NATIONAL PARK SERVICE AUTHORIZATIONS

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

H.R. 14217

AN ACT TO PROVIDE FOR INCREASES IN APPROPRIATION CEILINGS AND BOUNDARY CHANGES IN CERTAIN UNITS OF THE NATIONAL PARK SYSTEM, TO AUTHORIZE APPROPRIATIONS FOR ADDITIONAL COSTS OF LAND ACQUISITION FOR THE NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES

H.R. 13157

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE CLARA BARTON NATIONAL HISTORIC SITE, MARYLAND; JOHN DAY FOSSIL BEDS NATIONAL MONUMENT, OREGON; KNIFE RIVER INDIAN VILLAGES NATIONAL HISTORIC SITE, NORTH DAKOTA; SPRINGFIELD ARMORY NATIONAL HISTORIC SITE, MASSACHUSETTS; TUSKEGEE INSTITUTE NATIONAL HISTORIC SITE, ALABAMA; AND MARTIN VAN BUREN NATIONAL HISTORIC SITE, NEW YORK; AND FOR OTHER PURPOSES

SEPTEMBER 13, 1974

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

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STATEMENTS

NATIONAL PARK SERVICE AUTHORIZATIONS

FRIDAY, SEPTEMBER 13, 1974

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

The subcommittee reconvened, pursuant to other business, at 11:10 a.m., in room 3110, Dirksen Office Building, Hon. Alan Bible presiding.

Present: Senators Bible, Nelson, Hansen, Hatfield, and McClure.

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

OPENING STATEMENT OF HON. ALAN BIBLE, A U.S. SENATOR FROM THE STATE OF NEVADA

Senator BIBLE. The hearing will come to order.

This is the time duly noticed for an open hearing before the Subcommittee on Parks and Recreation to receive testimony concerning H.R. 14217, legislation which would provide for an increase in appropriation ceilings and certain boundary changes in various units of the National Park System, and H.R. 13157, which would establish the Clara Barton National Historic Site; Knife River Indian Villages National Historic Site; Springfield Armory National Historic site; Martin Van Buren National Historic Site, and John Day Fossil Beds National Monument.

This committee has previously considered and the Senate has passed legislation dealing with all but the last item, that is the John Day Fossil Beds National Monument, and our testimony concerning H.R. 13157 will be directed toward that particular item.

At this point I request that copies of the legislation and the House reports thereon be made part of the record.

[The documents follow:]

93D CONGRESS
2D SESSION

H. R. 14217

IN THE SENATE OF THE UNITED STATES

AUGUST 20, 1974

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes.

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

TITLE I—ACQUISITION CEILING INCREASES

SEC. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

(1) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188, 1189)

is amended by changing "$24,575,000" to "$28,350,-000";

(2) Colonial National Historical Park, Virginia: Section 4 of the Act of July 3, 1930 (46 Stat. 856), as amended (16 U.S.C. 81f) is amended by changing "$2,777,000" to "$10,472,000";

(3) Cumberland Gap National Historical Park, Kentucky and Tennessee: For the acquisition of lands authorized in subsection 301 (2) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than $427,500;

(4) Fort Necessity National Battlefield, Pennsylvania: Section 5 of the Act of August 10, 1961, (75 Stat. 336), is amended by changing "$115,000" to "$722,000";

(5) Independence National Historical Park, Pennsylvania: Section 6 of the Act of June 28, 1948 (62 Stat. 1061, 1062), as amended (16 U.S.C. 407r), is amended by changing "$11,200,000." to "$12,792,-000.";

(6) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1309, 1312; 16 U.S.C. 406u-9) is amended by changing "$27,900,000" to "$35,526,000";

(7) Moores Creek National Military Park, North

Carolina: The Act of September 27, 1944 (58 Stat. 746) is amended by adding the following new section:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than $325,000 shall be appropriated for development.";

(8) Morristown National Historical Park, New Jersey: Section 3 of the Act of September 18, 1964 (78 Stat. 957) is amended by changing "$281,000" to "$2,111,000";

(9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301 (6) of this Act, there are authorized to be appropriated not more than $2,423,740 and for development of such lands there are authorized to be appropriated not more than $318,000; and

(10) Virgin Islands National Park, Virgin Islands: Section 4 of the Act of October 5, 1962 (76 Stat. 748; 16 U.S.C. 398f) is amended by changing "$1,250,000" to "12,250,000".

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for development of units of the National Park System contained in the following Acts are amended as follows:

(1) Channel Islands National Monument, California: For the purposes of development of the administrative site and visitor facilities authorized by section 401 of this Act, there are authorized to be appropriated $2,936,000;

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: In addition to any funds heretofore appropriated for said national historical park, there are hereby authorized to be appropriated not more than $160,000 for development; and

(3) International Peace Garden, North Dakota: Section 1 of the Act of October 25, 1949 (63 Stat. 888), as amended (68 Stat. 300 and 72 Stat. 985), is amended by changing "$400,000" to "$1,702,000".

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

(1) Biscayne National Monument, Florida: To add approximately 8,738 acres of land and water, including all of Swan Key and Gold Key:

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: Notwithstanding the provisions of the Act of June 11, 1940 (54 Stat. 262), as amended (16 U.S.C. 261-265), the Secretary of the

Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 60 acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to and inclusion in the said national historical park which, upon acquisition, shall become a part of the Cumberland National Historical Park subject to the laws, rules, and regulations governing such park;

(3) Fort Necessity National Battlefield, Pennsylvania: To add approximately 411 acres;

(4) Independence National Historical Park, Pennsylvania: To add approximately 4.67 acres, which shall include the area bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, to be known as Project F: *Provided*, That the authority of the Secretary of the Interior to acquire property by condemnation under this Act shall be suspended with respect to all property within the boundaries of the area known as Project F during the time the city of Philadelphia shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary: *And provided further*, That no zoning ordinance or amendment of a zoning ordinance shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preserva-

tion and development of the Independence National Historical Park, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment;

(5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres, which additions and deletions shall comprise only federally owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws;

(6) Morristown National Historical Park, New Jersey: The Act of September 18, 1964 (78 Stat. 957) is amended changing "two hundred and eighty-one acres" in both places in which it appears in the first section to "465 acres" and change the period to a colon and insert "*Provided*, That title to the property known as the Cross estate may not be accepted until the property is vacant." and

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Secretary of the Interior is authorized to accept the donation of the fee simple title of not to exceed

five acres of land and submerged land within the Ventura Marina, Ventura County, California; and to develop, operate, and maintain thereon administrative and visitor facilities to be used as a mainland headquarters for the Channel Islands National Monument: *Provided*, That no lands or any interests therein may be accepted by the Secretary until a mutually satisfactory agreement has been executed which shall include, among other things, an agreement on the design for such facilities, a reasonable timetable for their construction, and an agreement concerning public use of and access to such facilities. Any property accepted under the provisions of this Act shall be administered as a part of the national monument.

SEC. 402. The Act of September 27, 1944 (58 Stat. 746), providing for the Moores Creek National Military Park is amended by changing the words "accept in behalf of the United States donations of" to "acquire by donation, purchase, or exchange", and by changing "to be accepted" to "acquired".

SEC. 403. (a) The Secretary of the Interior, in cooperation with the Secretary of the Army, shall cause to be conducted such studies as they deem reasonable and necessary to determine the causes and extent of the damage to the foundations of the historic structures of the San Juan National Historic Site and shall transmit to the Congress, as soon as pos-

sible, but no later than one year after the date of the enactment of this Act, the alternative courses of action, together with their recommendations, which might be taken to assure the historical integrity of such structures and the safety of the visiting public. Pending the submission of such recommendations, the Secretary of the Interior shall take every reasonable precaution to assure the public safety and the maximum public enjoyment of the historic site.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $100,000.

SEC. 404. (a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio, together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Secretary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and develop-

ing the resources of the Ohio and Erie Canal and adjacent lands.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $40,000.

SEC. 405. (a) In all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646; 84 Stat. 1894). There are also authorized to be appropriated not to exceed $8,400,000 in addition to those authorized in Public Law 92-272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92-272.

(b) Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206

of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101 (6) of that Act.

Passed the House of Representatives August 19, 1974.

Attest: W. PAT JENNINGS,
Clerk.

93D CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 93-1286

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

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

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

REPORT

[To accompany H.R. 14217]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 14217) to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, to authorize appropriations for additional costs of land acquisition for the national park system, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

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

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

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

> (5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres, which additions and deletions shall comprise only Federally-owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws;.

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

> '465 acres' and change the period to a colon and insert '*Provided*, That title to the property known as the Cross estate may not be accepted until the property is vacant.'

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

SEC. 404.(a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio, together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Secretary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and developing the resources of the Ohio and Erie Canal and adjacent lands.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $40,000.

INTRODUCTION

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

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

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

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

PURPOSE

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

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

(1) Authorize additional appropriations for the acquisition of lands at 10 units of the national park system.

(2) Authorize additional appropriations for development at 5 units of the national park system.

(3) Authorize boundary changes for 7 units of the national park system.

(4) Authorize studies to be conducted for an existing unit of the national park system and for another historical resource complex.

(5) Provide changes of authority for the acquisition of lands and/or the development of facilities at two units of the national park system.

(6) Provide appropriation authority to cover land acquisition costs at various units of the national park system where the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is applicable, and to limit the application of that Act to cases where acquisition and Federal ownership and possession are simultaneous.

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

The provisions of the bill, as reported by the full committee, are described below.[1]

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[1] Other bills considered by the Committee and related to H.R 14217, as recommended, include: H.R. 9626 by the late Representative Saylor—Biscayne National Monument, Florida; H.R. 9106 by the late Representatice Teague of California—Channel Islands National Monument, California; H.R. 2830 and H.R. 9825 by Representative Downing—Colonial National Historical Park, Virginia; H.R. 7255 by Representative Carter—Cumberland Gap National Historical Park, Kentucky, Tennessee, Virginia; H.R. 12738 by Representative Morgan—Fort Necessity National Battlefield, Pennsylvania; H.R. 581 by Representative Green of Pennsylvania and H.R. 5040 by Representatives Green of Pennsylvania, Barrett, Eilberg, Nix, Williams, Coughlin, Ware, and Biester, and S. 417—Independence National Historical Park, Pennsylvania; H.R. 3570 by Representatives Roush, Brademas, Hamilton and Madden, and S. 584—Indiana Dunes National Lakeshore, Indiana.

H.R. 2235 by Representative Andrews of North Dakota—International Peace Garden, North Dakota; H.R. 7341 by Representative Henderson—Moores Creek National Military Park, North Carolina; H.R. 3268 by Representative Frelinghuysen and H.R. 10251 by Representatives Frelinghuysen, Maraziti, Dominick V. Daniels, Forsythe, Helstoski, Howard, Hunt, Minish, Patten, Rinaldo, Rodino, Roe, Sandman, Thompson of New Jersey, Widnall and Seiberling—Morristown National Historical Park, New Jersey; H.R. 5443 by the late Representative Saylor and Representative Camp and S. 1039—Relocation Assistance Bill; H.R. 10095 by Representative Johnson of Colorado—Rocky Mountain National Park, Colorado; H.R. 12548 by Resident Commissioner Benitez, Representatives Taylor of North Carolina, Skubitz, Stephens, Sebelius and Delegate de Lugo—San Juan National Historic Site, Puerto Rico; H.R. 12551 by Delegate de Lugo, Representatives Taylor of North Carolina, Skubitz, Stephens and Sebelius—Virgin Islands National Park, Virgin Islands; and H.R. 10650 by Representative Regula—Ohio and Erie Canal Study, Ohio.

4

Brief Discussion by Area or Item

BISCAYNE NATIONAL MONUMENT, FLA.

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

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

CHANNEL ISLANDS NATIONAL MONUMENT, CALIF.

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

COLONIAL NATIONAL HISTORICAL PARK, VA.

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

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

CUMBERLAND GAP NATIONAL HISTORICAL PARK, KY. AND TENN.

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

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

FORT NECESSITY NATIONAL BATTLEFIELD, PA.

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

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

INDEPENDENCE NATIONAL HISTORICAL PARK, PA.

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

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

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

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

INDIANA DUNES NATIONAL LAKESHORE, IND.

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

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

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

INTERNATIONAL PEACE GARDEN, N. DAK.

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

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

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

LAVA BEDS NATIONAL MONUMENT, CALIF.

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

MOORES CREEK NATIONAL MILITARY PARK, N.C.

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

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

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

MORRISTOWN NATIONAL HISTORICAL PARK, N.J.

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

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

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

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

OHIO AND ERIE CANAL, OHIO

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

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

ROCKY MOUNTAIN NATIONAL PARK, COLO.

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

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

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

SAN JUAN NATIONAL HISTORIC SITE, P.R.

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

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

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

VIRGIN ISLANDS NATIONAL PARK, V.I.

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

RELOCATION ASSISTANCE

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

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

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

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

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

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

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

Channel Islands National Monument, California
Cumberland Gap National Historical Park, Kentucky and Tennessee
International Peace Garden, North Dakota
Moores Creek National Military Park, North Carolina
Rocky Mountain National Park, Colorado

Section 301 makes boundary revisions at the following areas:

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

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

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

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

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

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

Committee Amendments

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

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

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

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

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

Cost

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

Committee Recommendation

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

Departmental Reports and Executive Communication

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

Biscayne National Monument

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., February 15, 1974.

Hon. James A. Haley,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

CHANNEL ISLANDS NATIONAL MONUMENT

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

COLONIAL NATIONAL HISTORICAL PARK

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

CUMBERLAND GAP NATIONAL HISTORICAL PARK

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

FORT NECESSITY NATIONAL BATTLEFIELD

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JACK HORTON,
Assistant Secretary of the Interior.

INDEPENDENCE NATIONAL HISTORIC PARK

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

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U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

INDEPENDENCE NATIONAL HISTORICAL PARK—AREA "F"

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

Indiana Dunes National Lakeshore

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., October 24, 1973.

