United States.

By setting up a national historic preservation fund and financing it from the Outer Continental Shelf Act, this program is so important we feel that it should have its own identity and should not have to compete with other needs on a year-to-year basis as far as appropriations are concerned.

We commend the committee and the authors of the bill of the idea of using funds from nonrenewable resources for other nonrenewable resources.

You should not use money from your savings account to buy beer.

This is the simplest way I can put it. This is something the committee should give serious consideration to and I trust you will.

In closing, Mr. Chairman, I would like to point out my formal statement, I would hate for succeeding generations of Americans to say that during the sixties and seventies, this generation tore down more important structures in a 20-year span than it took an entire nation more than 200 years to build.

I would also hate for future generations to say that we devoted our expertise to the recycling of tin cans, but could not recycle our landmarks.

We have reached the point today when preservation is no longer synonymous with museums or with someone trying to reproduce the past.

Preservation has come to mean the continuation of the best architectural and human qualities of both rural and urban life.

It has been said that generations are judged as much by the monuments they destroy as by those they build.

Mr. Chairman, and members of the committee, the passage of this important legislation would prevent the destruction of hundreds of our best historical, architectural and archeological monuments.

Senator HANSEN. Is each of the States affiliated with the National Conference of State Historic Preservation Offices?

Mr. LATIMER. Yes, sir. All 50 States and five territories.

This action today, this testimony is through the action of the executive committee of that group.

Senator HANSEN. Thank you.

Mr. Fred Williamson? He is not here. I understand Mr. Williamson may send a statement in for inclusion in the record.

Mr. Arthur Townsend, executive committee of National Conference of State Historical Preservation, Annapolis, Md.?

[No response]

Senator HANSEN. I gather he is not here either.

What about Linda M. Billings, representative of Sierra Club, Washington, D.C.?

Ms. Billings, we are pleased to have you here.

**STATEMENT OF LINDA M. BILLINGS, REPRESENTATIVE,  
SIERRA CLUB, WASHINGTON, D.C.**

Ms. BILLINGS. Mr. Chairman, I am Linda M. Billings, a Washington representative for the Sierra Club, an international conservation organization with over 140,000 members.

Since its beginning in 1892, Sierra Club members have been dedicated to the exploration, enjoyment and preservation of this country's magnificent scenic resources, its forests, waters, wildlife, wilderness, and environmental quality.

We very much appreciate the opportunity to testify in support of legislation to increase the authorization ceiling for the Land and Water Conservation Fund.

The Sierra Club enthusiastically supports substantial increase in the Land and Water Conservation Fund to at least \$1 billion.

The current authorization in the fund is not adequate to meet present commitments and certainly cannot take care of future needs.

At present, the yearly authorization ceiling for the fund is \$300 million of which approximately 60 percent is for allocation to the States and 40 percent is for Federal obligations.

This administration has reduced the Federal share to 25 percent, yet there has been and continues to be a substantial backlog of Federal land purchase obligations for the Department of Interior and the U.S. Forest Service.

For example, at a hearing in 1973, Interior officials said that there was a backlog of National Park Service Land acquisition of \$328,591,893.

Add to this the acquisition needs for Wildlife Refuges and inholdings in National Forests and the costs go into the billions.

The failure to meet past acquisition obligation has had a detrimental effect not only upon the park areas already authorized, but also upon future park authorizations.

We have seen a reluctance in Congress and the administration to create new parklands and to authorize needed expansion in existing parks.

Many areas which are in critical need of protection such as Big Thicket and Big Cypress have been held up because of a concern for the source of acquisition money.

New park concepts such as recreation areas close to urban areas have met with considerable resistance for the same reason.

And, while we wait and debate the need becomes more critical and the land cost continues to escalate.

Not only is there a need for the creation of new parklands to accommodate the present and future demands for outdoor recreation caused by increasing population, increased public awareness, increased leisure time, greater mobility, and other related factors, but there is also a continuing problem with inholdings in present Federal parks, national forests, and wildlife refuges which create management problems and restrict full public enjoyment.

A greatly stepped-up program for acquisition of inholdings on our public lands is needed now and will take some time to accomplish.

States and localities also have increasing recreational needs which are not met adequately by the present available moneys and justify higher authorization levels.

State and local recreation agencies have been forced to look to the fund as almost their only source of Federal money.

To encourage more State and local activity to meet outdoor recreational needs, a change in Federal-State matching ratios would be highly beneficial.

We recommend a change in this ratio from the present 50-50 to 70 percent Federal and 30 percent State for planning, development, and acquisition.

We believe strongly that the proportions of Federal and States allocations of the fund should remain at 40 percent for Federal purposes and 60 percent for the States.

We object to this administration's change in that ratio to 25-75, and we would hope that the Congress would require the Department of Interior to follow the directives of the law.

Finally, we urge that all funds authorized be utilized fully, and we oppose any funds not expended by a designee reverting to the General Treasury.

Needs of the Federal agencies are not being fully met; different States have differing needs and varying capacities to utilize funds at specific times.

Funds unexpended by one designated State should be available to other States or Federal agencies for use.

More detailed comments on the specific bills under consideration will be submitted in a supplemental statement.

I have not had time to look at the entire scope of legislation being covered by the committee. We were not able to get copies of all of the bills from the document room.

However, as soon as I am able to look at the bills, I will submit more detailed comments.

The Sierra Club enthusiastically endorses increasing the historic preservation fund to \$1 billion. We feel very strongly there are pressing Federal acquisition needs.

As you know, Senator Hansen, there is a large backlog of Federal parkland acquisitions; there are serious problems in terms of acquisitions of inholdings of national forests, parks, and public lands. We feel these needs alone warrant an increase to at least \$1 billion.

We also feel strongly the Federal-State shares in the land and water conservation fund should remain as they are. That is, the Federal Government is to receive at least 40 percent per year and the remaining 60 percent is allocated to the States. We believe it should remain that way.

We object to the administration's change in that allocation where they have only allocated 25 percent for Federal and 75 percent States.

Senator HANSEN. If I could interrupt you right there, Ms. Billings, I want to be certain that I understand you.

It is the Sierra Club's recommendation that the land and water conservation fund be increased to at least \$1 billion? You mean that is the amount of money that should be available annually?

Ms. BILLINGS. Yes.

Senator HANSEN. Further, it is your recommendation that of that amount, 60 percent would be allocated to the States for their own ongoing programs and that 40 percent, or \$400 million, would be available to the Federal Government.

I would assume from that \$400 million would come the funds to purchase inholdings within the national park system, the forest, and wherever else there may be need?

Ms. BILLINGS. Yes, that would be part of the use of that; and more than that is needed, and I am sure you realize that.

Senator HANSEN. I just wanted to make sure.

You point out at the present time the Federal share of the funds available is 25 percent of the total, so the States are getting 75 percent, rather than the 25 percent?

Ms. BILLINGS. That is my understanding from the Bureau of Outdoor Recreation.

Senator HANSEN. You believe the Federal Government's share should come up to 40 and the States should get 60 percent?

Ms. BILLINGS. This is as stated in the law now, and Congress should remind BOR and the administration this is the intent.

With regard to the State share of the funds, we believe changing the Federal-State matching ratio is warranted, and we would recommend an across-the-board change of, say, 70 Federal, 30 State, in matching funds.

I think this is warranted because the States have to take a look at the various Federal programs, what money is available for various programs; for example, the highways or for urban development, and so forth.

We want to make the—this competitive with other programs that have Federal-State matching ratios. In order to do that, we need to increase the ratio to 70 percent so the recreation funds are com-

petitive with other programs, and States can take a look and say, see, thus we have an equal Federal-State matching ratio between highway funds; we can consider recreation needs are part of the highway needs for development or whatever.

We feel in order to make the funds competitive, the matching ratio should be changed, and it should be changed across the board. Instead of 50-50 planning and 70-30 acquisition, in order not to create lags.

Senator HANSEN. To make it 70-30 all the way through?

Ms. BILLINGS. Yes. We also would like to say all of the funds that are available on a yearly basis should remain in the land and water conservation fund by other States or the Federal Government.

Say one State, even for technical reasons, is not able to utilize its full allocation for 1 year, then those funds should become available to other States to use or other agencies rather than reverting back to a general fund in the Treasury.

That is the major point I would like to make.

Senator HANSEN. Thank you very much for your appearance.

I have one question. It is not related to these bills nor have you you touched upon it in your testimony.

I would be interested in your observations, if you have any reasons to know what the feeling of the members of the Sierra Club might be on that, too, and that would be helpful.

In the surface mining legislation prepared by the Senate and done more recently by the House, is a provision to take revenues from the Outer Continental Shelf and to use some of those revenues, \$200 million a year, to reclaim the so-called orphaned lands, those lands which have been strip mined so long ago, and which are no longer a continuing responsibility of any mining company.

They are lands that have been stripped and are abandoned.

Throughout the East and parts of the West, it is true in my State of Wyoming, we are experiencing some subsidence problem.

In Appalachia, Va., I suspect, are towns that are built over underground mine voids, and we have those in Wyoming.

My feeling is the first use we ought to make of funds to restore mined lands ought to be to fill those mine voids.

There are new techniques developed which are far more effective.

They are cheaper and they have been tested and are now being used on some rather sizable projects.

My feeling is the first job we ought to do with any money that might be spent to repair or restore mining, earlier mining activities, is to pick some sites in those towns or cities of America which have problems.

Problems have developed in many towns in Pennsylvania. Houses right in the centers of the cities sometimes have foundations that are starting to crack and crumble.

We have learned of explosions and fires underground.

I hope I have not prejudiced you, but I wonder if you have any opinion as to what you think the priority should be.

I do not mean to imply by what I said that I am oblivious to the problem or the great desirability of restoring these surface mined areas.

However, it seems to me when we have a problem that can be responded to—conditions to greatly magnify its impact on people and

taxpayers—it would make better sense to do whatever we can in the way of filling these mine voids to stop the devastating effects of subsidence on cities.

Would you have any feeling or like to make any comment on that?

Ms. BILLINGS. My standing, when this came up in the House debate, and I would have to defer to other members of the Sierra Club for a response, but we are opposed to this use of OCS funds.

Senator HANSEN. To which use?

Ms. BILLINGS. To the use of OCS funds for the reclaiming of abandoned mines.

We think reclamation is the responsibility of the company conducting the mining operations.

You have described what appears to be a very serious problem, and I am sure it is.

Certainly we need to think about what solutions are needed to this problem.

I do not think we can put those solutions very easily.

At this point, I would say it would not be in the public interest to set up a permanent ongoing fund that will allow strip mines, and from what you say, deep mining operations also have this problem, of being abandoned and having the public treasury come in and have to bear the expense of taking care of the dangers or hazards they have created.

It could be some special legislation is warranted to take care of this problem.

I think certainly any legislation created now by Congress should make it quite clear it is the responsibility of the mining company to make sure there are no hazards remaining after their mining operation.

Senator HANSEN. I probably did not lay out the problem as clear as I should have.

What I—in order to be fair to those advocates of the use of the money—the companies who remove the minerals and the resources from the Earth and who have left these abandoned strip mines, I gather because of one reason or another, they have gone out of business or there is no continuing liability.

There is no way, I gather, the Government can force ongoing companies now to assume responsibility for the restoration of these lands.

I want to say I agree completely with what you just said, if I understood you correctly.

That is, insofar as ongoing mining operations are concerned now, I am 100 percent in accord with what I understand you to say, and that is that they should be responsible for the full restoration of whatever damages or disturbance they have caused, but the orphan mine situation, I think, many times was brought about by companies operating 50–75 years ago.

There is no way you can reach out and get the people who caused it or anyone who would be responsible for it.

Ms. BILLINGS. I appreciate that fact, and I agree with you that is a serious problem, but I think what is warranted are hearings to identify what the problems are, where they are, what the scope of the problems are and then to think about how to take care of the problem appropriately.

However, to simply right now, earmark funds from OCS for abandoned strip mines, I am afraid we could not agree with that.

Senator HANSEN. If I recall—

Ms. BILLINGS. I would like to consult with the people who have been working on strip mine legislation and come back to you with a response.

I am not trying to say we are not sensitive or the fact that there is not a problem.

To take care of that problem, it is going to be necessary to use Federal funds. I understand that.

Senator HANSEN. If I recall, I do not think the Senate bill addressed this problem at all.

This was some of the extra consideration undertaken by the House.

If it was my feeling, if you were to get into this sort of activity, we ought to be trying to be doing the work first, where there is yet the probability of further damage occurring and to go out and fill a strip mine area out here that is not going to change, that will probably be the same 20 years as it is today.

However, under a city like Scranton, Pa., and other cities in Pennsylvania where mining activity has occurred, next year or 2 or 3 years from now, if we do not fill in those voids, we may be calling upon the public treasury for aid and assistance to meet a very serious problem.

Ms. BILLINGS. I think that is perceptive of you, Senator. I agree with you that this is a problem.

Senator HANSEN. If you would, at your convenience, have an opportunity to query your members on that issue, I would personally be interested in your observation.

Ms. BILLINGS. I will do that.

Senator HANSEN. Thank you for your appearance.

Mr. Painter had to leave. Our next witness is Dr. G. Jon Roush, executive president, Nature Conservancy.

Dr. Roush, we are pleased to have you here. I am certain you are aware that your statement will be included in the record. You may summarize it or make any observation you care, however you would like to proceed would be fine.

**STATEMENT OF DR. G. JON ROUSH, VICE PRESIDENT,  
NATURE CONSERVANCY, ARLINGTON, VA.**

Dr. ROUSH. As I am sure you know, the Nature Conservancy does not generally testify on legislation, but this deals—

The conservancy is the only nature organization dealing solely with land preservation and as part of our activities, we have in our Government cooperation projects, engaged in land acquisition projects totaling over \$60 million, much of which has made use directly or indirectly of BOR funds.

We have, in the course of that, come to have a considerable respect for the way these funds are handled and I think a good professional understanding of the kind of good work they can do.

Very briefly, our testimony makes two recommendations concerning the legislation before you.

One, we recommend a mandatory annual funding at a minimum level of \$1 billion for the Land and Water Conservation Fund.

Second, we recommend increasing of the ratio from 50-50 to 70-30 across the board.

There are reasons for these recommendations. They are spelled out in considerable detail and will let our recommendations stand.

Senator HANSEN. Let me say, Dr. Roush, I am aware of the activities of the organization you represent here today.

I commend that organization. I think it was truly an inspired idea that brought about its formulation and I know, from what I have been told, you have stepped in and acted quickly when Government obviously could not act.

Certainly less than very deliberately, you have been effective in saving the Government or States possibly many hundreds of thousands of dollars.

You have been able to move in a manner that preserved an object that was worthy of preservation when absent your presence, it might have been lost for all time or put to some other use.

I want to take this opportunity to thank you for your interest, for your appearance and to say a very sincere word of appreciation to the Nature Conservancy.

I happen to live in a part of Wyoming where people talk about nature conservancy, what you have done.

Dr. ROUSH. Thank you.

Senator HANSEN. Scanning your written testimony, I see you make the two recommendations there be an annual funding of \$1 billion and further increasing the Federal matching ratio from 50-50 to 70-30.

I shall take occasion, very quickly, to read your statement in its entirety and I am sure the other members of the committee will be equally interested as I am.

Dr. ROUSH. Thank you very much.

[The prepared statement of Dr. Roush follows:]

# The Nature Conservancy

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THE LAND AND WATER

CONSERVATION FUND

Testimony Delivered Before the  
Subcommittee on Parks and Recreation  
Committee on Interior and Insular Affairs  
U.S. Senate

G. Jon Roush, Executive Vice President  
The Nature Conservancy  
August 2, 1974

My name is Jon Roush, and I am Executive Vice President of The Nature Conservancy. I appreciate this Committee's invitation to present The Conservancy's views on bills now under your consideration regarding the Land and Water Conservation Fund.

I. INTRODUCTION

I would like to acquaint you first with The Nature Conservancy's activities, so as to put our position into perspective and demonstrate that our views should, we feel, be afforded substantial consideration in your deliberations.

The Nature Conservancy is the only national conservation organization, receiving its support from public donations, whose resources are devoted solely to the preservation of ecologically significant land. Within the last twenty years, we have saved over 700,000 acres of forests, marshes, prairies, mountains, beaches and islands in over 1,192 projects throughout the United States. We achieved these accomplishments in several ways: by outright purchase which is then repaid through contributions; by accepting gifts of land; by acquiring conservation easements; and by assisting other organizations in acquiring or protecting natural lands.

This last category should be of special interest to your Committee because a growing number of our projects are on behalf of government agencies. If a property that is on an agency's acquisition list becomes available, we can secure and hold it until

the agency has the funds to buy us out at cost (which is almost always cheaper than it would be if the agency had made the purchase itself). To date, we have participated in 98 government "co-op" projects, placing 171,552 acres in the public trust, for a price of \$60,496,078.

As the private leaders in land conservation, and as experts in the public utilization of Bureau of Outdoor Recreation (BOR) monies, we have several recommendations about the Land and Water Conservation Fund. Having studied the various proposals before your Committee, we are choosing to address ourselves to the broad justifications for increased funding and greater Federal incentive for state and local land acquisition. To this end, we propose:

- 1) Mandatory Annual Funding at a Minimum Level of One Billion Dollars;
- 2) Increasing the Federal Matching Ratio from 50-50 to 70-30.

Following a discussion of these points, I will also talk about the critical need for funding outright Federal land acquisition, and about the importance of preserving natural areas in general. At the end, I have attached an Appendix documenting some state/BOR-assisted projects The Nature Conservancy has undertaken.

I hope you will then come to agree with us that land is one of the most valuable resources we have. It is also one of the most expensive. Consequently, the proposed one billion dollar funding level is actually a pittance compared to the need.

II. MANDATORY FUNDING LEVEL OF AT LEAST ONE BILLION DOLLARS

The Land and Water Conservation Fund is the principal source of funding for all government acquisition of land for parks, recreation and natural areas, yet it barely begins to meet the true need. If the presently authorized ceiling of \$300 million is inadequate, it is especially unconscionable that an even lower level of funds is actually released. We are therefore calling for mandatory annual appropriation and release of at least one billion dollars.

As you are all aware, we are in an era of escalating land prices and inflation. Government at all levels is not adequately coping with the nation's need for ecological and historic land preservation. Rapidly increasing demands are being placed upon recreational areas; there is increasing concern for the quality of life. The Nature Conservancy is all too familiar with pressures upon the land and the difficulties and costs involved in preserving it. We urge the Federal government to enable its agencies and state and local governments and other groups to do much more.

Land is a finite, irretrievable resource. What we do not preserve today, we have to pay much more for in the future--if it is still available. We also lose the option of preserving it, and the further option of then deciding at some later time what purpose to use it for. We believe it is uneconomic as well to

pass up the opportunity to preserve natural areas, because they comprise a renewable resource pumping life into the rest of our ecosystem.

There is a definite need for a fully-funded, stable, long-term source of funding for land acquisition, so as to give more security and flexibility to those groups planning and negotiating acquisition projects. Virtually every such government project encounters difficulty because of red tape, time lag and uncertainty of funding. This is why an organization like The Nature Conservancy can play a key role, but the less certain a project is of receiving Federal funds, the harder it is for us to operate too.

The fact that the bulk of the monies in the Land and Water Conservation Fund comes from revenues derived from offshore mineral leases offers another compelling reason why the Fund should be increased. Projected revenues for next year and the foreseeable future are estimated at eight billion dollars annually. It is only equitable that monies gained from exploiting America's resources under the sea be plowed back into preserving her natural resources on land.

In the context of the great demands placed upon this Fund, the crucial needs it is attempting to meet, its relatively small percentage of the Federal budget and its ease of funding, to allocate any less than one billion dollars annually would be a national tragedy.

III. INCREASING THE FEDERAL MATCHING RATIO TO 70-30

State governments, in attempting to set their fiscal and substantive priorities, should receive more incentive for land preservation from the Federal government. Because the Land and Water Conservation Fund is a good, simple and flexible vehicle for this purpose, we recommend that its matching grants be given at a ratio of 70-30, rather than 50-50.

Demand for monies from this Fund is high and we expect it to grow higher as states develop their capacity to plan and acquire parklands. Going into fiscal year 1975, some 18 states have "zeroed out" or do not have any carryover allocations, and many others are nearly at the end of their allotment. As a result, there is considerable demand for monies in the Secretary's discretionary fund (the top 5% of the total Fund plus monies that revert if a state fails to use its distributed amount). I might add that the demise of the Department of Housing and Urban Development's Open Space Program means that conduit is no longer available to state and local governments.

Leftover monies in the Fund may be explained by the fact that the current matching ratio of 50-50 is a disincentive. It is the lowest of any major Federal program, and many states would prefer to stretch their dollars farther in directions that offer more Federal assistance. We feel that an even higher matching ratio of 90-10--such as supports the Interstate Highway System--would be justified, but we are willing to settle for 70-30.