Hon. James A. Haley,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

CURTIS BOHLEN,
Deputy Assistant Secretary.

INTERNATIONAL PEACE GARDEN

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

MOORES CREEK NATIONAL MILITARY PARK

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

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

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

We recommend the enactment of this bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

MOORES CREEK NATIONAL MILITARY PARK (EXISTING)

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

Morristown National Historical Park

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., February 15, 1974.

Hon. James A. Haley,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL.
Assistant Secretary of the Interior.

OHIO AND ERIE CANAL

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

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

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

We recommend that this bill be enacted.

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

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

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

RELOCATION ASSISTANCE COSTS

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646; 84 Stat. 1894). There are also authorized to be appropriated such sums as may be necessary in addition to those authorized in Public Law 92-272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92-272.

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Rocky Mountain National Park

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., February 13, 1974.

Hon. James A. Haley,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

ROCKY MOUNTAIN NATIONAL PARK (BOUNDARY)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services	4,000	4,000	4,000	4,000	4,000
All other	1,473,000	77,000	73,000	87,00	54,000
Total	1,477,000	81,000	77,000	91,000	58,000
Estimated additional obligations:					
Land and property acquisition	2,424,000				
Developments	37,500	74,500	70,500	84,500	51,000
Operations (management, protection and maintenance)	6,500	6,500	6,500	6,500	6,500
Total (rounded to nearest figure)	2,468,000	81,000	77,000	91,000	58,000
Total, estimated additional man-years of civilian employment	0.4	0.4	0.4	0.4	0.4

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San Juan National Historic Site

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., February 14, 1973.

Hon. James A. Haley,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

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

We recommend against enactment of the bill.

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

VIRGIN ISLANDS NATIONAL PARK

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

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

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

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

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

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

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

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

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

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

Sincerely yours,

JOHN KYL.
Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

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

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

* * * * * * *

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed [$24,575,000] *$28,350,000* for land acquisition and $2,900,000 for development.

* * * * * * *

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

* * * * * * *

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

* * * * * * *

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

* * * * * * *

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

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

* * * * * * *

SEC. 6. For the purpose of acquiring the property described in section 1 of this Act, there is hereby authorized to be appropriated not to exceed the sum of [$11,200,000] *$12,792,000*. Funds appropriated pursuant to this Act shall be available for any expenses incidental to acquisition of property as prescribed by this Act, including the employment of the necessary services in the District of Columbia, and including to the extent deemed necessary by the Secretary of the Interior, the employment without regard to the civil-service laws or the Classification Act of 1923, as amended, of such experts and other officers and employees as are necessary to carry out the provisions of this Act efficiently and in the public interest.

* * * * * * *

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

* * * * * * *

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

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

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

of] *acquire by donation, purchase, or exchange* lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Moores Creek National Military Park, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That the area [to be accepted] *acquired* pursuant to this Act shall not exceed one hundred acres. All such property and interests, upon acquisition by the Federal Government, shall be a part of the Moores Creek National Military Park and shall be subject to all laws and regulations applicable thereto.

Sec. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than $325,000 shall be appropriated for development.

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

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

* * * * * * *

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

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

* * * * * * *

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

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

SECTION 1. That, for the purpose of assisting the State of North Dakota to complete, in accordance with plans heretofore approved, the International Peace Garden established in North Dakota on the international boundary line between United States and Canada for the purpose of furthering international peace among the nations of the world, there is hereby authorized to be appropriated not to exceed the sum of [$400,000] *$1,702,000*.

* * * * * * *

93D CONGRESS
2D SESSION

H. R. 13157

IN THE SENATE OF THE UNITED STATES

AUGUST 20, 1974

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; and Martin Van Buren National Historic Site, New York; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as

hereafter provided for establishment as units of the national park system, as follows:

(1) for establishment as the Clara Barton National Historic Site, Maryland, those lands depicted on the map entitled "Boundary Map, Clara Barton National Historic Site, Maryland", numbered NHS–CLBA 90,-001 and dated February 1974, which shall include the land and improvements occupied by Clara Barton, founder of the American Red Cross, located at 5801 Oxford Road, Glen Echo, Maryland: *Provided,* That the above-mentioned land and improvements may be acquired only by donation: *And provided further,* That the donation of any privately owned lands within the historic site may not be accepted unless and until the property is vacant;

(2) for establishment as the John Day Fossil Beds National Monument, Oregon, those lands depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument", numbered NM–JDFB–20,014–A and dated June 1971: *Provided,* That the national monument shall not be established unless and until the State of Oregon donates or agrees to donate the Thomas Condon-John Day Fossil Beds, Clarno, and Painted Hills State Parks: *Provided further,* That the Secretary shall not acquire a fee title interest to more than one thousand

acres of privately owned lands except by donation or exchange: *Provided further*, That the Secretary shall designate the principal visitor center as the "Thomas Condon Visitor Center";

(3) for establishment as the Knife River Indian Villages National Historic Site, North Dakota, those lands depicted on the map entitled "Boundary Map, Knife River Indian Villages National Historic Site, North Dakota", numbered 468–20,012 and dated July 1970;

(4) for establishment as the Springfield Armory National Historic Site, Massachusetts, those lands depicted on the map entitled "Boundary Map, Springfield Armory National Historic Site, Massachusetts", numbered NHS–SPAR–91,003 and dated January 1974, the oldest manufacturing arsenal in the United States: *Provided*, That the historic site shall not be established unless an agreement is executed which will assure the historical integrity of the site and until such lands as are needed for the historic site are donated for this purpose;

(5) for establishment as the Tuskegee Institute National Historic Site, Alabama, those lands depicted on the map entitled "Boundary Map, Tuskegee Institute National Historic Site, Alabama", numbered NHS–TI

20,000–C and dated September 1973, which shall include the home of Booker T. Washington, the Carver Museum, and an antebellum property adjacent to the campus of Tuskegee Institute, known as Grey Columns; and

(6) for establishment as the Martin Van Buren National Historic Site, New York, those lands depicted on the map entitled "Boundary Map, Martin Van Buren National Historic Site, New York", numbered NHS–MAVA–91,001 and dated January 1974, which shall include the home of Martin Van Buren, eighth President of the United States.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 2. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a

notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 3. Notwithstanding any other provision of law, the Secretary is authorized to construct roads on real property in non-Federal ownership within the boundaries of the Tuskegee Institute National Historic Site. Any roads so constructed shall be controlled and maintained by the owners of the real property.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

(a) Clara Barton National Historic Site, $812,000 for development;

(b) John Day Fossil Beds National Monument, $400,000 for the acquisition of lands and interests in lands and $4,435,200 for development;

(c) Knife River Indian Villages National Historic Site, $600,000 for the acquisition of lands and interests in lands and $1,130,000 for development;

(d) Springfield Armory National Historic Site, $5,300,000 for development;

(e) Tuskegee Institute National Historic Site, $185,000 for the acquisition of lands and interests in lands and $2,722,000 for development; and

(f) Martin Van Buren National Historic Site, $213,000 for acquisition of lands and interests in lands and $2,737,000 for development.

Passed the House of Representatives August 19, 1974.

Attest: W. PAT JENNINGS,

Clerk.

93D CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 93-1285

PROVIDING FOR THE ESTABLISHMENT OF THE CLARA BARTON NATIONAL HISTORIC SITE, MD.; JOHN DAY FOSSIL BEDS NATIONAL MONUMENT, OREG.; KNIFE RIVER INDIAN VILLAGES NATIONAL HISTORIC SITE, N. DAK.; SPRINGFIELD ARMORY NATIONAL HISTORIC SITE, MASS.; TUSKEGEE INSTITUTE NATIONAL HISTORIC SITE, ALA.; AND MARTIN VAN BUREN NATIONAL HISTORIC SITE, N.Y., AND FOR OTHER PURPOSES

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

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

REPORT

[To accompany H.R. 13157]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 13157) to provide for the establishment of the Clara Barton National Historic Site, Md.; John Day Fossil Beds National Monument, Oreg.; Knife River Indian Villages National Historic Site, N. Dak.; Springfield Armory National Historic Site, Mass.; Tuskegee Institute National Historic Site, Ala.; and Martin Van Buren National Historic Site, N.Y., and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 2, line 25, strike out "Condon John" and insert in lieu thereof "Condon—John".

Page 3, line 4, strike out "exchange;" and insert in lieu thereof "exchange: *Provided further*, That the Secretary shall designate the principal visitor center as the 'Thomas Condon Visitor Center';".

Page 6, line 10, strike out "$800,000" and insert in lieu thereof "$1,130,000".

INTRODUCTION

The purpose of H.R. 13157 [1] and its identical companion (H.R. 13427) is to authorize the establishment of six new units of the national park system:

Clara Barton National Historic Site, Maryland, the home of the founder of the American Red Cross.

John Day Fossil Beds National Monument, Oregon, a recognized site containing a valuable fossil field.

Knife River Indian Villages National Historic Site, North Dakota, the sites of certain ancient Indian Villages characteristic of this region.

Springfield Armory National Historic Site, Massachusetts, the oldest manufacturing arsenal in the United States.

Tuskegee Institute National Historic Site, Alabama, including the home of Booker T. Washington and the laboratory of George Washington Carver.

Martin Van Buren National Historic Site, New York, home of the eighth President of the United States.

Each of the proposals included in H.R. 13157 was originally introduced as a separate proposal upon which individual hearings were held by the Subcommittee on National Parks and Recreation. Since none of the proposals was considered controversial, it was decided that all of them should be combined into one omnibus bill in order to conserve the time of the Committee, the House, and the Congress. A brief explanation of each proposal follows:

CLARA BARTON NATIONAL HISTORIC SITE

Purpose

One objective of H.R. 13157 is to authorize the establishment of the Clara Barton National Historic Site. This feature of the bill is the product of proposals introduced by Representative Saylor (H.R. 1892); Representatives Gude, Saylor, Taylor of North Carolina, and Skubitz (H.R. 2841); Representatives Gude, Abzug, Boggs, Chisholm, Grasso, Green of Oregon, Griffiths, Heckler of Massachusetts, Mink, and Sullivan (H.R. 9609 and H.R. 9713).

Description and Location

The proposed Clara Barton National Historic Site is located in Glen Echo, Maryland, on land purchased by Clara Barton during the 1890's, for construction of her house.

It is an interesting structure in that it was partially built with materials salvaged from the tragic Johnstown Flood. The interior of the house resembles a Mississippi riverboat with its large center hall, the Captain's room and tiers of rooms facing an open gallery. As originally built, the house contained 36 rooms to accommodate Red Cross workers who needed a place to rest and 38 large closets where large quantities of emergency relief supplies could be stored.

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[1] H.R. 13157 and H.R. 13427 were co-sponsored by Representatives Taylor of North Carolina, Haley, Hosmer, Skubitz, Johnson of California, Sebelius, Mink, Stephens, Ketchum, Bingham, Cronin, Selberling, Won Pat, Udall, Melcher, Abzug, Andrews of North Dakota, Boland, Conte, Fish, Gude, Nichols, Ullman, King, and Don H. Clausen.

Miss Barton occupied the rooms overlooking the C & O Canal, and her office, reception room, and dining room were located at the end of the center hall. The rest of the building served a dual function of home and National Headquarters of the American Red Cross from 1897 to 1904. Throughout the house, there are many objects associated with the life of Clara Barton. It still contains much of the furniture that she used and some of her personal possessions (including clothing, jewelry, gifts from foreign countries and mementoes from her days with the Red Cross).

While the house has not remained unchanged since her death, the modfiications haves been relatively insignificant. The house is now maintained by "The Friends of Clara Barton"—a non-profit organization formed to preserve the property more than a decade ago.

The principal purpose of this historic site is, of course, to tell the early story of the American Red Cross through the interpretation of the life and times of its founder—Clara Barton. She was a remarkable person who dedicated her life and energies to help others in times of need—both at home and abroad, in peacetime as well as during military emergencies. Glen Echo was her home for the last 20 years of her life and this structure illustrates her dedication and concern for those less fortunate than herself.

Legislative Background

In 1965, the Clara Barton was recognized as a national historic landmark because of its close association with the social history of the Nation. More recently, the Secretary's Advisory Board of National Parks, Historic Sites, Buildings and Monuments has recommended the establishment of the national historic site. At public hearings on this proposal on November 26, 1973, a spokesman for the Department of the Interior favored the proposal and all witnesses testifying recommended its enactment. Similar legislation has already been approved by the State.

Cost

As recommended by the Committee, the real property will be acquired by donation and certain other Federally owned lands will be included in the historic site. Some expenditures, however, will be required to prepare the property for the volume of public visitation that is anticipated, to restore the house, and to provide interpretive facilities. For these purposes, H.R. 13157 authorizes the appropriation of $812,000.