As an indication of increasing interest in land preservation, all but two states have initiated some form of land use study or program. Many states and local municipalities are beginning to pass bonds for land acquisition: California just passed one for \$250 million; Florida for \$200 million; Hamilton County in Ohio for \$20 million; Wayland Township in Massachusetts for \$10 million, etc. This kind of local initiative is both dependent upon and deserving of Federal assistance.

Virtually all states are in various processes of upgrading their land preservation activities and The Nature Conservancy is taking an active role in assisting them. We have created a program to inventory and catalogue a state's significant natural areas, in conjunction with local advisory groups; we then assist in pre-acquiring these areas on behalf of the state. Another part of our package is a study, with recommendations, of natural areas legislation, regulations, financing mechanisms or whatever seems appropriate for that particular state. We hope to create a viable system that can be applied to every state and will mesh with Federal natural areas preservation efforts.

Once a "heritage" program, as we call them, is underway in a state (such as South Carolina), we hope and expect that the state will make good use of the Land and Water Conservation Fund. Another valuable tool for enabling states to plan their recreational needs is, of course, the Statewide Comprehensive Outdoor Recreation Plan (SCORP) which states must submit to qualify for assistance

under this Fund. The SCORPs themselves can be financed with grants from the Land and Water Conservation Fund, as can inventories such as those made under our heritage program. Thus, the Fund performs still another service in promoting land conservation.

We have found that monies from this Fund, channeled through BOR, can make a real difference to the states in many ways:

\*\*Approximately twice as much land can be purchased.

\*\*States have difficulty appropriating enough money for parklands, and they have the same problems acquiring inholdings that the Federal government does. More money for states would mean they will look less to the National Park Service, for instance, to purchase land, thereby obviating controversies over the relative criteria of national versus state parks.

\*\*States profit from the fact that BOR matches park acquisitions at its appraised fair market value, regardless of whether the land was donated or bought at a bargain price. As a result, The Nature Conservancy can arrange some very advantageous deals for states, as will be described in the Appendix.

IV. FUNDING FOR FEDERAL ACQUISITION

Because the Federal governments needs for land acquisition are so well identified, and the amounts necessary are so large, we believe that--in addition to encouraging states to purchase more--the Land and Water Conservation Fund should be made sufficiently large to accommodate the Federal sector too.

The Federal government has a backlog of desired acquisitions amounting to an estimated \$2.3 billion. Federal agencies tend to do a good job of inventorying prime natural areas, and the sites on their priority acquisition lists are threatened daily until they are purchased. Inholdings also present a tremendous problem as you know, and should be purchased as soon as possible--at today's price.

I wish to speak here especially about the Endangered Species Program under the Fish and Wildlife Service. It is of keen interest to us because it promotes something we strongly believe in: the preservation of habitats of endangered species. Its sole source of funding is the Land and Water Conservation Fund, and it is strictly a Federal program, yet its budget for FY '75 is only \$1.3 million! This will acquire exactly two preserves, and future funding does not presently look much better.

The single State of Hawaii serves to illustrate the inequity of this Program's funding. Since it is the home of an inordinate number of endangered species, the Fish and Wildlife Service

estimates it would take at least \$15 million to purchase habitats of endangered waterfowl and forest birds in this State alone. The Nature Conservancy was asked by a private party to preserve a Hawaiian fishpond because the monies did not seem to be forthcoming from the Federal government, but we had to decline because it is too expensive; the result is that it will probably be leased to a developer.

V. NATURAL AREAS, AND SUMMARY

Speaking of endangered species leads me to my final point, which is: we earnestly hope that government at all levels will give the highest priority to utilizing money from the Land and Water Conservation Fund to acquire natural areas. By natural areas, we mean land that is particularly significant ecologically, fragile, and/or the habitat of endangered flora and fauna.

Let me try to cite some reasons why we feel maintaining biotic diversity is so important:

**\*\*Every species is unique and impacts upon every other species in some way that has a bearing upon the total ecosystem.**

**\*\*Diversity itself ensures that overall adaptive and restorative mechanisms will perform in a healthy way despite occasional ecological abuses. Conversely, consider the plight of Southern tobacco fields, long ago stripped of their original flora. Constant planting of tobacco wears out the soil; if something happens to ravage the tobacco crop, what is left to rejuvenate the land?**

**\*\*Species we may not currently think are important nevertheless form genetic pools or reservoirs we may wish to turn to when we have exhausted other natural resources. Certainly the energy crisis has made us aware of this problem. Another ramification arises from the potential hazards of selecting-out species diversity: We have plowed under most of our**

virgin prairies and planted them in corn. If a comprehensive corn blight were to occur, we might want to go back to those indigenous prairie grasses to develop a new strain, but we no longer have the option of doing so.

\*\*We think it is important for the human psyche to experience biotic diversity.

Our credo is Aldo Leopold's observation that "the first rule of intelligent tinkering is to save all of the pieces." Although scientists have only just begun comprehensive species cataloguing, they are already alarmed at the rapid rate at which mankind is extinguishing species. We believe that the larger a species' habitat is, the better; indeed, in the long run, it may be that only the largest preserves will insure species survival.

What we can do here and now is identify the species and natural areas that still exist, lay appropriate plans to preserve them, and then take the necessary action. The advantage of such studies is that they provide data with which to make sound land use decisions. We are not against limited, rational growth. Probably only 5-10% of the land area of a given state is true natural areas deserving of protection, but until we know where that land is, it will continue to be destroyed.

I am reminded of the case of Baldhead Island in North Carolina, which the National Park Service described in 1955 as one of the five most outstanding areas for recreational, biological

and historic purposes on the Atlantic Coast. When this Island was first proposed as a state park in 1937, it could have been bought for a dollar an acre. As it happened, it has been purchased by a developer and is lost for all intents and purposes.

The other half of our proposed remedy calls for money, and this is where you--as Representatives of both the people and the land--can make the difference. Land is too precious, both figuratively and literally, for its preservation to have to hang upon the slender thread of less than \$300 million per year, yet the Land and Water Conservation Fund is practically the only vehicle we have to work with. The Fund must be enlarged, particularly in view of the present and proposed multitudinous demands being placed upon it. One billion dollars a year will not be a complete panacea, but it offers the best opportunity we have right now.

In closing, let me repeat that land is a fragile, finite resource. What we have saved and what we will save in the next few years will be all that will remain to pass on to future generations. There will never be another chance.

## APPENDIX

VI) EXAMPLES OF STATE/NATURE CONSERVANCY BOR FUNDED PROJECTSGEORGIA:

As a precursor of our new state natural areas inventories program, TNC helped the State of Georgia establish a Heritage Program in 1972 to identify and preserve significant recreational, natural and historic areas. The inventory was undertaken with the help of a BOR grant of \$132,000.

The legislature was persuaded to appropriate \$12.5 million in 1972, with a projected appropriation of \$10 million annually for the next 10 years thereafter. By 1973, however, the State had received funding preapplications totalling \$34 million and the Georgia Trust Advisory Commission reported that by fiscal year 1975, it would take a total of \$71,279,525 to acquire and begin initial development of the 41 selected sites.

Our principal government co-op project for Georgia is an attempt to assemble land along a 4,000 foot wide corridor of the Chattahoochee River, which is probably the most unspoiled scenic, historic and ecologically valuable river remaining in any major metropolitan area of the country. BOR again provided funds for the initial plan for 48 miles of this River formulated in concert with the Atlanta Regional Commission and interested private groups. Since then, many BOR grants have flowed to the State and local municipalities for purchase and development of recreational facilities.

Status:

To date, TNC has preacquired 383 acres of Chattahoochee park land

for the State for a price of approximately \$3 million. The State now has a total of about \$6 million committed to this important project for which it is not presently able to obtain matching funds.

NORTH CAROLINA:

North Carolina is an example of a state that needs a lot more assurance of Federal funding before it will undertake necessary steps to develop a truly appropriate parks program. It ranks 36th in the country in terms of park acreage per capita.

After spending only nominal sums in this regard for years, the State decided to appropriate approximately \$17 million in 1973-74 for acquisitions and "improvements". It was fully committed within 6 months, and served merely as a catalyst for the acquisition of key tracts already identified and approved by the State as high priority.

A beneficial side effect was that with this evidence of positive land acquisition by the Department of Natural and Economic Resources, gifts of land came in from all over the state, so that for every \$3 of land received, only \$2 was paid.

It is estimated that North Carolina could easily spend \$10 million a year for the next 5 years just to acquire land within parks already identified and authorized. However, the citizens of the State recently declined to approve a \$50 million bond issue for this purpose, primarily because it struck them as "too much too soon" --- not enough groundwork had been laid by the State and, given the present funding level of the LWCF, assurances of Federal assistance did not seem encouraging.

A major Nature Conservancy project for the State is the Eno River assembly, in the fast-growing piedmont section, a 20 mile project along a river similar to the Chattahoochee in its importance. To date, we have acquired 459 acres. One parcel we negotiated demonstrates how much time and effort goes into trying to maximize the acreage for the money: It included 50 acres of bottom land along the River and almost twice as many more on the adjacent slopes. We sold the 50 acres to the State at 1/2 market value which the State paid for with matching BOR funds and thus did not have to put up any of its own money. Our investor in this project ended up with a tax credit of 20% from having sold at the bargain price and made a nice profit. We sold the remaining acreage to a developer with restrictions on the number of units per acre. His acreage was then worth more because of the natural area preserved below, and our prior investor made a nice profit too.

Status:

However, all further work on the Eno River project is now being jeopardized because of the lack of available BOR funding assistance.

VERMONT:

TNC enjoys a close working relationship with Vermont, foremost state in the nation in land preservation, and a large proportion of projects we do in this State are transferred over to it.

We recently concluded conveyance of 3,100 acres known as the Chaloux Tract to the State's Agency of Environmental Conservation to be used as an addition to a State forest. The property contains most of the watershed for the Waits River headwaters, the summits of two mountains,

northern hardwood forest vegetation and typical wildlife. Appraised at a fair market value price of \$450-\$470,000, we bought it for \$392,000. Vermont will repay us with the aid of Land and Water Conservation Fund monies.

OHIO:

Ohio is another state with a good system of land preservation and good working relationship with The Nature Conservancy.

Two examples of projects we did for the State Department of Natural Resources are notable because we raised money from private donors and foundations to pay for a portion of the State's matching share towards BOR assistance! In the process, we naturally succeeded in getting the State more interested in seeing these projects through to completion. They are Stages Pond --- a 123 acre glacial kettle, and Irwin Prairie --- a 142 acre semi-aquatic habitat of the rare spotted turtle.

The Little Miami River is a major preservation project in Ohio. The private sector originally got involved by forming Little Miami, Inc., which The Nature Conservancy assisted by purchasing 68 acres. The State of Ohio then established a state scenic river system as part of its plans for the Little Miami. The Federal government promulgated a joint Federal/State study team in 1969. At the time of its dedication as a National Wild and Scenic River, BOR had approved over \$1 million in matching funds for the State.

Status:

The Nature Conservancy now has an agreement with the State to

create a 6 month acquisition plan for the remaining desired parcels along the River. The State has set aside \$2 million for this purpose, but the project is in abeyance pending the availability of Federal matching funds.

COLORADO:

The Nature Conservancy's first project in 1974 was the Bodo Preserve in Colorado, an exciting acquisition that has generated interest in land conservation in both private and public sectors. Declared the highest priority acquisition by the State's Division of Wildlife, this 7,100 mountain valley basin is the most desirable winter range for deer and elk in the State. Purchase price was \$1 million, although fair market value was \$1.2-\$1.4 million; we are selling it to the State for \$500,000 because it can get matching assistance. We are able to stagger our own terms of payment with the former owners over a 4 year period (4 equal payments of \$250,000 plus interest) so as to coincide with the State's capacity to reimburse us (thus, we did not require any outside financial assistance to purchase the preserve).

Status:

However, if Land and Water Conservation Fund monies to the State are delayed, our financial arrangements will be jeopardized.

CALIFORNIA:

California is the scene of an interesting BOR assisted project preserving one of the few lagoons remaining in a natural state in the southern part of the State. Called Buena Vista (near San Diego),

it is an important stopover on the Pacific Flyway, lending shelter to pelicans, herons, egrets and ducks.

It took us 12 years from start to finish, but we managed to persuade about 20 landowners in the area to donate their percentage of ownership in the lagoon to us. We then held the land for donation to the California Wildlife Conservation Board, who petitioned to the State for matching BOR funds. The State was able to apply the value of our donated land towards its share of BOR funds. The ensuing BOR grant of \$543,550 --- added to an earlier BOR grant used to purchase additional acreage --- meant that a total of 190 acres is now forever wild.

Senator HANSEN. I would like to call Dr. Ernest Connally back to the witness stand.

Dr. Connally, as you know, is Assistant Director in charge of professional services for the National Park Service.

There are some questions that may be helpful in further exploring your knowledge of what is needed and what might be done and if I may, I would like to ask you some written questions.

Do you happen to have a copy of these questions?

Dr. CONNALLY. No, sir.

Senator HANSEN. I can read them to you. However you would like to respond, if it be more acceptable to you to submit answers in writing, I would think that would be perfectly all right.

Let me read the questions and you may decide how best you would like to respond.

With respect to historic preservation, the first series of questions deals with the funding level.

One, what are the current needs of this program?

Two, what are the long-term needs? Are we falling behind or gaining on the needs?

How long would it take to realize the program's objectives and at what level of funding?

Three, how was the private sector participating in this program?

Four, would not a higher level of funding stimulate more private contributions?

The next set of questions deals with separating the fund and matching formulas.

Now, having heard that first series of questions, would you like to respond orally?

Dr. CONNALLY. Mr. Chairman, the Department's position was stated in the testimony this morning by Secretary Kyl.

There were not, however, any questions directed specifically toward the historic preservation program.

Those questions do not sound extremely difficult. I am prepared to give factual answers the best I can to the questions, if you would like to put them to me.

Senator HANSEN. That is fine, if you like. Let me back up with the first question on the funding level.

What are the current needs of this program?

Dr. CONNALLY. Mr. Chairman, we receive, each year, at the beginning of the fiscal year, the annual preservation warrants from the States.

Those come to us in the nature of a supplement to the statewide historic preservation plans.

Those warrants describe the program for the coming year as proposed by the States and certify, in addition to the money that is available in the States, for their part of the program, which we run jointly with them.

The figures for fiscal year 1975, Mr. Chairman, are \$164.8 million for 1920 projects.

That includes the statewide surveys and the projects for the National Trust which are few in number, but mostly for acquisition and development, 1860 acquisition and development projects.

Senator HANSEN. Have you completed that? That does respond to the first question.

I understand you to say \$164.8 million.

Dr. CONNALLY. The total estimate is—

Senator HANSEN. What are the long-term needs? Are we falling behind? How long will it take to realize the program objectives and at what level of funding?

Dr. CONALLY. As you know, Mr. Chairman, we conduct this program in a partnership with the States.

At the invitation of the Secretary of the Interior, when this program first got going about 7 years ago, each Governor appointed a State historic preservation officer, of all of the 50 States and the 6 other jurisdictions.

The trust territories are included and have appointed a State historic preservation officer.

Sometimes they have official capacities in the State governments.

You heard from Mr. Latimer from Texas a moment ago.

We try to work with the States, not only individually, but we work with each of those individual State historic trust officers, but we try to take into account in the conduct of the program, the States' views, hearing the States with one voice to the extent practicable.

On their own initiative, the States have formed this organization and we meet with them.

It is clear to all of us that we have 7 years experience with this program.

We are probably in a position where we could make reasonable estimates as to what is really involved in historic preservation in the United States.

We have the National Park Service, and the State historic preservation officers and we have come up with estimates which we believe are valid.

The purpose of those was simply to make a reasonable reliable estimate of the magnitude of the problem we are addressing ourselves to.

Our grants-in-aid are for properties on the National Registry of Historic Places which now numbers nearly 10,000.

We know, after a number of years' experience, the rate of growth of the National Register.

We also know the rate is increasing. It doubled every 18 months.

We know over a number of years of experience what the average asking is for the individual projects that come in in these annual programs.

It is an easy matter to lay it out on the chart and see where the line crosses.

Five years hence, then there should be something like 55,000 properties on the National Register.

Senator HANSEN. There are 10,000 now?

Dr. CONNALLY. Approaching 10,000, Mr. Chairman.

With the rate of increase that experience has demonstrated, there should be about 53,000. We know that is still not the full magnitude of the eligible properties, especially archeological sites.

There are preliminary State inventories which indicate there are thousands of archeological sites.

Missouri has 30,000 or 40,000 archeological sites. However, those would be on the National Register as single entries.

Surveys done by the States have indicated the ultimate magnitude of our—would be 100,000 registrations.

By way of comparison, that is about the size the Soviet Government maintains, I learned recently.

This includes historic districts and in historic districts, there are often many buildings, so a district is one entry.

Sometimes individual buildings in a district are named too, so ultimately there would be about 100,000 and that would be the upper limit it would go.

To go back to my graph, to the first 5 years on the graph and just add up the dollars that would be necessary in that period of time to take care of the requests at current rates.

The Federal cost would be \$2 billion. That would be \$400 million per annum for 5 years.

At that time, when the National Register would have reached a size of about 53,000 listings, still less than half of the registered properties would have been assisted.

That seems very reasonable to me, except I do worry because every old building I know needs help of some kind, even sites need development of some kind and so far we have not funded any new construction of that type, although it would be legal and eligible, simply we have not enough money.

We have discussed this with the State historic preservation officers and from their experience this is a valid estimate for the next 5 years.

Beyond that, I think it is a little less firm what will happen to that line, but based on the State's inventories, it would approach 100,000.

Over 5 more years, I do not believe that all of that survey can be done in less than about 10 years.

That would make the total then \$4 billion for 10 years and that ought to overcome the great bulk, the serious need of this accumulated, long term and neglect of historic properties.

The State historic preservation officers have stated this as well.

They have also said the total cost of that in their judgment, would be about \$6 billion.

In other words, what the States are telling us is they see the total need in 10 years time to overcome this deficit as \$6 billion, of which they think \$4 billion would have to be Federal assistance.

Senator HANSEN. They would put in one-third and the Federal Government two-thirds.

How does the private sector participate in this program?

Dr. CONNALLY. Our grants are made to States and to the National Historic Trust.

It is not for acquisition by States, land for States and historic—those funds may be transferred by the States to private organizations and even private individuals.

One of the purposes of the act was to stimulate the private sector.

Of course, the National Trust for Historic Preservation represents, at the national level, the private sector in the historic preservation movement in this country and the National Trust is named in the act as a particular beneficiary of this act, slightly different from the States.

In a typical case, there is an old house, an important mansion in the town, and the land mark identified with the history of the town, a local group is either given the house or is able to buy it and they restore it as their local museum or something.

They raise money locally, businessmen, private individuals and so on, gifts are given to their local historical society and they talk with the State preservation officer and he can put that in his list of priorities for annual submission to show how much money is available.

That is private money. The percentage currently is about—that is, of this matching money—\$164.8 million; \$160 million of that would be from the States.

Of that State money, which is about \$160 million, about 40 percent of that would be private money.

About 10 percent, money raised officially at the local level, municipal taxes, that sort of thing and about half of it State money, either from State appropriations or bond issues.

That is about the proportion we find in this program.

Senator HANSEN. Would not a high level of funding stimulate more private contributions?

Dr. CONNALLY. I think the answer to that is inescapable. Yes, it would, Mr. Chairman.

As long as the program is funded at the level it is, we have the problem that Mrs. Blount mentioned in San Antonio.

I believe they cited a figure of \$20 private money for each \$1 of Federal money that gets down to the local level.

To keep the facts as clear as we can, Senator Hansen, I would like to point out, our grants to the State do go to the local level.

They are not all kept in the State capital. They do go out and I think the reason people like Mrs. Blount feel, and feel very strongly that those localities are going to get the moneys just because the screen gets so thin by the time it is spread out to that extent, but undoubtedly, it would stimulate it.

In fact, that whole potential in our experience has simply not been realized yet.

Senator HANSEN. The next series of prepared questions deal with a separate fund.

Would not the establishment of a special fund in the treasury for historic preservation grants avoid the necessity of trading off the demonstrated needs of this program, against other needs of various kinds when the Department sets its annual priorities?

Dr. CONNALLY. Undoubtedly a separate fund would identify the program, so there would not be competition.

You would not have to decide between apples and oranges.

If I understand the way the question was raised, the answer is "yes."

It would avoid a difficult internal problem of assessing priorities.

Senator HANSEN. Would not a special fund give stability and continuity to this program which requires long-range planning?

Dr. CONNALLY. Yes, sir.

Senator HANSEN. What information do you have that would support a change in the matching formula from the 50-50 to a 70-30 Federal-State or some other ratio?

Dr. CONNALLY. Mr. Chairman, the information we have from the States is that they would like to have and this is a position that was

formally adopted and relayed to us, they would like to have the 70 percent Federal 30 percent State match for the conduct of their statewide surveys, statewide plans and projects.