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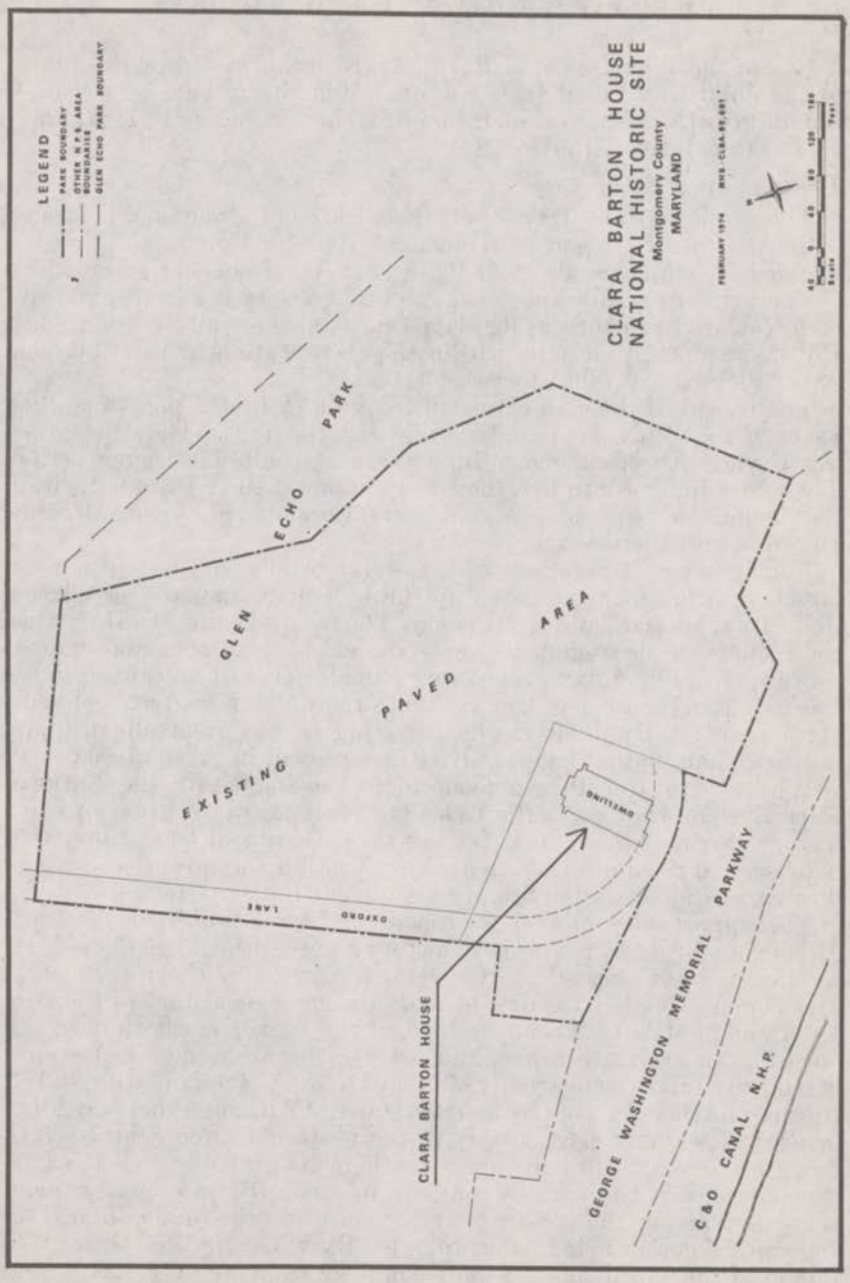

CLARA BARTON HOUSE
NATIONAL HISTORIC SITE
Montgomery County
MARYLAND
LEGEND
PARK BOUNDARY
OTHER N.P.S. AREA
PRIVATE PROPERTY
GLEN ECHO PARK BOUNDARY
GLEN ECHO PARK
EXISTING PAVED AREA
BUILDING
OXFORD LANE
CLARA BARTON HOUSE
GEORGE WASHINGTON MEMORIAL PARKWAY
C & O CANAL N.H.P.

5

JOHN DAY FOSSIL BEDS NATIONAL MONUMENT

Purpose

One of the objectives of H.R. 13157 is to authorize the establishment of the John Day Fossil Beds National Monument. This legislation is the outgrowth of the consideration of a similar measure (H.R. 1252) by Representative Ullman.

Description and Location

The proposed John Day Fossil Beds National Monument is located in north-central Oregon in Grant and Wheeler Counties. As recommended it comprises about 14,400 acres several noncontiguous units.

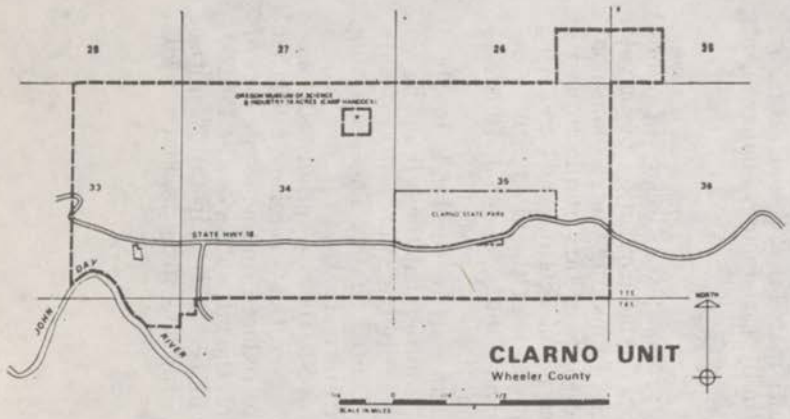
The primary significance of the John Day area lies in its extensive record of earth history as displayed in its geology and paleontology. Physiographically, it falls within the classification of the Columbia River Plateau natural history theme.

The record of the area extends through at least the past 37 million years of the Cenozoic era, beginning with the Tertiary and progressing through the past one million years of the Quarternary period. These are divided into five epochs or chapters, all represented within the boundaries of the proposal—late Eocene, Oligocene, Miocene, Pliocene, and Pleistocene.

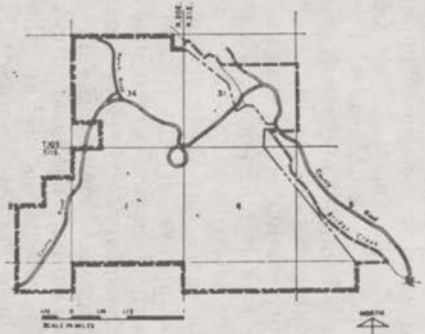
Four geologic formations of major importance are excellently exposed. In order of progression up through time, they are the Clarno, John Day, Mascall, and Rattlesnake. The record begins at a time when the climate of the region was sub-tropical in character, and extends upward through a warm temperate climate; eras of volcanism in the Cascade Range, the Ice Age, and into the present semi-arid climate. Both plant and animal fossils, attesting to the great climatic and geologic changes that have occurred, are present in great variety.

While there are other paleontological areas within the National Park System, they generally cover but one epoch or chapter of earth history. None of these areas possess the diversity of life history that is present in the John Day area; thus the John Day proposal does not duplicate other areas, but fills an existing gap in the System.

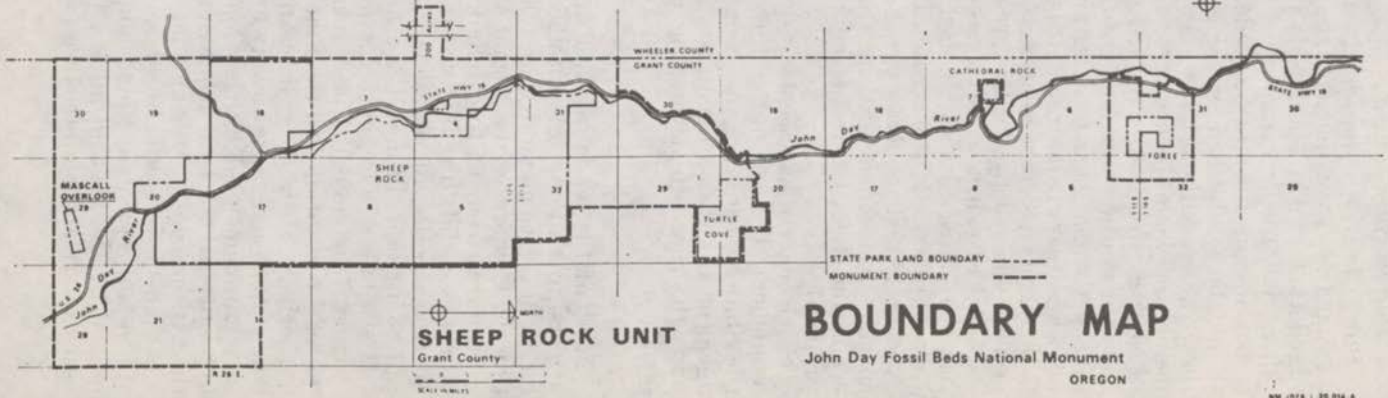
The opportunity offered by the John Day Fossil Beds National Monument to interpret natural history for the benefit of the general public has been attested to by several recognized authorities, such as Dr. Thomas Condon, the first to study the geologic history of the area. Dr. Condon stated ". . . any record of the past as authoritative . . . covering an extensive range, and filled with minute detail of events, can hardly fail to be instructive." Also, Dr. J. C. Merriam, who studied the area intensively as early as 1899, stated: "Although there are other geological sections, particularly in the western United States, which furnish as remarkable a history . . . there are probably none in which the relations of the various chapters to each other are more evident than they are in the record inscribed on the walls of the John Day Canyon." Another noted paleontologist, R. W. Chaney, has stated "No region in the world shows a more complete sequence of Tertiary land populations, both plant and animal, than the John Day Basin."



CLARNO UNIT
Wheeler County



PAINTED HILLS UNIT
Wheeler County



SHEEP ROCK UNIT
Grant County

BOUNDARY MAP

John Day Fossil Beds National Monument
OREGON

REVISED FEB 1972

NM JDFB | 20 014 A
JUNE 1971 | EP&D WSC

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Legislative Background

Public hearings were held on this proposal on December 11, 1973. At that time spokesmen for the Department of the Interior acknowledged that "these fossil beds possess unquestioned national significance," but they recommended that further action be deferred until a determination could be made as to whether a national monument should be established in recognition of, and for the protection of, these values. Although it was expected that an Administration recommendation would be promptly forwarded to the Congress during this session, as promised, no further communication has been received. Notwithstanding this fact, the Committee believes that it is the function of the Congress to determine, as a matter of policy, whether or not such areas are desirable. It is the function of the Executive Branch to make its recommendations and to carry out the programs and policies enacted by the Congress and approved by the President.

In this case, it is widely agreed that the area merits inclusion in the National Park System. In fact, the Secretary's Advisory Board on National Parks, Historic Sites, Buildings and Monuments—a panel of experts created to advise the Secretary on national park proposals—specifically recommended such action as recently as 1971 and the Governor and Legislature of the State have indicated support for the proposal.

Some concern has been expressed about wildlife management in the monument. The Committee fully expects the Secretary to consult with the State concerning game control requirements and, if wildlife management measures are required, it is anticipated that he will cooperate with the State in developing a mutually satisfactory management program.

Cost

Most of the lands involved in this proposal are already in public ownership and the bill specifically limits the acquisition of private lands, in fee, to no more than 1,000 acres. In making this recommendation the Committee felt that it allowed the Secretary ample authority to acquire, from willing sellers where possible, any lands which he deems essential to public use and enjoyment of the monument. Adequate protection of the remaining private lands (about 3,770 acres) can be assured through the acquisition of scenic easements.

The State of Oregon owns more than half of the lands involved (almost 7,600 acres). The legislation requires that these lands be acquired by donation and the State Legislature has approved a measure authorizing their conveyance to the United States. The remaining lands (2,035 acres) are already Federally owned.

As recommended by the Committee, $400,000 is authorized to be appropriated for land acquisition; however, the Committee feels that the expenditure of this amount may be reduced by the acquisition of less-than-fee interests. For development, the bill authorizes $4,435,200. When appropriated, these monies will be used to install facilities needed by the visiting public, for interpretive projects, and for administrative and maintenance facilities.

8

KNIFE RIVER INDIAN VILLAGES NATIONAL HISTORIC SITE

Purpose

The provision relating to the Knife River Indian Villages National Historic Site is the outgrowth of a proposal (H.R. 5199) introduced by Representative Mark Andrews. It authorizes the creation of a unit of the national park system to preserve certain historic and archeological remnants of the culture and agricultural lifestyle of the Plains Indians.

Description and Location

The area involved in this legislation is located at the confluence of the Knife and Missouri Rivers in Mercer County, North Dakota, where four historic Hidatsa Indian villages are clustered. Archeologically, these villages are outstanding surviving physical remains of a widespread aboriginal culture that dominated this region for several centuries. Historically, the area is considered the most important existing site where the adaptation to a horticultural buffalo-hunting subsistence took place.

The term "Knife River Villages" refers to the archeological sites where the Knife River joins the Missouri. These villages are identified as the Buchfink site, the Lower Hidatsa, Big Hidatsa, River Hidatsa, and Amahami Villages. They were important not only as a place where the adaptation to agriculture took place, but as a hub for trading—both between tribes and with white fur traders—and as a major source of horses which were so important to the culture of the Plains Indians.

The Buchfink Site has been cultivated and has no visible surface remains, but archeologists believe the occupation level to be a few feet underground. This site represents the earliest demonstrable occupation on the Knife River.

The Lower Hidatsa, River Hidatsa, and Big Hidatsa villages, being two to three centuries younger than the Buchfink site and spared modern cultivation, are all plainly visible. They consist of numerous circular depression of varying widths, with indications of cache pits in and between the lodges. The River Hidatsa and Big Hidatsa villages exhibit the remains of fortified earthworks. The villages range from approximately 5 to 23 acres in size. The village sites themselves, and such features as ancillary cemeteries, fortification remnants, and cache pits, comprise the principal physical resources of the area. Also associated with these rings is a wealth of artifacts.

The Amahami Village, which was occupied at the time of the Lewis and Clark Expedition, has been seriously compromised by recent gravel-quarrying operations, but continues to offer some possibilities for interpretation. It does prove, however, the importance of protecting these important sites from destruction by including them in the national park system.