The reasons for that, as I understand their problems, first of all, it is much easier in the States to raise money both public and private for visible projects for the restoration work itself, than it is for the necessary ongoing planning and survey work which is crucial to the whole problem.

We know this from dealing with the States. The States need help in improving their professional staffs and to have more ongoing-type programs.

We know some State offices have practically no permanent personnel, yet the State plans generate nominations to the national register, which is not only our capital inventory of historical sources, but it is also a protective inventory.

The registrations are protected under law and have to be able to stand up in a court test, so we are very serious about the quality of these registrations.

After all, the final authority is the Secretary of the Interior and we are doing this on a cooperative basis at the discretion of the Secretary, rather than set up a Federal bureaucracy.

However, it is his authority and we want to do everything we can to encourage them to hand in their best nominations to the National Register.

Then they become somewhat involved in some type of Federal activities under the National Environmental Policy Act and the Historic Preservation Act.

They are often consulted on environmental impact statements. They are involved in consultation under section 106 of the National Historic Preservation Act where Federal projects might conflict in the identifying of Federal projects and so forth.

The new federalism, as it is sometimes called, would be worked by the Federal Government and it would be appropriate to have a greater share of that funded by the Federal Government.

It is important, I think, for the long-term purposes of the program, that we get as early an identification of all of these resources as possible so that we do not have emergencies down the road when the highway is being built and the local historic district is nominated at the last moment.

Senator HANSEN. You have described a situation, in your response.

Dr. CONNALLY. There is another problem brought to our attention.

The States have suggested to us the matching formula for this aspect would be something like 90 percent Federal, and 10 percent State and they have communicated that position to the National Park Service.

There they are talking about the kinds of large very important historic districts and individual monuments that would be very expensive to stabilize and restore.

Generally there are two kinds of those, Senator Hansen. They are either historic districts in areas very thinly populated, such as some of the towns in the west.

I saw Virginia City in Nevada not long ago.

Senator HANSEN. Atlantic City in Wyoming would be another one like that, I would suspect.

Dr. CONNALLY. Deadwood, S. Dak., is another.

Some of those towns, the whole historic core of the town is a national historic landmark.

That is, it has been found to formally—the state historic preservation officer in Nevada says there is no way in the State now, with this population and this locality, and the locality of this population we could raise even half of that money.

The other kind of problem is in places that have great concentration of historic buildings, places like Annapolis, which we heard about this afternoon, Charleston, New Orleans, San Antonio and so on. Where they have so many things to look after, they simply do not have the resources to take care of all of them.

Those places—all of the older part of Annapolis is that, Charleston, New Orleans and so on, so we see as the warrants come in, Mr. Chairman, the big monuments are not included except for occasional patchwork and some of those will require, for example, the Exchange Building in Charleston is the key monument in the whole historic district.

The price tag on that is \$3 million. I have a number of samples I could cite. That is \$3 million for the Exchange Building in Charleston.

They have so many things to look at, even the Federal Government could put up \$1½ million on a matching basis.

The State would not give it to them. The State says they have given them too much already, so we say those monuments that are of interest to the Nation as a whole, should have special funding. They are also eligible for inclusion in the National Park Service.

For instance, the Mission in San Antonio, it has been suggested this whole string of missions below San Antonio, the river and all, should be a national park, but the position of the administration—the question of alternatives has been put to us by the Congress quite frequently in this room.

An alternative would be—those are national historic landmarks—the land and water conservation fund through an appropriate Federal contribution in a historic preservation fund to take care of those buildings.

The stone just does not seem to be just pollution. We do not know what is causing it. There are technical problems like this that we need to study before we even know what to do.

It is this kind of study that is necessary in advance planning and project planning, Mr. Chairman, as well as the statewide planning that the States have preference to as well.

Their problem with respect to that planning is much like the problem we have in the National Park Service where we find in our budget structure an item for advance planning.

Our work is done on historic structures very often and it is not like hiring a firm of architects for completely new construction work.

There is archeological research and architectural research before identification and the determination of what is required. This sometimes takes several years, but the other part for which they suggest the 90-10 are these important large buildings that are not now being covered, buildings that are nationally significant. They feel if there is national significance, there is national responsibility.

I hope my testimony will be clear on this point. The States have related this to us.

Senator HANSEN. You have been very helpful, Dr. Connally. I thank you for the contribution you have made.

You have certainly spelled out specifically what some of the problems are.

Dr. CONNALLY. It is a pleasure to be here. Any information we have, we would be happy to share with the committee.

Senator HANSEN. Mr. Cooksy, I wonder if you would mind returning to the witness stand to answer some questions?

I am informed for the record, Ronald Cooksy represents the Bureau of Outdoor Recreation. Some areas I think might be helpfully explored that were touched upon this morning. It would seem there was an indication that they needed to be explored further than time provided.

Could you respond to the effect of the Redwood judgment in the Arcadia case, Mr. Cooksy?

Mr. COOKSY. Not very intelligently, sir. I do know the judgment which we received just last week was nearly twice our estimates. The judgment was somewhere in the neighborhood of \$96 million.

The total amount set aside in 1968 when the bill was passed was something like \$92 million for the entire park.

Obviously, it means since this area was one of the few national parks established by a legislative taking, it has a high priority, if not the top priority for Federal funding.

It is going to put a severe bite in the Federal side of the land and water conservation fund moneys.

Senator HANSEN. There was a legislative taking in the Redwoods area by virtue of that legislative act. The property has been declared to be Federal property or it will be preempted by the Federal Government, but it has been sometime from the passage of that act to the moment of legislative taking.

Time has elapsed between that point and where we are now. Full payment has not been made to the owners of the property affected. Is that the situation?

Mr. COOKSY. That is correct. On October 2, 1968, the Redwoods National Park was passed and that property essentially became Federal property.

All that remained was for the Federal Government and the private landowners to negotiate a price.

This \$96-million judgment on behalf of Arcada Redwood Co. was one part of that.

Senator HANSEN. No part of that has been paid?

Mr. COOKSY. Yes, sir, money has been paid to Arcada.

Senator HANSEN. But full payment has not been made?

Mr. COOKSY. No, sir.

Senator HANSEN. What about the future expected revenues from the Outer Continental Shelf leasing? Would you venture an estimate as to what you think we might expect?

Mr. COOKSY. It is my understanding those revenues will be approximately \$7.6 billion this fiscal year or next.

They will reach \$8 billion annually within the next couple of fiscal years, remaining at that level for some unforeseen period.

Senator HANSEN. As I recall, the President called for the leasing of around 10 million acres a year. Is that right?

Mr. COOKSY. That, I do not know, sir.

Senator HANSEN. I believe we have been leasing about 3 million a year.

I will pose that question for the record at some later time, but I believe I read the President has called for the leasing of substantially greater acreage than the lease and I make that suggestion that we might have more revenue coming in.

Your projections, I suspect, were made on a uniform amount of acreage being leased each year; is that right?

Mr. COOKSY. That I do not know, sir.

Senator HANSEN. What is the general land price escalation in urban areas, recreation areas, et cetera?

That is, how much more will these lands cost in the future?

That is a very general question. I might want to suggest you might want to put down some parameters of your own.

I would hate to respond to a question asked of me like that.

I suspect the best a person might do is to recall what happened in the past.

The Bureau of the Census or the Department of Agriculture has a figure that farm lands, agricultural lands, escalated 25 percent last year, in 1 year.

I think it is safe to say urban lands are escalating somewhat faster and the qualities that make land suitable for recreation are the same qualities that make it suitable or desirable for most other uses.

Senator HANSEN. Without trying to quantify precisely what might happen in the future, is it fair to assume you anticipate a continuing escalation of prices in urban area with respect to all lands generally, certainly that would be true in recreation areas.

Mr. COOKSY. I think that is essentially true, yes.

Senator HANSEN. I suppose it would be your recommendation that inholdings within Federal reservations should be purchased as quickly as might be possible?

Is that right?

Mr. COOKSY. I cannot speak for the Department on that, sir, but my own recommendation would be yes, sir.

Senator HANSEN. I think that completes the questions I have, Mr. Cooksy.

Thank you for your further participation. Is there anyone else who would like to be heard before these hearings are concluded?

[No response.]

Senator HANSEN. If not, the committee will stand in recess subject to the call of the Chair.

[Whereupon, the hearing was adjourned at 4:16 p.m.]

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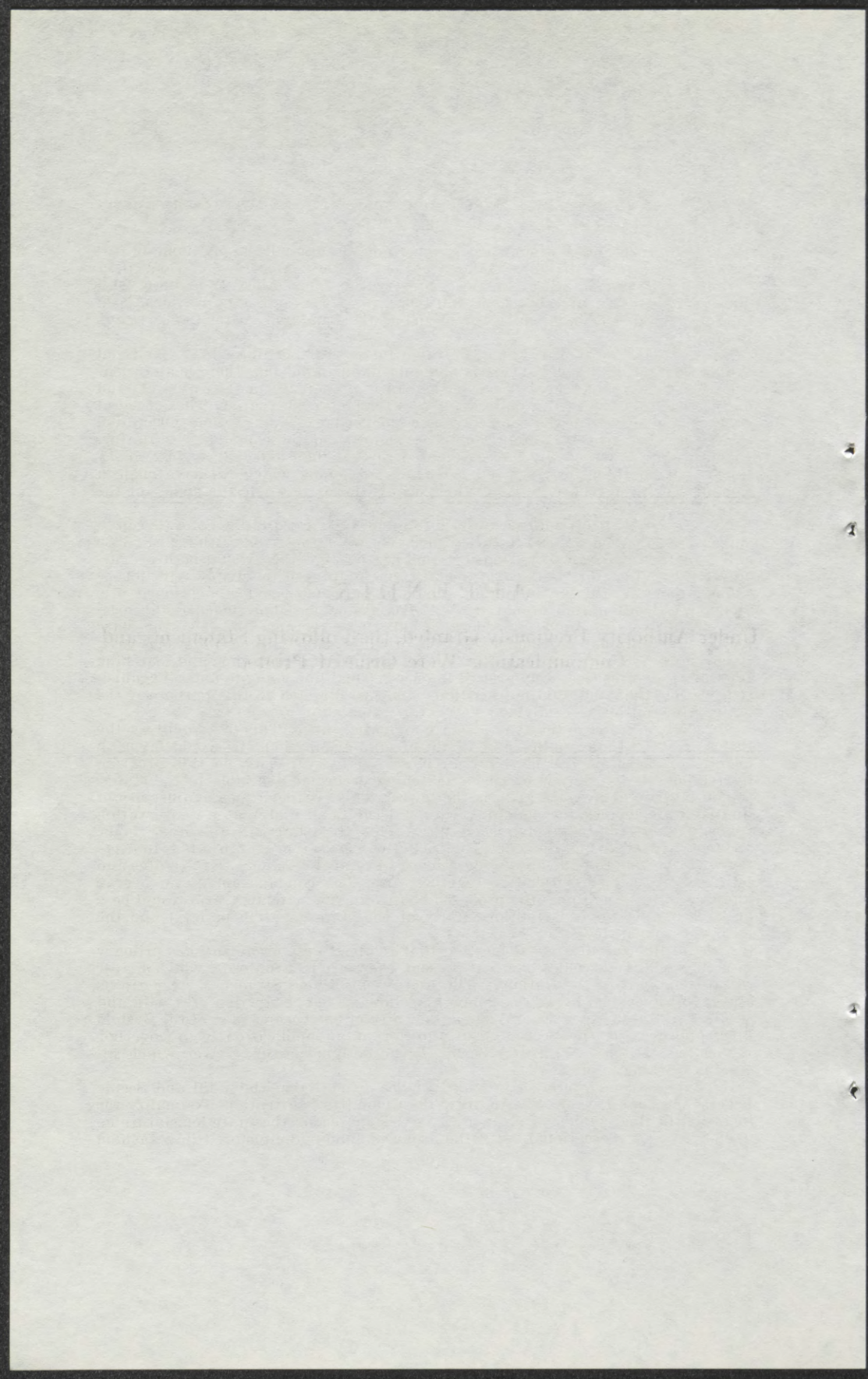
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APPENDIX