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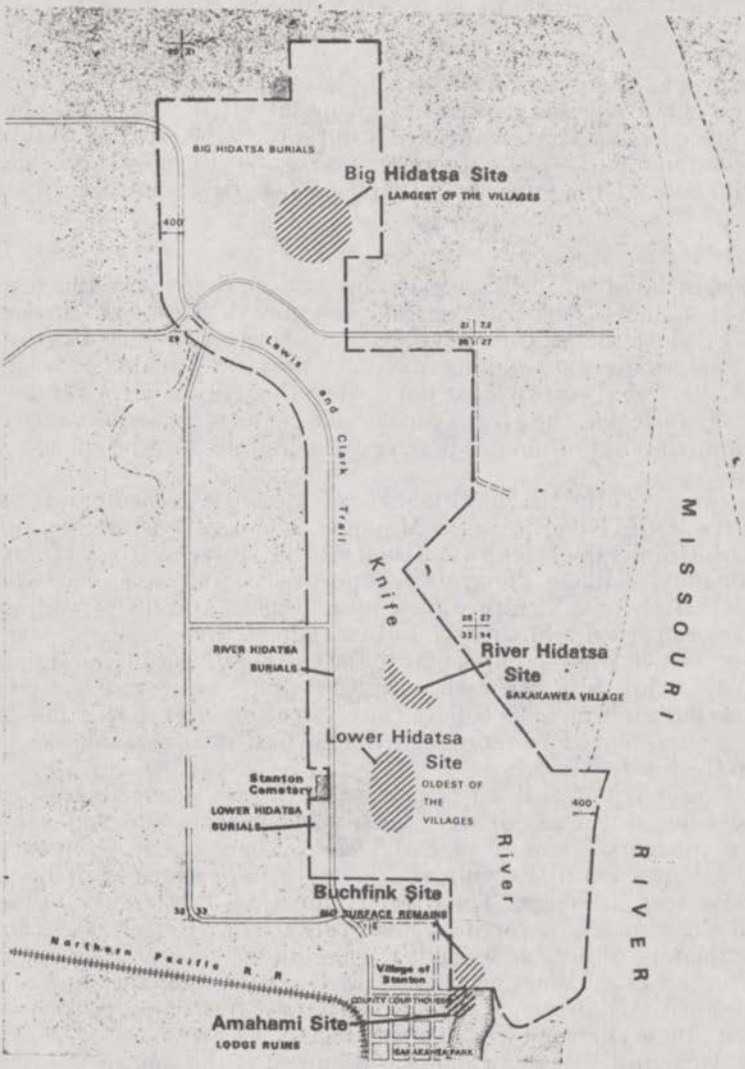


BOUNDARY MAP & RESOURCE BASE

These Hidatsa villages are outstanding historically, as well as archeologically, because of their associations with a succession of famous explorers, fur traders, scientific observers, artists, and other early travelers. Lewis and Clark visited these villages often during their stay at nearby Fort Mandan in 1804–1805; Sakakawea, the Indian woman who became a famous member of their expedition, lived here. Alexander Henry, David Thompson, Lisa, Bradbury, Catlin, Maximillian, Bodmer, and Audubon are among the notable river travelers to these villages.

The archeological and historic resources of the Knife River villages offer abundant opportunities for interpretation. Possible themes include: a horticultural/buffalo-hunting subsistence; an eastern woodlands aboriginal farming culture adapting to the environment of the northern Great Plains; the adoption by American settlers of techniques and new crops developed by the Indians; the evolution of house types, village patterns, fortifications, and burial methods; the villages as hubs of trading activity between Indian tribes and non-Indians; the advent of extensive use of the horse in Plains cultures; the villages as scenes for hostile confrontations between the Hidatsa and Canadians, French, Spanish, Americans, and other tribes; the villages as points of contact with Lewis and Clark, and other famous travelers, writers, and artists in history; and finally, the story of the factors which led to the ultimate decimation of the Hidatsa and the abandonment of their villages in 1845.

Legislative Background

Some Members of the Subcommittee on National Parks and Recreation met informally in November, 1973, to hear statements concerning this legislation. Later, in January, 1974, a public hearing was conducted on the proposal. At that time, spokesmen for the Department of the Interior testified in favor of a somewhat smaller proposal, but agreed that the area is worthy of national recognition. Similarly, statements submitted on behalf of the Governor of North Dakota, as well as a measure offering to donate certain state lands indicates State approval of the proposal. Similar legislation has already been approved by the Senate.

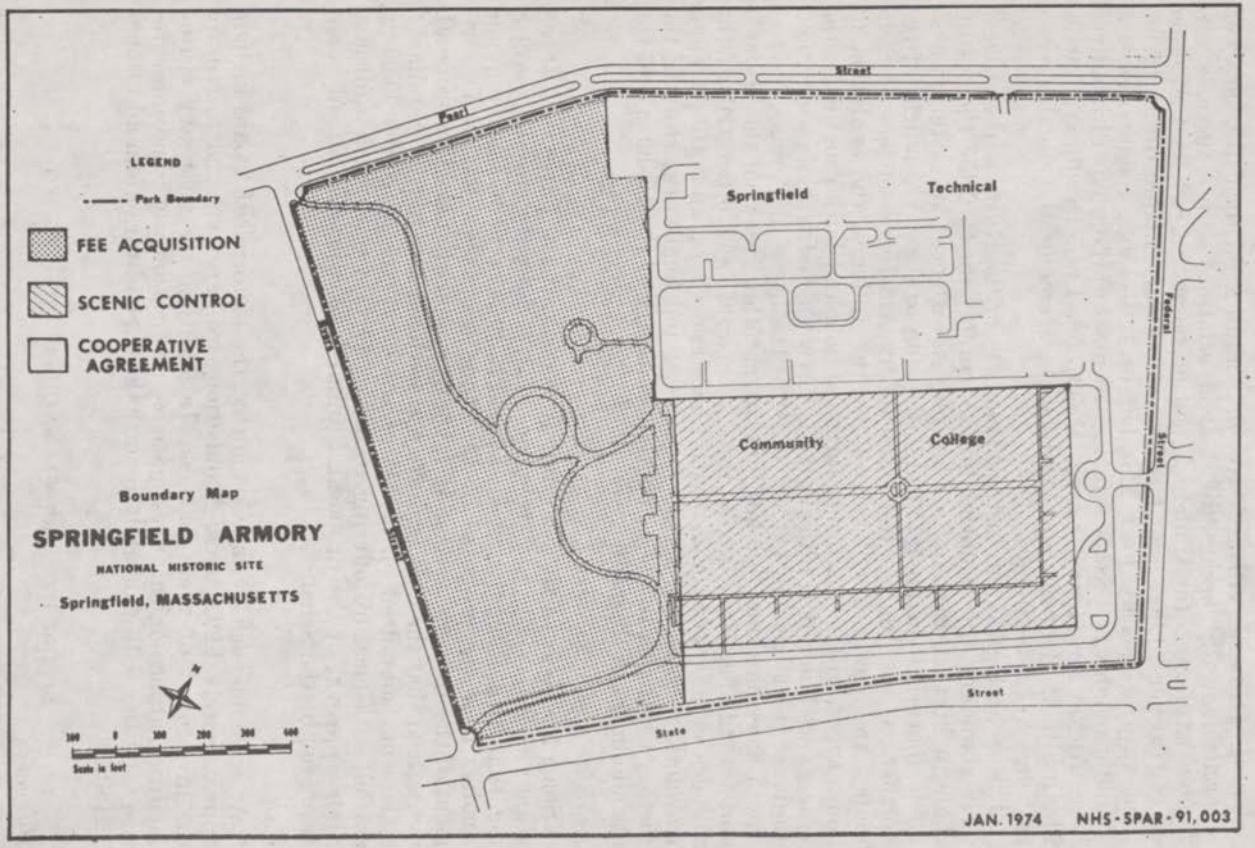
Cost

As recommended by the Committee, the historic site would include approximately 1,292 acres. Acquisition costs are expected to require the investment of about $600,000. In addition, the necessary visitor facilities, archeological investigations, restoration work and interpretive facilities will ultimately require the expenditure of an additional $1,130,000.

SPRINGFIELD ARMORY NATIONAL HISTORY SITE

Purpose

H.R. 13157 includes a provision authorizing the establishment of the Springfield Armory National Historic Site. This provision results from the consideration of H.R. 329 by Representatives Boland and Conte.


LEGEND
Park Boundary
FEE ACQUISITION
SCENIC CONTROL
COOPERATIVE AGREEMENT
Boundary Map
SPRINGFIELD ARMORY
NATIONAL HISTORIC SITE
Springfield, MASSACHUSETTS
Scale in feet
Springfield
Technical
Community
College
Federal
Street
State
JAN. 1974
NHS-SPAR-91,003

Description and Location

Located in Springfield, in the western part of the Commonwealth of Massachusetts, the Springfield Armory is surrounded by an urban environment. Notwithstanding this fact, because of its size and shape and its elevation above the adjacent lands, it has retained its identity. Its basic architectural composition has not changed much over the past 100 years—the tree-covered parade ground and most of the historic buildings which once served the housing, administrative, manufacturing and storage needs of the armory still remain.

For nearly two centuries, the Springfield Armory developed and produced weapons that had a reputation for quality, accuracy and dependability. Although it started out as a small effort when the local citizens of Springfield were asked to produce 20 firearms for the Massachusetts Committee for Safety in 1776, in time it became the small arms center of the world. In 1794, the Congress selected Springfield, Massachusetts, and Harpers Ferry, West Virginia, as the nation's first arsenals. At Springfield, the first official United States weapon—the U.S. Model 1795 Flintlock Musket—was produced. It was one of a dozen flintlocks to be manufactured during the early history of the armory.

After the Harpers Ferry facility was destroyed in 1861, the Springfield Armory grew in national importance. It developed and manufactured the U.S. Carbine Model 1873—the first "Springfield Rifle"—which was the first breech-loading rifle accepted by the Government as a standard military weapon. This was followed in 1903 with the famous "03," Springfield which was used during World War I. Until it was deactivated in 1968 it continued to improve its weapons—including the manufacture of the M–1, which served around the world during World War II and during the Korean War, and the M–14, the last of the Springfields, which continues in use today.

Recognizing the interest in, and significance of, its history, a museum was established at the Armory in the early 1870's. Today it houses the largest collection of military small arms in the world. It includes examples of every gun manufactured at the armory from the flintlock musket produced in 1795 to the M–14. It contains examples of weapons produced at Harpers Ferry and weapons produced by other American arms manufacturers, as well as weapons developed in other countries. A full series of automatic rapid-fire weapons—from the first Gatling model to the modern single barrel 20 MM cannon—is on display, as is the most comprehensive collection of Confederate weapons in existence. Also included is the original Blanchard lathe—the lathe that revolutionized the gun making industry by making it possible to mass produce gunstocks.

While no longer in use to produce these weapons, the Springfield Armory can tell an impressive story of the arms industry in America and can be used to show the methods of modern manufacturing techniques—including the assembly line technique and the use of interchangeable parts.

Legislative Background

This feature of the legislation is the outgrowth of public hearings on H.R. 329 by Representatives Boland and Conte. On December 10,

1973, the Subcommittee on National Parks and Recreation heard the Department explain the basic features of the proposal and indicate its approval of the legislation. Other witnesses representing the City of Springfield and the Springfield Armory Museum testified in favor of the creation of this national historic site. Similarly, this legislation has the support of the Commonwealth of Massachusetts and the endorsement of the Secretary's Advisory Board on National Parks, Historic Sites, Buildings and Monuments.

The Committee recognizes the importance of establishing effective cooperative agreements to assure the integrity of the site and the availability of the arms collection of interpretation in conjunction with the site. An agreement with the Department of the Army has been negotiated to assure the continued loan of the arms collection on a renewable, long-term basis; its execution awaits the enactment of this legislation. Similarly, the Committee has been advised that a suitable cooperative agreement has been negotiated with the Commonwealth of Massachusetts and the Springfield Technical Community College to protect the historic values of the site which will not be transferred into Federal ownership. In fact, the legislation requires such an agreement before the historic site can be established.

Cost

As recommended, this national historic site will include approximately 55 acres of land. Of this, slightly over 20 acres are to be donated to the United States (including the Commanding Officers' Quarters, the Master Armorer's Quarters, and the Main Arsenal). The remaining acreage (about 35 acres), is to be managed as a preservation contol zone pursuant to the agreement between the Secretary of the Interior and the Commonwealth of Massachusetts. Since no lands are to be purchased, H.R. 13157 contains no appropriation authorization for land acquisition.

Development of the site, however, will require a significant investment over a period of several years. Some restoration of the historic structures and grounds is required and facilities to accommodate visitor use of the site will be necessary. Interpretive exhibits, a complete inventory of the arms collection, and a systematic program for the preservation and restoration of the collection of artifacts will be undertaken. It is estimated that these costs will ultimately require the investment of $5,300,000.

TUSKEGEE INSTITUTE NATIONAL HISTORIC SITE

Purpose

H.R. 873 by Representative Nichols and H.R. 2422 by Representative Seiberling had as their objective the establishment of Tuskegee Institute National Historical Park. Similarly, the provisions of H.R. 13157 recognize the historical significance of Tuskegee Institute and two famous individuals who contributed so much to its success—Booker T. Washington and George Washington Carver.

Description and Location

Located in Macon County, Alabama, on the outskirts of Tuskegee, Tuskegee Institute was founded in 1881. Since that time it has become perhaps the most famous educational institution for the advancement of education of black Americans in the Nation.

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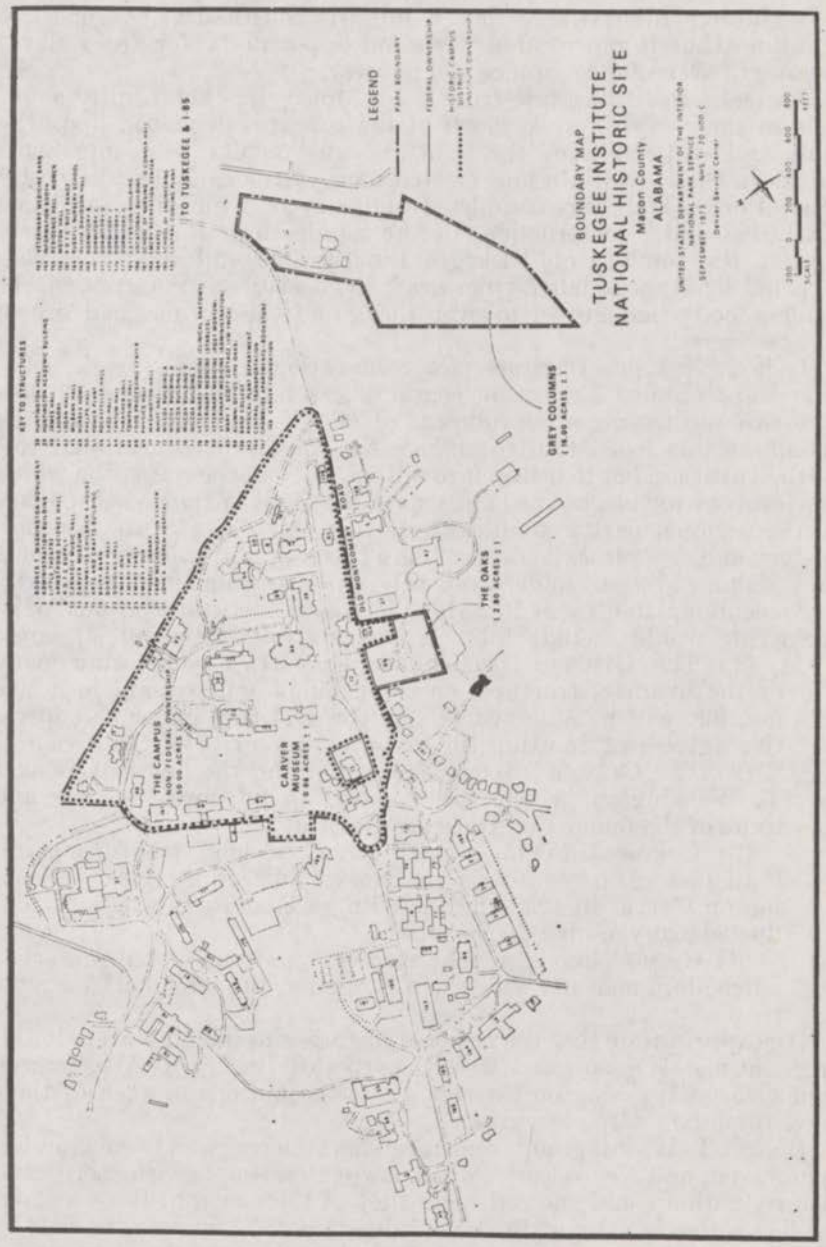
BOUNDARY MAP
TUSKEGEE INSTITUTE
NATIONAL HISTORIC SITE
Macon County
ALABAMA
LEGEND
TO TUSKEGEE & I-85
THE CAMPUS
CARVER MUSEUM
THE OAKS
GREY COLUMNS

Beginning in rural Alabama, it initially consisted of two or three buildings, but it represented hope and opportunity for freed slaves seeking to overcome ignorance and poverty.

Tuskegee Institute grew from need. Money was not readily available in the early days, so much of the progress depended upon the skill and dedication of the students and faculty. Students made bricks in their own kiln and erected most of the early buildings. By 1884, Porter Hall was completed and a second building, Alabama Hall, was under construction. Before the death of Booker T. Washington, the founder of Tuskegee Institute, 20 buildings were constructed by student labor from brick hand-made on the campus, the student body had grown to over 1,500, and the campus had grown to 1,900 acres.

Today, Tuskegee Institute is a coeducational, professional, scientific and technical institution containing 161 buildings and 19 dormitories and having an enrollment of more than 3,000. It is not the intent of this legislation to change the important educational role of the Institute, but to utilize it to tell the story of the transition which was evolved for black Americans since the Civil War. No other place in the national park system can interpret this phase of the Nation's history and few places could provide a better opportunity for students and visitors alike to understand this aspect of our cultural growth.

As contemplated by H.R. 13157, Tuskegee Institute National Historic Site would include four components totaling about 60 acres:

(1) The Historic District, a 50-acre tract comprising many of the historic structures on the campus, will remain in active use, but will be administered by the Institute under a cooperative agreement assuring the historical integrity of the area.

(2) The Oaks, a 2.8-acre site containing the home of Booker T. Washington, which will be used to interpret the life and times of the founder of Tuskegee Institute.

(3) Carver Museum, a small parcel of land (something less than an acre) containing a museum established by George Washington Carver in 1938 and including a laboratory where he conducted many of his experiments.

(4) Grey Columns, a 16-acre tract containing a well-preserved antebellum mansion which will be used as the interpretive visitor center.

It is appropriate that the national historic site should feature buildings intimately associated with the lives of Booker T. Washington and George Washington Carver. The contributions of each of these men are universally recognized.

Booker T. Washington is remembered as the renowned educator, humanitarian and Negro leader who showed that people with energy and determination could succeed regardless of their origin. Born a slave, he had a driving desire for knowledge that led him into the field of education and science. Consequently, when the opportunity arose to establish the Tuskegee Normal and Industrial Institute in Alabama, he was a natural choice. To this modest school, he brought hope, leadership and a belief in the ability of people to help themselves. He taught his students trades, and crafts, and modern agricultural techniques, but he also taught them to be surveyors, engineers, and edu-

cators. As a result they gained practical experience, a sense of accomplishment and pride. Because of his belief that black and white could benefit by working together he helped to create an atmosphere of racial harmony and cooperation that was needed in his time as it is today. His leadership, energy and philosophy made him many friends and a respected citizen.

Similarly, George Washington Carver contributed a great deal to Tuskegee Institute. Also born a slave, he was determined to get an education. He became a rather accomplished musician and artist, but his principal interest was botany and agriculture. His fame grew after he joined the Tuskegee faculty in 1896 as he developed uses for the peanut and experimented with soy beans and sweet potatoes. Because he applied his knowledge for the benefit of those who needed it, small farms throughout the South learned practical information about new agricultural techniques through bulletins he published.

Legislative Background

This legislation is the outgrowth of proposals introduced by Representatives Nichols and Seiberling during this Congress. In the 92nd Congress, however, hearings were held by the Subcommittee on National Parks and Recreation, on a similar proposal. Public hearings were conducted by the Subcommittee on this matter on December 10, 1973. At that time, spokesmen for the Department of the Interior and for Tuskegee Institute expressed their support for the legislation. Earlier, when several Members of the Subcommittee visited the site (August, 1973), the support of State and local officials and the community-at-large became apparent.

Cost

Some of the principal properties involved—The Oaks and the Carver Museum—are to be donated to the United States by Tuskegee Intitute. The historic district will be retained by the Institute and managed and maintained under a cooperative agreement with the National Park Service. The only property to be acquired is the site of the visitor center, Grey Columns, which is expected to require the expenditure of $185,000 from the Land and Water Conservation Fund. In addition, the relocation of a roadway presently traversing the historic district, the rehabilitation and restoration of the Oaks and the Carver Museum will require a further investment—presently estimated to be $2,722,000.

MARTIN VAN BUREN NATIONAL HISTORIC SITE, N.Y.

Purpose

The purpose of the proposed national historic site as initially suggested by H.R. 2032 by Representative King and H.R. 6513 by Representative Fish is to interpret the life and public service of Martin Van Buren—the eighth President of the United States. "Lindenwald", as it is commonly known, was his home from 1841 until his death in 1862 and is the only remaining structure intimately associated with his life and times.

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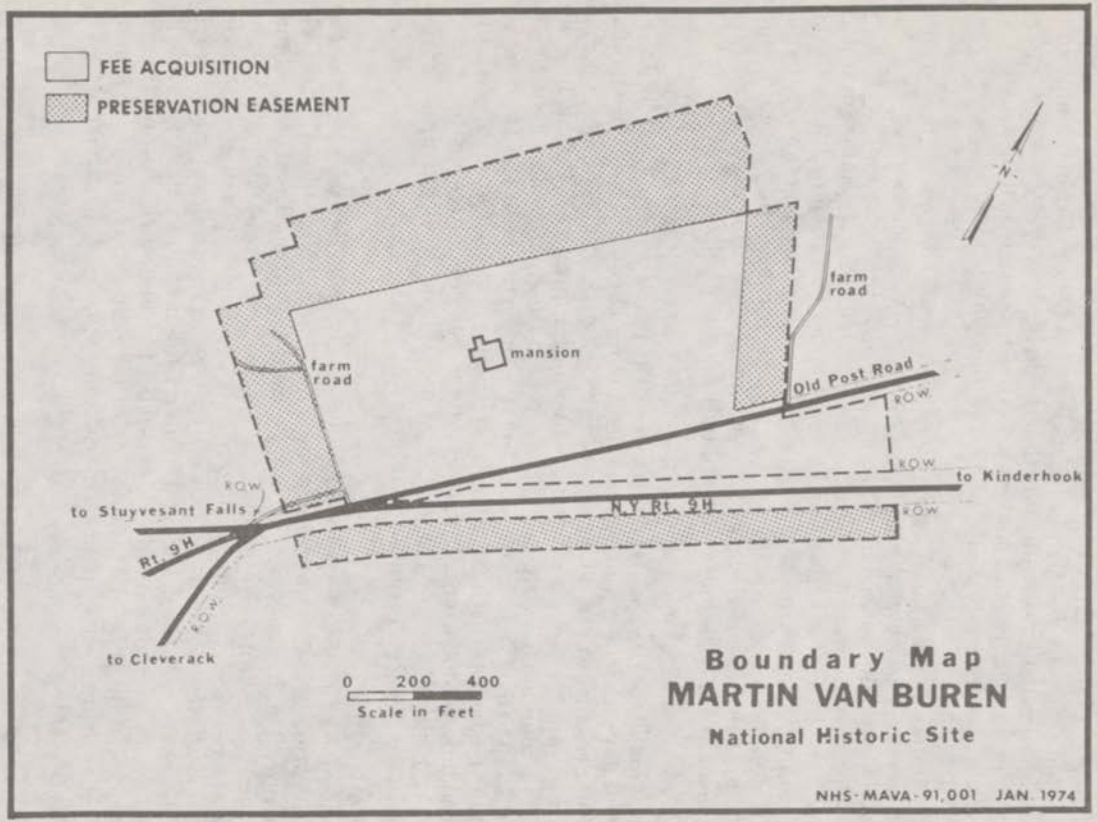
FEE ACQUISITION
PRESERVATION EASEMENT
N
farm road
mansion
farm road
Old Post Road
ROW
ROW
to Kinderhook
ROW
to Stuyvesant Falls
N.Y. Rt. 9H
Rt. 9H
ROW
to Cleverack
0 200 400
Scale in Feet
Boundary Map
MARTIN VAN BUREN
National Historic Site
NHS-MAVA-91,001 JAN. 1974

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Description and Location

Located near Kinderhook in Columbia County, New York, "Lindenwald" is about 25 miles south of Albany and approximately 100 miles north of New York City. It is a scenic, rural setting within easy reach of other nationally significant historic places, including the Saratoga National Historical Park near Schuylerville and the Home of Franklin D. Roosevelt and Vanderbilt Mansion National Historic Sites in Hyde Park. In the nearby environs are numerous other historically interesting places. The Van Schaak Mansion, the School House of Ichabod Crane, the Van Alen House and the House of History all symbolize local pride in the history and culture of this region.

"Lindenwald" was not built by Martin Van Buren, but he left his mark on it. Originally constructed in 1797 as a 2½ story, brick structure of the Federal type, it has undergone many significant alterations over the years. The first major alteration occurred in the early 19th century when a large ballroom was created by rearranging some interior features—perhaps one of the first van Buren changes. In 1849, the former President added a new wing on the rear of the house and had the four-story brick tower and a heavily styled Victorian front porch constructed.

Basically, the structure is sound, though some features will require attention before public use of the site is feasible. It is contemplated that the main residence and certain of the outbuildings will be restored or reconstructed to the setting as it was known during the 1841–1862 period when Van Buren lived there. Much of the original hardware remains, and the early kitchen range and furnace installed during his time remain intact. The cream painted brick exterior and its red trim will need restoration and the slate roof may require some repair, but on the whole the structure remains much as it was when Martin Van Buren lived there.

Background

Martin Van Buren—the first President born under the American flag—was born on December 5, 1782, in the Village of Kinderhook. Early in life, he took an apprenticeship as a lawyer, but soon he found his way into politics. Working up from local political offices in the beginning, he eventually became Governor of New York and was named Secretary of State by Andrew Jackson before being selected as Jackson's Vice President in 1832. In 1836, he succeeded to the Presidency, but failed to win re-election in 1840. After that, he moved to Lindenwald where he remained active in politics until his death in 1862. Included among his guests at his Kinderhook home were such contemporary notables as Winfield Scott, Henry Clay, Sam Tilden, Thomas Benton and Frank Blair.

While Martin Van Buren was President of the United States for only four years, his role in history covered a much longer period. He is considered to be one of the most effective politicians of his time and he played a leading role in the emergence of Jacksonian Democracy. As an advocate for the working man, it was his decree that resulted in the establishment of the 10-hour workday and as a prominent leader he was inclined against the expansion of slavery and participated in some of the events that eventually led to the election of Abraham Lincoln—a man he supported before his death in 1862.

Legislative background

Proposals to recognize the significance of Martin Van Buren's home are not new. As early as 1935, the National Park Service conducted studies of the structure and local efforts for its preservation began a year or so later, but it was not until more recent years that any meaningful action was taken. On July 4, 1961, "Lindenwald" was registered as a national historic landmark and in 1967 the Secretary's Advisory Board on National Parks, Historic Sites, Buildings and Monuments endorsed the proposal to establish a national historic site recognizing its significance. In 1972 the Senate approved legislation authorizing the establishment of the site, but the press of other legislative business prevented action on the proposal by the House. In light of the earlier Senate action on the proposal, it is anticipated that a favorable conclusion will result if H.R. 13157 is approved by the House.