Under Authority Previously Granted, the Following Statements and  
Communications Were Ordered Printed

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PREPARED STATEMENT OF BILL PAINTER, DIRECTOR, AMERICAN RIVERS CONSERVATION COUNCIL, INC.

Mr. Chairman and distinguished members of the Committee, my name is Bill Painter. I am the Director of the American Rivers Conservation Council, a national organization dedicated to the preservation of America's remaining wild and scenic rivers. I appear before you today to express our organization's position on a number of bills which would amend the Land and Water Conservation Fund Act.

First, S. 3413, 3839, 3865 and 3866 would increase the ceiling on the Land and Water Conservation Fund. There is no doubt in our mind that there is an urgent need for such an increase. The explosive rate of increase in the value of land means that each dollar can do less and less for land conservation. Those federal agencies that draw on the fund have current needs to acquire some 3.9 million acres valued at over \$2.2 billion dollars. The cost of these lands is escalating. (Their value will probably have increased several thousand dollars just in the time taken in these hearings today.) These are lands which we have made a commitment to purchase, to delay their acquisition is to waste the money of the nation's taxpayers.

We suggest that the ceiling be raised to no lower than \$1 billion, and therefore support S. 3865 and S. 3866 in this regard. We would note that although S. 3839 and S. 3413 would raise the fund to some degree, that they would both provide only \$200 million for the federal acquisition program. This simply will not be enough to eradicate the inholding and land purchase backlog mentioned previously. A \$1 billion fund would provide \$400 million, based on the current allocation of 40% of the fund for federal acquisition programs and 60% for state matching programs. (Although S. 3839 provides \$750 million total per year, it sets up a new formula for allocation between federal programs and matching for state programs that would result in only \$200 million going to federal acquisition, rather than the \$300 million that would be directed to this purpose if the entire \$750 million were divided 40-federal/60-matching for states.)

S. 3865 would revise the federal/state matching ratios. This bill would set the ratios at 50/50 for planning, and 75/25 for land acquisition. We would favor an overall 75/25 ratio. The need for an increased federal share in this program is striking. Of the dozens of major matching programs available to the states, the 50/50 federal to state ratio is the lowest. This creates a bias against use of limited state monies for matching with federal Land and Water Conservation funds, as more can be accomplished with each state dollar with the other funds. We feel that increasing the federal share in these conservation projects is in keeping with the spirit of the "new federalism", in returning monies to the states and letting them set the priorities for their use. The combination of an overall increase in the Fund plus the proposed change in the matching ratio would be a major stimulus for conservation efforts at the state government level and the local government level.

I would like to offer one suggestion that relates to my organization's primary interest—wild and scenic rivers. At present, there are two routes by which a river can become part of the National Wild and Scenic Rivers System. A river can be added to the system by act of Congress, following the completion of a wild and scenic rivers study by a federal agency; or a river can become part of the System upon approval by the Secretary of Interior of an application by a governor requesting National Wild and Scenic River designation of a river which his state is working to preserve.

It is this second route, as provided in Sec. 2(a) (ii) of the Wild and Scenic Rivers Act, that I would like to draw the Committee's attention. To qualify for inclusion in this manner, a river must be designated by the State legislature as wild, scenic or recreational, with the adjacent lands administered in a fashion

consistent with the Wild and Scenic Rivers Act. The river must be operated and maintained without expense to the Federal Government. Finally, the river must be determined to be a nationally significant resource by the Secretary of Interior.

This is a most desirable feature of the Wild and Scenic Rivers Act, as it provides an avenue whereby the states can participate in a program of protecting rivers of value to the nation as a whole. However, at present there are no real incentives for the states to pursue this course. All that a state can get from the Federal Government is the title "National Wild and Scenic River", and the assurance that there will be no federal or federally assisted water resource projects on the designated river. (I might add that the protection from federal water projects, although providing some added measure of safety for the river, is not all that significant, as it would be politically very difficult for the federal government to force such a project upon a river that has been designated Wild and Scenic by a state government.)

Some would say that the states so indeed get something else from going this route, as they can use Land and Water Conservation Fund monies for acquisition of lands or easements along the river. However, this ignores the fact that this is no new source of funding specifically for assistance to state efforts to protect nationally significant rivers. Each state gets a certain allocation from the fund, depending in part on the state's population and degree of urbanization. The state must then match the federal share, and then can decide how to divide the money among various outdoor recreation programs. Preservation of nationally significant rivers is on an equal footing with all other recreation projects, be they of local, regional or statewide significance. Directing money toward a state-administered National Wild and Scenic River means that some other program will have to be set aside. States could spend LAWCON monies on river preservation before the enactment of the Wild and Scenic Rivers Act, and that Act has, in fact, changed nothing about how states can get assistance for such projects.

The American Rivers Conservation Council feels that if states are to aggressively pursue programs involving rivers of national significance, they must be given more by the Federal Government than a mere title. (As a matter of fact, some state administrators look upon the title "National Wild and Scenic River" as a liability, since this will draw nationwide attention to the river, resulting in greatly increased visitorship and the attendant management problems.) Some form of financial incentive must be provided if the states are to undertake the task of managing these national resources.

We would like to suggest one possible mechanism for creating such incentives. The matching ratio for funds to be used on state-administered National Wild and Scenic Rivers could be set higher than that for programs that are of local or state significance. For instance, if the base ratio were upped to 75 federal/25 state, then the formula for these National Rivers might be 80/20 or 90/10.

Now, one might ask "Why do rivers get this special treatment, while playgrounds or other types of open space programs do not? Why shouldn't my favorite form of outdoor recreation receive the same treatment?" The key here is the fact that this would apply only to those few rivers that would be identified by the Secretary of Interior as having national, rather than state or local significance. Each state would probably only have one or two such rivers. If a state wanted more of its rivers protected, it could apply LAWCON funds to them, but they would receive the same treatment, and the same funding ratio, as any other state-significance program.

It is possible that a similar approach could be applied to other programs, such as the National Trails System, which I understand has a similar mechanism for designating a state project as part of the National Trails System.

One might ask if this wouldn't result in significantly decreased investment by states in other types of outdoor recreation facilities. This is not probable for a number of reasons. First, as mentioned above, each state would probably have only one or two rivers which would meet the national significance criterion. Also, since the state could get more value for each dollar it raises for such an effort, due to the higher federal share of funding, other state-raised funds can be applied to other outdoor recreation programs. Finally, nationally significant rivers are almost always located in a rural or wild setting, where land values are relatively low, so on a per-acre-of-open-space basis, these are not expensive projects. Even considering that large acreages can be involved in a wild or scenic river unit, the use of easements and other devices help to keep the cost of these projects down.

Some might wonder why we should consider this a state effort if the Federal Government is providing 80 to 90 percent of the acquisition funds. However, one must remember that the Wild and Scenic Rivers Act specifies that for a river to be designated by the Secretary of Interior, rather than an act of Congress, that the full cost of administering the river must be borne by the state.

We would point out that one of the bills before the Committee today embraces this concept of a higher ratio for resources of national, rather than state or local significance. S. 3806, to amend the Historic Preservation Act of 1966 would provide for 90/10 matching for historic sights deemed to be of national value.

Perhaps the above proposal is not the best method of providing some incentive for states to play a more active role in the National Wild and Scenic Rivers System or the National Trails System. I do hope that it will serve as the basis for the discussion of how this need can be met.

This concludes my written statement. I will be happy to respond to any questions you might have.

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PREPARED STATEMENT OF ANTHONY T. DEAN, DIRECTOR, ILLINOIS DEPARTMENT OF CONSERVATION

I am grateful to the Committee for this opportunity to comment on the crucial natural resource and recreation issues which are presented by the legislation before the Committee today. The overriding question that must be addressed is whether the Federal government is willing to fulfill the commitments made since 1965 to fund adequately its share of the national effort to provide sufficient outdoor recreation facilities for this and future generations.

It is quite clear that the present authorization ceiling for the Land and Water Conservation Fund is inadequate to meet today's needs and demands. Leisure time continues to increase; work schedules are designed to provide larger blocks of leisure time; and energy shortages have aggravated the long-standing need for recreational facilities closer to home. In our metropolitan areas, park lands and other recreation facilities are now suffering from such crowding and overuse that the natural resource base is deteriorating.

At the same time that demands for recreational facilities are growing, the means of supplying these demands are becoming increasingly scarce. Land use competition is fierce and land prices are escalating at a near record rate. Last year, according to the United States Department of Agriculture, rural land appreciated at a rate of nearly 25%, the highest since 1920. The HUD Open Space Program has been discontinued, placing greater demands on the Land and Water Conservation Fund. Perhaps these points are elements of a familiar argument, but I would submit that these facts continue to present an especially compelling case for increasing the annual authorization of the Land and Water Conservation Fund to one billion dollars.

Unless the annual authorization is increased and higher appropriations follow, previously authorized national park additions will never be acquired. Authorized national parks which could serve the Chicago metropolitan area but which are now far from complete, include the Indiana Dunes National Lakeshore, Voyageur National Park in Minnesota, the Apostle Islands in Wisconsin and the Sleeping Bear Dunes in Michigan. Every region of the nation can point to new national parks which have been given a name but little more.