The Subcommittee on National Parks and Recreation conducted public hearings on this proposal on November 26, 1973, and found that it enjoyed the support of the Department of the Interior, the State of New York, the community involved, and the interested general public.

Cost

Altogether, it is anticipated that this historic site will total about 42 acres—approximately half of which will be in scenic easements. The basic property—"Lindenwald" and the adjacent 13 acres of land—was purchased by the National Park Foundation and is being held for government acquisition at cost. Lands owned by the State of New York (slightly over 2 acres) are expected to be donated. Estimates provided by the Department indicate that land acquisition costs should not exceed $213,000. These costs, of course, will be borne by the Land and Water Conservation Fund which was created by the Congress for this purpose.

Restoration and reconstruction of the historic structures and the installation of necessary facilities to accommodate the public are expected to require a larger investment. Estimates provided by the Department for the long-term development program total $2,737,000.

SECTION-BY-SECTION ANALYSIS OF H.R. 13157

Section 1 (a) authorizes the Secretary of Interior to acquire by purchase, donation, exchange or transfer certain lands (described by reference to a boundary map) and personal property associated with the six listed sites. The lands owned by a State or its subdivisions may only be acquired by donation. The sites are:

(1) Clara Barton National Historic Site totals less than 10 acres. All land and improvements are to be acquired by donation or transfer, but the privately owned lands may not be accepted unless vacant.

(2) John Day Fossil Beds National Monument totals 14,400 acres but acquisition of fee title to private lands is limited to not more than 1,000 acres, except by donation or exchange. Under the terms of the bill, the monument will not be established until Oregon donates or agrees to donate its state parklands. The principal visitor center is to be named in honor of Thomas Condon, a man who contributed to the early knowledge of the area.

(3) Knife River Indian Villages National Historic Site totals approximately 1,293 acres which are to be acquired by purchase, donation or exchange.

(4) Springfield Armory National Historic Site includes approximately 55 acres of land (including about 35 acres which will be in a preservation control zone). Under the terms of the bill, this area will not be established unless and until a satisfactory cooperative agreement assuring the historical integrity of Armory Square is executed.

(5) Tuskegee Institute National Historic Site totals approximately 70 acres, including the home of Booker T. Washington, the Carver Museum and Grey Columns, and about 50 acres of campus properties which will be designated as an historic district, but which will remain as an active part of Tuskegee Institute.

(6) Martin Van Buren National Historic Site includes about 42 acres of land of which about 20 acres is to be acquired in fee.

Section 2 authorizes the Secretary to establish such sites once adequate lands have been acquired by publishing notice in the Federal Register, but he is required to transmit advance notice of his intention to the Committees on Interior and Insular Affairs prior to taking such action. Once a unit is established, it is to be administered in accordance with the usual authorities applicable to park properties.

Section 3 involves a roadway at Tuskegee Institute which must be relocated in order to re-route vehicular traffic from the historic area. This road must be constructed on lands which will not be Federally owned. Normally, without such specific authority, permanent improvements cannot be undertaken with Federal funds except on lands held in fee by the United States.

Section 4 authorizes appropriations for the six units totaling $18,534,200—including $1,398,000 for land acquisition and $17,136,200 for development.

COMMITTEE AMENDMENTS

During its deliberations, the Committee considered and approved three amendments to H.R. 13157. They are:

1. A technical amendment to correct a reference to the Thomas Condon-John Day Fossil Beds State Park.

2. An amendment to require the Secretary to designate the visitor center at the John Day Fossil Beds National Monument as the "Thomas Condon Visitor Center" in light of the significant scientific contributions made by Thomas Condon in this particular area.

3. An amendment to increase the authorization ceiling for development of the Knife River Indian Villages National Historic Site. This revision reflects the recommendation to include lands not covered in the initial transmittal from the Department. The increase from $800,000 to $1,130,000 is necessary in order to conduct the archeological investigations and to undertake the earth lodge restoration work on the added lands.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs met, in open session, to consider H.R. 13157 and recommended its enactment by a voice vote.

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DEPARTMENTAL REPORTS

The reports of the Department of the Interior relating to the six units included in this legislation follow:

CLARA BARTON NATIONAL HISTORIC SITE

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 19, 1973.

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

DEAR MR. CHAIRMAN: This responds to your request for this Department's views on H.R. 1892 and H.R. 2841, bills to provide for the establishment of the Clara Barton House National Historic Site in the State of Maryland, and for other purposes.

We recommend enactment of either bill if amended as recommended below.

Both bills authorizee the Secretary of the Interior to acquire the former house of Clara Barton in Glen Echo, Maryland. The house is currently privately owned. The bills direct the Secretary, after acquiring the land, to restore and maintain the property in accordance with the Act of August 25, 1916, as amended 16 U.S.C. §§ 1, 24 (1970) and the Act of August 21, 1935, as amended 16 U.S.C. § 461 *et seq.* (1970). They also authorize the appropriation of sums to carry out the purposes of the Act.

Clara Barton, the primary figure in the founding of the American Red Cross, resided in the house for the last twenty years of her life. From 1897 to 1904 the house was the National Headquarters of the American Red Cross of which Miss Barton was the president.

The structure was built partly with materials salvaged in Johnstown, Pennsylvania from emergency housing designed to store relief supplies and to accommodate Red Cross workers after a disastrous flood. The interior resembles a Mississippi riverboat, with railed galleries and a Captain's room. The building has continued in residential use since its construction with only minor modification.

The house was designated a National Historic Landmark in 1965 and is closely identified with the social history of our Nation. More recently, the Advisory Board on National Parks, Historic Sites, Buildings and Monuments recommended the establishment of the Clara Barton House as a National Historic Site. Enactment of either bill would implement the recommendation of the Advisory Board and would constitute a positive step toward our goal of a National Park System which is balanced and complete in its representation of the Nation's historical heritage.

We anticipate a donation of the 1.09-acre site valued at $100,000. Under the terms of the proposed donation, the National Park Service has agreed to permit continued occupancy by present residents for a reasonable period consistent with the demands of restoration and public use.

We do not anticipate a need to acquire the site either with appropriated funds or by means of an exchange of land as H.R. 2841 would

authorize. We therefore recommend that lines 7 through 9 of the first page of H.R. 2841 be amended so that they are identical with H.R. 1892 and read as follows: ". . . to as the "Secretary") is authorized to acquire by donation or purchase with donated funds the land and interests in land, together with buildings and . . ."

The bills would authorize the acquisition of additional lands and interests in lands as may be deemed necessary for administration of the area; however, we have no plans to make any acquisition of realty other than the 1.09-acre site.

While we anticipate the donation of the 1.09-acre site, we estimate that incidental land acquisition costs will total $47,450. Of this figure, approximately $36,500 would cover the possible costs of relocation of eight residents of a section of the house which is now subdivided into apartments, and would also be used for possible reimbursement of a portion of the closing costs which will be incurred by the Friends of Clara Barton, the non-profit Association which now holds title to the house. The remaining $10,950 would be applied towards administrative expenses and contingencies.

Proposals for development currently under consideration, based on April 1972 prices, are estimated to be $812,000. This covers buildings and utilities, and primarily strengthening, restoring and stabilizing the house and restoring the grounds. The National Park Service intends to explore the possibility of receiving contributions for development of the site from the National Red Cross since restoration of the property and maintenance of the property as a national historic site should have great significance to its members.

Annual operating costs are estimated to be $130,800 in the first year and are expected to be $141,700 by the fifth year. A man-year cost data statement is attached hereto.

We recommend that the provisions of section 3 of H.R. 1892 be amended so they are identical to the provisions of H.R. 2841.

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

Sincerely yours,

CURTIS BOHLEN,
Acting Assistant Secretary of the Interior.

CLARA BARTON HOUSE NATIONAL HISTORIC SITE (PROPOSED)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated expenditures:					
Personnel services	$79,400	$75,500	$85,500	$95,400	$95,400
All other	96,400	128,700	282,700	338,300	191,300
Total	175,800	204,200	368,200	433,700	286,700
Estimated obligations:					
Land and property acquisition					
Developments	45,000	90,000	240,000	292,000	145,000
Operations (management, protection and maintenance)	130,800	114,200	128,200	141,700	141,700
Total	175,800	204,200	368,200	433,700	286,700
Total, executive direction and substantive man-years of civilian employment	6.5	6.5	7.5	8	8

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JOHN DAY FOSSIL BEDS NATIONAL MONUMENT

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 10, 1973.

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 1252, a bill to authorize the Secretary of the Interior to establish the John Day Fossil Beds National Monument in the State of Oregon, and for other purposes.

We recommend deferral of action by the Congress on this bill.

The bill would authorize the Secretary of the Interior to establish the John Day Fossil Beds National Monument in the State of Oregon, to be comprised of those lands now within the boundaries of Thomas Condon-John Day Fossil Beds State Park, Clarno State Park, and Painted Hills State Park, together with such other areas as the Secretary determines to be suitable for administration as part of the monument. Establishment of the monument is intended to preserve, protect, and interpret the extensive tertiary fossils found in the geologic formations of these areas.

Land could be acquired for the monument by donation, purchase, or exchange. The monument could be established, however, only after the State of Oregon or its political subdivisions had transferred or agreed to transfer the three State parks mentioned above, for administration as part of the monument. Prior to establishment of the monument, the Secretary could acquire privately owned land only by donation or purchase with donated funds; he could, however, obtain options to purchase such lands prior to establishment of the monument. The bill directs the Secretary to designate some appropriate landmark, such as a visitor's information center, within the monument area in recognition of the work of Thomas Condon.

We are not able at this time to recommend either for or against enactment of H.R. 1252. As you know, the core of the proposed national monument—approximately half the total acreage—is already being protected as part of the Oregon state park system. We are in the process of evaluating the appropriateness of transferring these units to Federal ownership, and enlarging the State parks for day and overnight visitor use. We are also reviewing the proposal in light of the existing National Park System development and land acquisition needs.

We expect to be able to report our conclusions to the Congress during the 2nd Session of this Congress. We therefore ask that action on the proposal be deferred until that time.

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

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KNIFE RIVER INDIAN VILLAGES NATIONAL HISTORIC SITE

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 7, 1973.

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 5199, a bill to authorize the establishment of the Knife River Indian Villages National Historic Site.

We recommend enactment of the bill.

The Knife River Indian Villages in North Dakota, clustered along the west bank of the Missouri River, contain the remnants of earth-lodge dwellings, cache pits, burials, fortifications, and travois trails, all in an excellent state of preservation and integrity. Archeological remains at the site span a period of several centuries.

In addition to their considerable archeological value, these villages have important historical associations. Lewis and Clark visited here often during their stay at nearby Fort Mandan in 1804–1805; and Sakakawea, a guide to the Lewis and Clark expedition, lived here. Alexander Henry, David Thompson, Lisa, Bradbury, Catlin, Maximillian, Bodmer, and John James Audubon were among the early visitors.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments affirmed the national significance of the villages in 1964 when Big Hidatsa Village was recommended for a classification as "of exceptional value" and for Registered National Historic Landmark status.

H.R. 5199 would authorize the Secretary of the Interior to acquire the sites of the villages, together with additional lands as may be necessary, and to administer the area thus acquired as the Knife River Indian Villages National Historic Site.

We firmly believe that these important archeological and historic remains should be preserved, and we have concluded that they should be preserved and interpreted as a part of the national park system.

The Knife River Indian Villages are representative of the agricultural phase of Plains Indian development. In addition, the Crow Nation had its origin in these villages, when two groups from the village elected to abandon the sedentary village life; the Crow Indians were representative of the nomadic culture of the "late" Plains period. The Knife River Villages, through trade with the related Crow Indians, were instrumental in making horses available to the Plains nomads. Interpretation of the site by the National Park Service would deal with the agricultural village life, the nomadic life of the Plains Indians, the visiting of the village by the Lewis and Clark expedition, and early European visitors to the villages.

We estimate land acquisition costs for purchasing 550 acres in fee would be $114,000 and development costs would be $800,000. Annual costs of operation and maintenance would be $150,000 five years after enactment of the bill. This would permit acquisition of the most significant of the remaining sites; the Big Hidatsa would be acquired

in one parcel and the Lower and River Hidatsas in a separate detached parcel.

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

SPRINGFIELD ARMORY NATIONAL HISTORIC SITE

U. S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 30, 1973.

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

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 329, a bill to authorize the establishment of the Springfield Armory National Historic Site, Massachusetts, and for other purposes.

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

The bill authorizes the Secretary of the Interior to accept from the city of Springfield, Massachusetts, such part of the historic Springfield Armory property as is adequate in his judgment to constitute an administrable unit, together with a donation of improvements and personal property on such lands. The Secretary is to establish the Springfield Armory National Historic Site when he has accepted the donated property and has reached satisfactory agreements (1) with the Commonwealth of Massachusetts for preservation of Springfield Armory lands and buildings that are not in Federal ownership, and (2) with the Secretary of the Army for retention or transfer of the arms collection and other museums objects located at the armory. The area is to be administered by the Secretary in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 *et seq.*).

Springfield is Massachusetts' third largest city, with 163,905 inhabitants in 1970. It is located in the western part of the State not far north of Connecticut. Interstate Highway 90 runs in an east-west alignment just north of the city. For nearly 200 years, the armory has been the heart of the Springfield area. From its inception, the operating center of Springfield Armory has been Armory Square, which lies above the center city and the Connecticut River. The Armory Square complex contains a tree-covered parade and various historic buildings once used for housing, administration, manufacturing, and storage at the armory. Since 1968, when the armory was deactivated, many of these buildings have been used in conjunction with Springfield Technical Community College.

The proposed national historic site would include three major Arsenal buildings: the commanding officer's quarters, the master armorer's quarters, and the main arsenal. The main arsenal houses the Springfield Armory Museum, which contains the outstanding Benton Arms Collection as well as other exhibits. The arms collection includes not only the products of Springfield Armory but also firearms that illustrate the growth of the entire American arms industry.

Armory Square has retained its identity and overall architectural composition for the past 100 years. The square's size and distinction, provided in part by its elevation and the iron fence enclosing it, provide a degree of isolation from the adjacent urban environment. Within walking distance of the proposed national historic site is the quadrangle that is considered the cultural heart of Springfield.

The proposed Springfield Armory National Historic Site would commemorate the important role of the Springfield Armory in the Nation's military history. For nearly 200 years, the armory was a center for manufacturing and development of small arms, producing weapons which achieved a justified reputation for quality, accuracy, and dependability. For a substantial portion of this time, the armory made Springfield the small arms center of the world. The site's history began in 1777, when Armory Square in Springfield was selected as the location for a magazine and laboratory for the development, production, and storage of guns and powder. During the American Revolution, Armory Square was the site of important ordnance manufacturing and storage facilities; it served as a supply depot for the entire northern theater of war. Following the Revolutionary War in 1794, Congress officially established the Springfield Armory. During the latter half of the 19th century, from the time of the destruction of the Harpers Ferry installation in 1861, until the Rock Island Arsenal began some production of rifles in 1904, the Springfield Armory was the sole supplier of military small arms manufactured by the U.S. Government. Most of the United States Armed Services small arms were developed in the laboratories at Springfield Armory until the time that the armory was deactivated as a military installation, in April 1968.

In addition to its historical role in the development and manufacturing of small arms, Springfield Armory was also the site where Shay's Rebellion was quelled. On January 25, 1787, the rebellion of small farmers under Daniel Shay against alleged unfair taxation ended at Springfield Arsenal, with their defeat as they attempted to seize the magazine.

The Department believes that Springfield Armory represents a heritage of Government arms development and manufacture that is worthy of preservation. In April 1963, the Armory was dedicated as a National Historic Landmark. And at its 65th meeting in October 1971, the Secretary's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments "heartily endorse[d] the establishment of the Armory Square portion of the Springfield Armory as the Springfield Armory National Historic Site."

After deactivation in 1968, part of Armory Square was conveyed to the city of Springfield, which in turn leased a portion to Springfield Armory Museum, Inc., a nonprofit foundation, for preservation

and management. Other parts of the Armory were conveyed to the Commonwealth of Massachusetts. It became apparent, however, that preservation of the appearance of historic buildings, particularly those marked for use by the Springfield Technical Community College, was not assured. Furthermore, the foundation which managed the arms collection encountered funding difficulties; subsequent to unsuccessful national fund-raising attempts, its management asked that the National Park Service preserve and manage the armory as a national historic site.

Springfield Armory National Historic Site would encompass approximately 55 acres. The Department proposes to acquire in fee, through donation, 18.35 acres of land owned by the city of Springfield and a strip of 1.97 acres owned by the State of Massachusetts and utilized in conjunction with the college. The remaining 34.61 acres would remain in State ownership, constituting a "Preservation Control Area", pursuant to an agreement to be concluded with the State, that would preserve the historic appearance of the parade and the exterior of structures, including the Technical College, surrounding it. In addition, the Department would conclude an agreement with the Secretary of the Army concerning the arms collection and other museum objects now at the site. Since the arms collection is a key feature of the historic site, the Department believes that a satisfactory agreement should include a loan of the articles on a long-term basis, subject to renewal, to the National Park Service. A draft of an agreement containing this type of loan arrangement has been negotiated; its signing awaits the passage of legislation creating the historic site.

Because land would be acquired entirely through donation, no land acquisition costs are involved. The estimated cost of operation and maintenance is expected to be about $356,000 per year. A staff of 14 permanent and two seasonal man-years of personnel is contemplated.

Restoration of the buildings included in the proposed national historic site would be necessary and we propose undertaking development of interpretive exhibits in the main arsenal. Development costs are estimated to be about $5.3 million, based on February 1973 prices. Of this amount, $3 million is programmed for development of interpretive exhibits in the main arsenal, and about $2.3 million is for buildings, restoration, and grounds work. The $3 million for development of the interpretive exhibits includes a complete cataloguing of the arms collection and preservation or restoration as needed.

A man-years and cost data statement is enclosed.

We would suggest that the following amendment be made to clarify that the Secretary may accept leases and scenic easements, as well as full interests in land and personal property, and that these can be acquired from the Commonwealth of Massachusetts as well as the city of Springfield. Specifically, we suggest that page 1, line 10 through page 2, line 6, be amended to read as follows:

"Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to acquire by donation such real or personal property or interests therein which constitute a part of, or are located upon, the historic Springfield Armory property, Springfield, Massachusetts, as in his judgment will constitute an administrable unit, for establishment as the Springfield Armory National Historic Site."

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

Sincerely yours,

CURTIS BOHLEN,
Acting Assistant Secretary of the Interior.

SPRINGFIELD ARMORY NATIONAL HISTORIC SITE

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services	$194,000	$206,000	$206,000	$206,000	$206,000
All other	722,000	1,195,000	1,505,000	1,890,000	820,000
Total	916,000	1,401,000	1,711,000	2,096,000	1,026,00
Estimated additional obligations:					
Land and property acquisition					
Developments	559,000	1,043,000	1,353,000	1,740,000	670,000
Operations (management, protection and maintenance, planning, development and operation of recreation facilities)	357,000	358,000	357,000	356,000	356,000
Total	916,000	1,401,000	1,710,000	2,096,000	1,026,000
Total, estimated expenditures: Man-years of civilian employment	15	16	16	16	16

TUSKEGEE INSTITUTE NATIONAL HISTORIC SITE

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 23, 1973.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 873, a bill to provide for the establishment of the Tuskegee Institute National Historical Park, and for other purposes, and on H.R. 2422, an identical bill.

We recommend in favor of enactment of H.R. 873 or H.R. 2422, if amended as suggested in this report.

The bills would authorize the Secretary of the Interior to establish the Tuskegee Institute National Historical Park, consisting of lands and buildings on or adjacent to the Tuskegee Institute campus in Tuskegee, Alabama, that the Secretary deems to be of historical or cultural significance. The Secretary is authorized to acquire lands and personal property within the boundaries of the park by donation, purchase, or exchange, and is authorized to enter into cooperative agreements with owners of property located within the boundaries of the park to assist in interpretation and preservation of those properties. Such agreements must give the National Park Service reasonable access to the buildings, must provide that no substantive changes or alteration may be made without mutual consent, and must require that the subject matter for and method of interpretation be agreed on by the parties. The bills provide for authorization of sums necessary to carry out the purposes of the Act.

During the last Congress, we reported to your committee on H.R. 15419, an identical bill, recommending deferral of consideration until the Department was able to study the suitability and feasibility of

the proposal, and draw up specific plans. We have completed these studies and are now able to recommend that a national historic site be established at the Tuskegee Institute.

In 1881, Booker T. Washington was asked by the citizens of Tuskegee, Alabama, to start a normal school for Negroes, chartered by the State of Alabama. Beginning with three shacks, only three teachers, and minimal equipment and funds, the school implemented a program of industrial and vocational education designed to overcome the poverty and lack of vocational skills of the freed slave population. The students made the bricks for and helped construct campus buildings, raised their own crops and livestock, and learned other practical skills. In 1896, George Washington Carver came to Tuskegee, where he carried out his noted work in agricultural science, encouraging culture of peanuts, soybeans, and sweet potatoes to provide nutritious food that would also add nitrate enrichment to soil exhausted by the growing of cotton. By the time of Washington's death in 1915, the school was the leader in agricultural and industrial training for the Negro, and had organized an extension service to encourage use of modern agricultural techniques by black farmers throughout the South. The student-built facilities, now supplemented by other structures to meet modern educational needs, are still being used by the Institute.

The national historical significance of Tuskegee Institute was recognized in 1965 when it was designated a national historic landmark. We believe that Tuskegee Institute is an ideal site for interpreting to the American public the history of Negro education and of the economic and social advancement of blacks in the post-Civil War period.

The historic site will consist of four elements: "The Oaks", home of Brooker T. Washington; the Carver Museum, the location of George Washington Carver's laboratory; a historic district consisting of about 50 acres at the center of the campus, which would be the subject of a cooperative agreement between the National Park Service and the Institute trustees; and Grey Columns, an antebellum mansion located on 16 acres adjacent to the campus.

Grey Columns will serve as an interpretive center for visitors, and since it is a product of the local slave and cotton economy, as a setting for and counterpoint to the accomplishments represented by the Institute. Grey Columns, which has been used as a prvate residence since its construction and has been well-maintained, is not now occupied. It will cost approximately $185,000 to acquire.

The Tuskegee Institute has agreed to donate to the National Park Service both The Oaks, and the Carver Museum, as well as the two plots of 2.8 acres and .86 acres, respectively, on which these two buildings are located. The Oaks will serve as an historic house museum, focusing on the life of Booker T. Washington. The Carver Museum, which Carver himself established in 1938 and where he carried on some experiments, would be used to interpret Carver's work.

A cooperative agreement authorized by section 3 of the bills will be executed by the National Park Service with the Trustees of the Institute. The agreement will have the purpose of preserving the historical integrity of the center of the campus, where a number of buildings built by student labor still stand. The type of interpretation of the area will be subject to mutual agreement, and will be consistent with the functioning of the Institute as an educational institution.

Rehabilitating Grey Columns, and making it into an interpretive center will cost about $1 million; costs for developing The Oaks, including restoring the principal rooms to the period and style of Booker T. Washington, will be about $900,000; recreating the scene of Carver's experiments will cost about $640,000. In addition, it is proposed that a road which carries traffic through the middle of the historic site be relocated; it is estimated that such relocation will cost about $135,000. Total development costs, including construction and parking areas and walkways are expected to be about $2,722,000. Operating costs are expected to be about $266,000 per year by the fifth year after enactment of the legislation. A man-year and cost data statement is attached.

We would recommend three amendments to the bills, for the reasons outlined below. Page and line references are to H.R. 873.

1. We believe that "historic site" is a more appropriate designation for Tuskegee than "historical park". In general, the term "historic site" is more appropriate where only one historic theme is dominant, and where the area to be acquired is small, such as is the case with these bills. We therefore recommend amending the title of the bills to read "To provide for the establishment of the Tuskegee Institute National Historic Site, and for other purposes.", and that the phrase "Historical Park" on line 2 of page 2 be replaced with the phrase "Historic Site". The word "park" where it appears on lines 2, 6, 9, 14, and 20 of page 2 and lines 10 and 11 of page 3 should be replaced with the phrase "historic site".

2. Section 4 of the bills authorizes the Secretary to render financial and technical assistance to owners of property within the park, to aid in interpretation and preservation of the park's historical and cultural features. We recommend deletion of section 4 as unnecessary. The Department does not intend, at this time, to give financial aid to the Institute to preserve buildings or other artifacts within the historic district. The Secretary would have adequate authority to do so in any event, however, under the provisions of the Act of August 21, 1935 (49 Stat. 666 *et seq.*), as amended, as well as to provide technical assistance. Under the 1935 law, the Secretary may contract with corporations, associations, and individuals, as well as public entities, to preserve and protect any historic building regardless of whether title is in the United States, and may provide technical assistance to promote the national policy of preserving for public use historic sites and buildings.

3. In order to permit the Secretary to construct a new road rerouting campus traffic around the outside of the historic area, on property which will remain in Institute ownership, a special authorization is needed. We suggest that the following language be added as a new section:

"SEC. 7. Notwithstanding any other provision of law, the Secretary is authorized to construct roads on real property remaining in non-Federal ownership within the boundaries of the historic site. Any roads so constructed shall be controlled and maintained by the owners of the real property."

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,

TOBIAS V. WELD,
Deputy Assistant Secretary of the Interior.

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TUSKEGEE INSTITUTE NATIONAL HISTORIC SITE

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional expenditures:					
Personnel services	$78,000	$115,000	$160,000	$160,000	$160,000
All other	538,000	390,000	1,222,000	996,000	106,000
Total	616,000	505,000	1,382,000	1,156,000	266,000
Estimated additional obligations:					
Land and property acquisition	185,000				
Developments	264,000	304,000	1,114,000	890,000	
Operations (management, protection and maintenance, planning, development and operation of recreation facilities)	167,000	201,000	268,000	266,000	266,000
Total	616,000	505,000	1,382,000	1,156,000	266,000
Total, estimated additional man-years of civilian employment	6	9	13	13	13

MARTIN VAN BUREN NATIONAL HISTORIC SITE

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., June 5, 1973.

Hon. James A. Haley,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

Dear Mr. Chairman: This responds to the request of your Committee for the views of this Department on H.R. 2032, a bill to establish the Van Buren-Lindenwald Historic Site at Kinderhook, New York, and for other purposes. There is also pending before your Committee an identical bill, H.R. 6513.

We recommend that H.R. 2032 or H.R. 6513 be enacted, if amended as suggested herein.

The bills direct the Secretary of the Interior to acquire Lindenwald, which is the former home of Martin Van Buren. The Secretary is also directed to acquire adjacent or related lands which are necessary for the establishment of the area.

Lindenwald possesses important historical significance. The home was built in 1797 and purchased by Martin Van Buren in 1839. When his term as President ended in 1841. Van Buren returned to his native Kinderhook and resided at Lindenwald until his death in 1862.

Lindenwald is the only remaining structure and property intimately associated with the former President of the United States. His famous visitors included Winfield Scott, Henry Clay, Sam Tilden, Frank Blair and Thomas Benton.

The original house is a substantial one of the Federal type. Later additions were made in the Gothic and Victorian styles. The 1797 house and the subsequent additions have a total of 36 rooms and passageways.

The main portion of the Van Buren house is brick, two and one-half stories tall, on a stone foundation. The mansion has a tower which is approximately four stories high, with the top level open on two sides to form an observation platform and bell tower.