Existing national parks and national forest areas, which represent literally billions of dollars of public investment will deteriorate if critical inholdings are not acquired. These inholdings on federal recreation areas are like time bombs waiting to be exploded into private developments.

Without an increase in the authorization level and corresponding increases in appropriations the aggressive efforts of state and local agencies to provide outdoor recreation and open space will not be matched by a corresponding full partnership by the Federal government. Since 1969 Illinois has spent nearly \$55 million acquiring 70,000 additional acres of open space. Furthermore local communities have spent nearly twice that much. State and local investment in development is greater than this amount. This year Illinois established a \$4.5 million open space assistance program of its own. We were inundated with applications totalling nearly \$24 million, from some hundred local communities, 75% of them in urban areas. These applications were limited to land acquisition projects; had development projects been eligible, the total demand would have tripled. Land

and Water Conservation Fund application in Illinois are also limited to land acquisition projects and that program is also oversubscribed. The Northeast Illinois Planning Commission estimates that a \$275 million investment will be necessary if we are to acquire 60% of the high priority open space in northeast Illinois. Typical first priority developments include: (1) acquisition of additional Lake Michigan shore land; (2) creation of trail systems to link urban and rural areas; (3) additional neighborhood parks in Chicago and the densely populated suburbs. (4) an expanded county forest preserve system in each of the five counties of the area. Similarly critical needs have been identified in the other metropolitan regions of Illinois.

In 1965, Congress created the Bureau of Outdoor Recreation and the Land and Water Conservation Fund to fulfill a national commitment to more and better quality recreational opportunities for all of our people. Nearly ten years later, we must renew that commitment by devoting resources adequate to the goals we have set for ourselves.

While I believe the authorization level of the Land and Water Conservation Fund is the most crucial item on the Committee's agenda, I would like to comment briefly on several associated issues. The national park system and the national forest system are not fully prosecuting their many long overdue acquisition and development needs. This must be reflected in Land and Water Conservation funding. The state and local agencies cannot fulfill the role of protecting and managing significant and extensive natural resource areas of national and regional importance.

Land and Water funding for year-round or indoor facilities can only be considered if the fund is increased by an amount which allows continuing progress towards the original goals of the fund. Outdoor recreation requires as a first and essential component open space land. During the period when these lands are either disappearing or escalating in price, land acquisition in most urban states will continue to be a top priority. Development of outdoor facilities to expand recreational opportunities is the next order of business. Funding for year-round and other indoor facilities must be subordinate to land acquisition and outdoor developments. To merely expand the coverage of the fund to year-round and indoor facilities without a corresponding increase in the fund level is to mandate dilution and diffusion of the fund's effectiveness. Consequently, I cannot support S. 2661 unless this amendment to the Act is tied directly to an increased authorization level for the fund.

Finally, I would like to comment on the historic preservation program. For too many years historic preservation, restoration and interpretation have taken a backseat to natural resource protection and interpretation. Our natural and historic heritage need equal attention, particularly as we approach our Nation's 200th birthday. In FY 1974, 52 states and territories proposed historic preservation programs costing \$101.7 million. Less than \$10 million was available from the National Park Service to match this tremendous expression of state and local commitment. The need for these funds will only grow as each state completes its historic sites inventory and establishes a historic preservation plan directed at protecting, managing and interpreting their key historic sites. Through the National Park Service and the state historic preservation officers, significant resources can be quickly directed towards preparation for the forthcoming bi-centennial celebration. Significant projects await significant federal support. In Illinois, two projects come to mind. The first is the restoration and interpretation of Cahokia Mounds, the largest pre-Columbian community north of Mexico, at one time housing one hundred thousand inhabitants and the center of a sophisticated Indian culture. Another site deserving of national support is Fort de Chartres, the administrative and military headquarters of the French government in North America. It is from this site that the lands known later as the Louisiana Territory were governed and directed. Each state has sites of equal significance, requiring restoration and interpretative activity to insure that the full story of our Nation's birth and growth is told in 1976 and beyond.

Once again I would like to thank the Committee for an opportunity to present my thoughts on these important public issues. We must act now to provide the resources needed to protect, manage and interpret our natural and historic heritage.

## STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Mr. Chairman, we appreciate this opportunity to express our support for S. 3806 and S. 3839 and the increases in authorization recommended for the grant program to preserve historic properties. Many of the Nation's historic resources are owned and managed by park and recreation agencies and the National Recreation and Park Association has long recognized the cultural importance and recreational potentials of these special, frequently endangered, properties.

The National Recreation and Park Association is a private, nonprofit organization devoted to the improvement and expansion of park, recreation and leisure systems and services for all people. Our membership of approximately 18,000 individuals, agencies and organizations. Those Association members professionally employed in this field are primarily from the public sector, particularly state and local governments. There is also within NRPA considerable representation from the private sector.

Recently, there has been a great surge of appreciation for our cultural heritage. Communities are anxious to have a sense of identity, tradition, and place. As the sameness in our environment is increased by the construction of each new building, we appreciate even more the richness that the diverse and interesting buildings of the past add to our lives. Increasingly, businessmen are finding that old sections of cities can be profitably rehabilitated; homeowners are finding old houses are pleasant places to live; local governments are finding that it makes good civic sense to restore old courthouses and convert abandoned railroad stations into cultural centers. However, the dynamic process of rebuilding and our traditional bias toward "new is better", not to mention demolition tax incentives and other factors have overweighted the scales in favor of new construction. We feel that both options must have an equal opportunity to prove their liability and the historic preservation grant program has shown that there is a chance and a choice. But as with nearly every worthwhile endeavor, there never seems to be enough money to go around.

It is common knowledge that the historic preservation grant program is already grossly oversubscribed. The \$165 million in requests for FY 1975 on which the estimate of need is made, merely scratches the surface. Who knows how many other potential applicants have been discouraged by the knowledge that adequate Federal funds aren't available.

The National Recreation and Park Association feels that historic preservation is an important national priority. It is the visual manifestation of what gives roots to our governmental processes and our way of life. The "little old ladies in tennis shoes" have been swamped. House museums are not an adequate answer to the need to make historic properties integral parts of our communities. The Federal government can encourage vital local involvement by assuming some share of the responsibility and providing some initiative. This proposed legislation is a step in the right direction, but we suggest the following four changes:

First, the authorization should be increased to \$250 million. This would provide enough money for states and communities to take a more comprehensive approach to their historic resources, and would provide enough funds to assist large projects such as key landmarks whose restoration can have a major impact on the vitality and pride of the community.

Second, an increase in the authorization should be accompanied by an increase in the Federal grant percentages to 70 percent for acquisition, development and planning. Such a change would make historic preservation a more competitive community priority, and provide extra funds for important large projects for which money is often lacking. We would also support the provision in S. 3806 for 90 percent grant for historic meeting house, endangered historic properties of national significance, and demonstration projects.

Third, this bill should include the flexibility to make grants to states for revolving fund purposes (perhaps initially on a demonstration basis). This approach to preservation has been highly successful at the local level. It stretches available funds while protecting the preservation interest through covenants in the deed, it leaves properties on the tax rolls; and it taps the private market for restored houses and commercial properties.

Fourth, statewide planning activities should be carried out in conjunction with local communities. This should be mandated in the legislation. It is essential that planning be a coordinated effort with all involved.

This program has proven its worth and has generated many more millions of dollars in state and local capital. It deserves a chance to have an even more significant impact on American life. We are still running from behind and we continue to lose battles every day for lack of funds. We urge your consideration of our suggestions and your support for a strengthened historic preservation assistance program.

SPORT FISHING INSTITUTE,  
Washington, D.C., July 31, 1974.

Attention: Craig Sweeney

Senator ALLEN BIBLE,

*Chairman, Subcommittee on Parks and Recreation, Suite 3106, Dirksen Senate Office Building, Washington, D.C.*

DEAR SENATOR BIBLE: The Sport Fishing Institute supports the objectives of S. 3413, which would increase the funding of the Land and Water Conservation Fund. In our judgment, however, S. 3413 does not go far enough; and we urge that the fund be increased in regular steps to a funding level of one billion dollars (\$1,000,000,000) per year. We consider such an increase to be strongly in the National interest for the following reasons:

1. There are greatly increasing demands on our renewable natural resources due to expanded population, more leisure time, greater travel opportunities, and the dramatic "explosion," in public concern and appreciation for the environment.

2. There is a critical loss in purchasing power of today's dollar, which according to the Bureau of Labor Statistics is worth less than 65 percent of the 1965 dollar.

3. The U.S. Department of Agriculture's "Index of Farm Real Estate," shows that the cost of rural land has increased 117 percent (9 percent per year) since 1965. The U.S. Forest Service reports that forested mountain lands are increasing in value at the considerably higher rate of about 12 percent per year. Based upon the USDA Index, a 1974 L&WCF appropriation of 652 million dollars would be required to equal the land purchasing power of 300 million dollars back in 1965. If the Forest Service's 12 percent figure is used, a 1974 appropriation of 829 million dollars would be needed to achieve the same 1965 results.

4. The recent cancellation of the HUD "Open Spaces" Program has placed major new unanticipated demands on the L&WCF as a substitute for the approximately 100 million dollar a year "Open Spaces" expenditure.

5. The importance of preserving and developing our remaining open spaces and recreational areas has been given a great new urgency as a result of accelerated demands for sources of energy. Meeting the country's energy needs is requiring; expanded strip mining for coal; harnessing of natural thermal springs; construction of new hydroelectric impoundments; mining and processing of oil shales; a great expansion of offshore oil development; and the transport of petroleum over and through irreplaceable natural areas. Accidents and environment damage will occur despite the best efforts of everyone. To partially compensate for this inevitable damage, we must intensify our efforts to protect and preserve our remaining land and water resources.

6. The 9 year history of implementation of the L&WCF discloses a steady and dramatic shift of administrative emphasis from rural to urban. This shift is perhaps defensible in light of political reality. It is nevertheless contrary to the original thrust of the Act, which was oriented toward to purchase of inholdings in state and national parks, forests, recreation areas, etc., the "blocking out" of such areas through peripheral purchases and the acquisition of valuable new outdoor recreation areas. The most practical way of returning the Act to its original direction without jeopardizing urban outdoor recreation funds is to increase appropriations to provide for a balanced program meeting both objectives.

7. Present L&WCF allocations are not adequate to meet state matching interest and capabilities. An indication of the ability of the state to absorb and match

additional money is found in the fact that almost half of the states became "zero funded" (ran out of Federally allocated funds) half way through the most recent funding period, and no states have forfeited money because of an inability to match Federal grants.

8. The Federal government's 40 percent share of the present 300 million dollars per year L&WCF appropriation will probably not permit the purchase of the additional lands for which congressional authority has already been granted, or is pending. (Not counting future needs and authorizations, there are at present approximately 50 million acres which have been identified for purchase by the principal Federal land management agencies, at a price of \$2,272,024,000. With property values increasing at 9 percent per year, and only 120 million L&WCF dollars per year available for land purchase, it will take 18 years to buy half the acreage and in theory it will be impossible to ever complete the purchase. On the other hand, if the L&WCF appropriations were increased to a billion dollars per year the 40 percent Federal Share could complete the purchase in only 7 years despite property value increases).

The Sport Fishing Institute believes that the L&WCF should be financed from revenues received from the development of Outer Continental Shelf resources. Such revenues have been the principal L&WCF source to date and the prospects for greatly expanded OCS revenues in the years ahead make this source even more practical and logical. There could be no grander environmental logic or justice than protecting our renewable natural resources with proceeds from our non-renewable resources. In May of 1974, the Sport Fishing Institute Board of Directors unanimously adopted a Resolution which directly applies to this funding suggestion. That Resolution is as follows:

#### A SPORT FISHING INSTITUTE BOARD OF DIRECTORS RESOLUTION

Whereas, the sedimentary rock formations under many areas of the Outer Continental Shelf bordering the United States are thought to contain vast reserves of extractable crude oil, and any near-term solution of energy shortages affecting the United States will evidently require the extraction and utilization of these petroleum reserves from the Outer Continental Shelf; and

Whereas, estuarine, coastal, and Outer Continental Shelf (OCS) waters support irreplaceable biological and recreational resources which, being perpetually renewable if properly managed, are of far greater public value than the finite supplies of petroleum in the OCS, and these precious biological and recreational resources could be seriously damaged if destroyed by mismanaged OCS oil exploration and production; and

Whereas, the OCS petroleum reserves as well as the OCS biological and recreational resources are public property to be shared and enjoyed by every citizen rather than by a privileged few;

Now, therefore, be it resolved, that the Board of Directors of the Sport Fishing Institute, assembled in regular Annual Meeting, May 16, 1974, at Corpus Christi, Texas, do herewith declare that a national policy for the leasing and development of the petroleum reserves of the Outer Continental Shelf should be established, and that this policy should be formulated in the context of the following cardinal principles:

1. The development of Outer Continental Shelf petroleum resources shall be planned, accomplished, and regulated in a manner that will best assure the maximum possible safeguards against environmental pollution and ecological degradation both at sea and on adjacent land areas,

2. The leasing and development of Outer Continental Shelf petroleum resources shall be accomplished in a manner that will guarantee the maximum dollar income to the public treasury that is consistent with maximum environmental protection.

3. A substantial portion of the public income from Outer Continental Shelf Developments should be dedicated to mitigating damage from inevitable accidental oil spills and to help fund land and water conservation activities throughout the nation;

Be it further resolved, that the United States Congress is herewith urged to establish and implement such a policy at its earliest opportunity, well in advance of petroleum development in Outer Continental Shelf frontier areas.

In conclusion Mr. Chairman, we applaud the Land and Water Conservation Fund as one of the most visionary and valuable conservation programs ever developed by Congress and we commend all those who support and seek to expand it. We believe that a funding authorization of one billion dollars is fully justified and we ask that this letter become a part of the official record of hearing.

Sincerely,

CARL R. SULLIVAN,  
*Executive Secretary.*

UNITED STATES SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C., August 8, 1974.*

HON. ALAN BIBLE,  
*U.S. Senate, 145 Russell Building,  
Washington, D.C.*

DEAR ALAN: Enclosed is a resolution from the Northern Virginia Regional Park Authority. I would appreciate it if you would have it included in the hearing record on the proposal to amend the Land and Water Conservation Fund Act. Thank you for your cooperation and assistance.

With kind regards,

Sincerely,

CLIFFORD P. HANSEN,  
*U.S. Senate.*

[Enclosure.]

NORTHERN VIRGINIA REGIONAL PARK AUTHORITY,  
*Fairfax, Va., July 31, 1974.*

HON. CLIFFORD P. HANSEN,  
*Senate Subcommittee on National Parks and Recreation, 3106 Dirksen Senate  
Office Building, Washington, D.C.*

DEAR SENATOR: As ranking minority member of the Senate Subcommittee on National Parks and Recreation you, of course, are aware that the committee has under consideration at this time a number of bills amending the Land and Water Conservation Fund Act. The adoption of several of the proposed amendments are of utmost importance to the Northern Virginia Regional Park Authority and the more than one million Northern Virginia residents which it serves.

The attached Resolution, unanimously adopted by the Regional Park Authority governing board at its meeting on July 25 is presented with the request that it may be made a part of the record of your committee hearings.

Sincerely,

IRA N. GABRIELSON,  
*Chairman.*

Attachment.

RESOLUTION TO THE CONGRESS OF THE UNITED STATES, RE: LAND AND WATER  
CONSERVATION FUND

Whereas, the Land and Water Conservation Fund has played an important part in the success of local programs to improve park and recreation opportunities for the American people and,

Whereas, the success of local public bodies in meeting the park and recreation needs of citizens depends in major part on the availability of consistent Federal assistance, and

Whereas, the Congress of the United States is considering amendments to the Land and Water Conservation Fund Act.

Now, therefore, be it resolved, that the governing board of the Northern Virginia Regional Park Authority, a public body responsible for assisting in the provision of park and recreation opportunities in six political subdivisions of Northern Virginia, urges the Congress to increase the size of the Fund to a level of at least \$1 billion, and

Be it further resolved, that the Northern Virginia Regional Park Authority urges the Federal-local matching formula be changed to provide for 75 percent grants and,

Be it further resolved, that the Northern Virginia Regional Park Authority supports legislation that would permit the reasonable use of Land and Water Conservation Fund monies for the construction of indoor recreation facilities.

And further, that the Authority urges the Congress to authorize advance commitments through contract authority against present and future Fund appropriations in order that local public bodies may take maximum advantage of timely land acquisitions, thereby reducing total costs and financial burdens on the taxpayer and,

Be it further resolved, that the Northern Virginia Regional Park Authority urges Virginia congressmen and senators to support such amendments to the Land and Water Conservation Fund Act and to urge their colleagues to do likewise.

The above Resolution was approved by unanimous action of the members of the governing board of the Northern Virginia Regional Park Authority at the monthly meeting of the board on July 25, 1974.

WILLIAM M. LIGHTSEY,  
*Secretary.*

[SEAL]

SAN ANTONIO CONSERVATION SOCIETY,  
*San Antonio, Tex., August 6, 1974.*

HON. ALAN BIBLE,  
*Senate Office Building,  
Washington, D.C.*

DEAR SENATOR BIBLE: Last week, I had the opportunity to appear before the Senate Committee on Internal and Insular Affairs Subcommittee on Parks and Recreation. In my appearance, I represented the San Antonio Conservation Society (with a membership of approximately 2500), the Texas Federation of Historic Preservation Organizations (for approximately thirty member organizations ranging in size from 300 to 4000), and a new citizens action group for historic preservation, Preservation Action, which represents organizations from each of our 50 states. I was appearing in support of an increase in the authorization for historic preservation in Senate Bill 3806. I request that \$150 million be set aside for historic preservation, matching grants to be distributed through State Liaison Officers, to be used for state and local historic preservation.

The urgency for historic preservation to be implemented at this time cannot be overstressed. Each day our abandoned historic structures stand vacant or are underused; decay hastens the demolition by neglect. The urgency is further stressed as we approach our National Bicentennial, and interest in our past increases in adults and youth alike, as well as across all ethnic lines. We all seek the understanding of our past so that we can better plan for our future. Historic preservation projects give a substantial physical evidence of each of our own individual heritages. Unfortunately, funding for historic preservation is too often relegated to a very minor percentage.

I would appreciate your interest and support of this most important matter. Thank you for your consideration.

Sincerely,

Mrs. ROBERT E. BLOUNT,  
*President.*

THE STATE OF NEVADA,  
EXECUTIVE CHAMBER,  
*Carson City, Nev., August 2, 1974.*

Congressman ROY A. TAYLOR,  
*Chairman, Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN TAYLOR: The following comments are submitted for the hearing record of July 29, 1974 regarding proposed increase in the authorization ceiling of the Land and Water Conservation Fund and the National Historic Preservation Act.

The need to increase the current \$300 million authorization of the Land and Water Conservation Fund is evident by the deficiency of funds to meet Nevada's needs, the other states and the federal government. Funding for this program has not kept pace with expanding park and recreation programs at the several levels of government.

With offshore oil revenues rapidly expanding, this would appear to be a logical time for an increase in resource oriented programs such as the Land and Water Conservation Fund authorization. The State of Nevada is in a position now to use more than double the apportionment anticipated in fiscal 1975.

The Land and Water Conservation Fund has been an important factor in stimulating park and recreation growth. We look forward to its increased significance in the years ahead.

We recommend the present apportionment rates of 60% funding to the states and 40% to federal agencies be maintained and the states continue to be given broad latitude to disburse funding to both state and local projects for acquisition and development.

With an increased authorization in the Land and Water Conservation Fund, we would support and encourage the act to include authority to utilize matching grants for the development of enclosed recreation facilities such as swimming pools which are not presently eligible to receive funds.

Benefits of the Land and Water Conservation Fund in Nevada are visually numerous. The high quality projects which have resulted provide a great diversification of recreation for our citizens.

In regard to historic preservation, (HR 15357), we support proposed increase in the authorization to \$100 million from its present \$24 million level. These funds are needed as a means of stimulating both Nevada and the nation's historic preservation programs.

To date Nevada's apportionment has been not more than \$80,000 in any one year. This provides little opportunity for meaningful statewide historic preservation. The enactment of HR 15357 would be a giant step in providing sizeable increases to each state and would result in the completion of significant preservation projects.

Enactment of HR 15357 would be beneficial to both state, local, and private projects involving preservation.

We would appreciate your committee's consideration of pending legislation to increase funding in both the Land and Water Conservation Fund and the Historic Preservation Act. These federal aid funds have been an excellent catalyst to the nation's outdoor recreation acquisition and development programs and have greatly increased interest in historic preservation.

Your favorable action on the several pieces of legislation before your committee on these subjects would be very beneficial.

Sincerely,

MIKE O'CALLAGHAN,  
*Governor of Nevada.*

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