The interior of the mansion remains relatively unchanged since the mid-19th century. Most of the original hardware remains, including silver-plated knobs and hardware on the first floor and the original carpenter locks on the second floor.

We estimate that the National Historic Site will encompass approximately 42 acres. Land acquisition costs are estimated at $213,000, to acquire easements in 20 acres that are presently privately owned, and to acquire in fee 20 acres, 7 of which are privately owned, and the remaining 13 of which are now owned by the National Park Foundation. The Foundation will hold the acreage it has purchased for conveyance to the National Park Service, after the historic site is authorized. The price to the National Park Service will be the purchase price paid by the Foundation plus the settlement costs. The remaining two acres, which are owned by the State of New York, we proposed be donated. Total development costs are estimated to be $2,737,000, of which $2,321,000 will be used for building and utilities, with the main expenditures for restoration of the mansion and other buildings, and for archeological and historical research.

The remaining $416,000 is to be spent on roads and trails, primarily to develop maintenance and parking areas. Annual operating costs are estimated to be $137,000 in the first year and are expected to be about $318,000 by the fifth year. A man-year and cost data statement is enclosed. The foregoing development cost estimates are based on January 1973 cost indices.

This Department recommends a denominative amendment to H.R. 2032. Inasmuch as the site is known by its manor title, Lindenwald, we recommend that the name "Lindenwald National Historic Site" should be substituted for the name "Van Buren-Lindenwald Historic Site" in the title, and lines 4 and 5 and line 10 of page 2 of the bill.

We also recommend an amendment to make acquisition of Lindenwald permissive rather than mandatory, as the bills now provide. This change will give the Secretary greater flexibility in scheduling acquisition of Lindenwald. To accomplish this change, page 1, line 8 should be amended to read "is authorized to acquire, on behalf of the United States, by gift, ex-".

In addition the term ", as amended" should be added at the end of line 17, page 2, in order to complete the bill's citation of the Act of August 21, 1935.

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

LINDENWALD NATIONAL HISTORIC SITE (PROPOSED)

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated expenditures:					
Personnel services	$75,000	$94,000	$166,000	$159,000	$200,000
All other	623,000	1,024,000	778,000	339,000	624,000
Total	698,000	1,118,000	944,000	498,000	824,000
Estimated obligations:					
Land and property acquisition	213,000				
Development	348,000	959,000	679,000	245,000	506,000
Operations (management, protection and maintenance)	137,000	159,000	265,000	253,000	318,000
Total	698,000	1,118,000	944,000	498,000	824,000
Total, estimated man-years of civilian employment	5.5	7	14	14	17

Senator BIBLE. Senator Nelson, a member of the subcommittee is with us, and has just handed me a letter. I will now defer to him.

STATEMENT OF HON. GAYLORD NELSON, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Senator NELSON. Thank you, Mr. Chairman. I have a plane to catch and I must leave here in about 45 minutes. I appreciate the chairman allowing me to speak a moment or two. I have a letter here from the former superintendent—just retired—of the status of the acquisition land on 20 of the 22 islands of the Apostle Islands National Park, which constitutes some 22,000 acres plus some 6 miles of shoreline. They advise us that they are short about a million dollars in acquisition. That is 700.

Senator BIBLE. You mean they have run over their ceiling?

Senator NELSON. Yes. I have a letter stating that that is also true from the Secretary of the Interior. They need another million dollars. I don't have the figures but I can get them. From my memory I don't think this increases the cost of the price of the project because a certain amount was allocated to development.

Senator BIBLE. But it leaves some. You want an amendment to correct that.

Senator NELSON. I want it amended to add a million dollars to the authorization for acquisition.

Senator BIBLE. We will ask the park service to be prepared to comment upon the Apostle Lake Shore situation. We would like their view on how large a ceiling increase is needed, or how much money should be transferred from acquisition to development.

Senator NELSON. It is not a transfer. I think the law was pretty specific, to add a million to the acquisition. I believe from this park site that the plans for development had dropped and I have forgotten the amount involved there but I believe on balance it is not going to change the total amount but it does need an authorization for another million to complete the acquisition.

Senator BIBLE. I think we can accommodate your request. It is obvious that we have run out of ceiling in a number of these areas. We will do everything we can to accommodate this request.

At this point in the record I would like to submit the prepared statements of Senators Sparkman, Young, and Congressman Ullman.

[The statements referred to above follow:]

STATEMENT OF HON. MILTON R. YOUNG, A U.S. SENATOR FROM THE STATE OF ALABAMA

Mr. Chairman, I appreciate this opportunity to express my continuing interest in the establishment of Tuskegee Institute National Historic Park. The committee is well aware of the historic significance of this institution through the presentations made at the committee's hearings last year. At that time, Senator Allen, Congressman Nichols, Officials of Tuskegee Institute, and I spoke of the need for preserving this area. We were very grateful for the committee's prompt action in reporting S. 262 and for the Senate's action in passing the bill last December.

While I would have preferred that the House pass S. 262 so that this project could be started more expeditiously. I am glad that the House has, at least, included the Tuskegee Institute Historical Site in H.R. 13157. I commend this project to the Committee. I know that the able members of the committee will proceed on this legislation in a manner beneficial to Tuskegee.

I would like to thank you, Mr. Chairman, and the members of the committee for the help that you have given us in the development, and, hopefully, the realization of the Tuskegee Institute Historical Site.

STATEMENT OF HON. MILTON R. YOUNG, A U.S. SENATOR FROM THE STATE OF NORTH DAKOTA

Mr. Chairman, many North Dakota people have expressed a great interest in having the Knife River Indian Villages made a National Historic Site. These five villages, which were inhabited by the Hidatsa Indians centuries ago, are located near the area where the Knife River enters into the Missouri River.

These Hidatsa Villages and the surrounding area are rich in the history of western frontier life on the Upper Great Plains. The Hidatsas, as was true of many of the Plains Indians, were originally from the more humid eastern region of the United States. For a number of reasons, the woods Indians moved westward onto the Great Plains. The Hidatsa Indians moved to the west bank of the Missouri River near to what is now Stanton, North Dakota. Here they had to adapt to a new type of life. The Hidatsas were among the first farmers on the Upper Great Plains and later they turned to buffalo hunting to supplement their diet. The early pioneers who came to the Great Plains learned much from the Hidatsas and adopted new crops and the techniques of raising crops developed by the Indians.

While the Hidatsas were well known horticulturists, they became perhaps better known for a young woman who lived with them. She was a young Indian woman who was captured from the Shoshoni Indians and later purchased by a young Frenchman living with the Hidatsas. Her name was Sakakawea and she played a most important role in guiding Lewis and Clark in their search for a passage to the Pacific Ocean. Lewis and Clark visited the Hidatsa Indian Villages often during the winter of 1804–05 when they stayed at nearby Fort Mandan.

Sakakawea has in her own right become as prominent a figure in the Lewis and Clark Expedition as Lewis and Clark themselves. It has been said that Sakakawea has more memorials named in her honor than any other woman in American history. One of these is a lake named in her honor which is only a few miles from the Knife River Villages. Lake Sakakawea is the huge reservoir behind Garrison Dam and is a major tourist attraction and recreation center in North Dakota.

Many of the remains of early-day Indian Villages were inundated by the Garrison Dam, and still others to the south by the Oahe Reservoir. It is important that action be taken to preserve the remains of these Villages, which contain remnants of their earth lodge dwellings, cache pits, burial grounds, and other items of historical and cultural interest.

The Knife River Indian Villages are located in a rolling prairie setting which is so common to North Dakota. The surrounding area is agricultural and livestock and small grains are the main industry.

Mr. Chairman, there is so much history in this area that it would be unfortunate not to have these Knife River Indian Villages named a National Historic Site. This was the Western Frontier. The American Western Frontier is gone and all that is left are the remnants of such archaelogically and historically rich sites as the Knife River Indian Villages. It would be most appropriate to have this site named a National Historic Site to preserve the role in history that the Hidatsa Indians played in developing the Western Frontier.

Mr. Chairman, legislation which would establish the Knife River Indian Villages as a National Historic Site was passed by the Senate on November 30, 1973. I am hopeful that your Committee will see fit to take favorable action on this legislation.

STATEMENT OF HON. AL ULLMAN, A CONGRESSMAN FROM THE STATE OF OREGON

Mr. Chairman, I appreciate the opportunity to appear before the Subcommittee to testify in favor of national monument status for the John Day Fossil Beds. As the Chairman recalls, my bill, H.R. 1252, has been introduced in three successive Congresses. Last year, I understand that a favorable report had been sent to the Office of Management and Budget, but clearance was never granted. The Regional Office of the Park Service has been actively involved in this matter since 1965, with a clear purpose of eventual passage of this proposal for national status.

I have commended the Park Service for their efforts to see this unique geological area receive national designation and protection, but now I am concerned over what appears to be a reversal in Washington recently. I intend to address this new problem later in my testimony, but want to focus briefly on the background and significance of my legislation.

My bill puts together a National Monument from eight present state parks, located in three major non-contiguous areas, similar to the approach used in Arcadia National Park. This area is considered to be the second largest fossil repository in the world. However, the most unique feature, and the one that makes this site perfect for national monument status, is that it clearly illustrates five consecutive geologic epochs covering the last 70 million years of geologic history. A great variety of both plant and animal fossils portray a vivid picture of the forms of life that existed in each epoch, and attest to the dramatic and almost complete changes that have taken place within this relatively brief geologic time span. I refer the Subcommittee to page 13 of the Final Environmental Impact Statement issued by the Department of Interior on November 21, 1973, for a more complete description of geology for the John Day Basin.

The fossil resources can be found through a much larger area in the John Day Basin, but it is within the present State Parks that the features lend themselves to easy interpretation of the relation of the various chapters of history to each other.

Recorded history of the exploration of the area dates to about 1864. The principal fossil beds are located in northeastern Oregon, surrounded by the towns of John Day, Fossil, and Prineville. The federal government first recognized the significance of the fossil beds in 1935, when the John Day Fossil Beds were officially designated a Registered Natural Landmark.

The locations are in a sparsely populated section of Oregon, and two major highways pass through the area. U.S. 26 goes east-west through John Day, and U.S. 395 passes north-south through Mt. Vernon, six miles west of John Day.

The John Day River flows through much of the fossil beds area. A 147 mile segment of this river has been designated by the State for inclusion in the Oregon Scenic Waterways System, and is under study as a component of the National Wild and Scenic Rivers System.

Clearly, one of the principal justifications for federal involvement in the area is the need to protect the fossil beds. While State Parks exist, they are not adequately policed. Budget considerations are one problem. In 1967, when the Secretary of Interior's Advisory Board on National Parks, Historic Sites, Buildings and Monuments first considered the Park Service study and report on the John Day Fossil Beds, they determined that it "is eminently suitable for geological and paleontological exhibit and interpretive purposes as a John Day Fossil Beds National Monument." The conclusion at that time was, however, that a plan for national status should not be pursued unless the State should seek it. In 1971, the State formally indicated its willingness and desire to see the Park Service take over the fossil beds. Yesterday, I received a copy of a telegram to you, Mr. Chairman, from David Talbot, State Parks Superintendent in Oregon reiterating the full support of the State Government for this bill.

The Park Service has put together an ambitious plan that includes 14,402 acres, an expansion from 7276 now in the State Parks, and 2035 acres of contiguous federal land. My bill does not formally designate the land or acreage to be included in the monument—that authority is delegated to the Secretary. Perhaps it should not be, and I would elaborate on this thought.

In the first two Congresses in which I had introduced my bill to establish this National Monument, the reactions have always been positive. I had not even heard from landowners who would be affected under the Park Service Plan. This year, however, I received a letter in February from a rancher who was to lose about 333 acres in fee. After inquiries and consultation with Park Service officials, it was determined that only 45 acres were really needed in fee, and the remainder could be scenic easement without diminishing the plan. I suspect this situation is not unusual, and that other accommodations can be made with the other landowners who are affected by fee acquisition or scenic easement.

The Park Service has indicated that the major fossil bed areas are the State Parks. I believe this Subcommittee should consider the possibility of designating only the State Parks, the school land, and the proposed Federal lands as "National Monument" and include authority for acquisition of scenic easements to establish a buffer zone around the Monument lands. This would alleviate one problem that has been raised by the Oregon State Game Commission—that the monument will be a deer sanctuary from which deer will be able to attack alfalfa on nearby farm-

lands with impunity. I know this Committee recognizes the need for approaches that take into account the unique characteristics of areas deserving national recognition, and that often management criteria that work well in many places may not work well in others.

I understand that the Park Service may be recommending deferral of this legislation, and this would be most disturbing. After their years of involvement, and the enthusiasm of regional and local officials for this proposal, it seems most inconsistent to find them taking this position. Oregon's two Senators, Mark Hatfield and Bob Packwood, have introduced my bill in the Senate, and the three of us have worked diligently to work out conflicts between local ranchers and the Park Service. In my judgment, this matter has been studied long enough, the State's position is clear, and a John Day Fossil Beds National Monument should be authorized and approved by the Congress.

I should point out for the Record that several concerns expressed by ranchers have been clarified by Park Service in an exchange of correspondence I had with Ernest Borgman in October. First, scenic easements allow present uses to continue, including grazing and cultivation of lands. Second, the scenic easement will be written so that if no reply is received from Interior within 30 days, the action proposed by the land holder may proceed. Third, hunting and predator control may take place on scenic easements, and agreements for State predator programs on federal lands can be worked out. Fourth, the boundary adjustment language of the bill (Section 3(a), lines 5–7) can be changed to limit such action to minor adjustments.

I suggest that the fourth item be dealt with by amendment, and that the first three be included in the Committee report. I also recommend that the Committee modify the language in Section 1, page 2, lines 3–5 dealing with additional area over the State Parks and federal lands. I believe private land acquisition can and should be minimized, but the basic bill for the establishment of the John Day Fossil Beds National Monument should be approved.

I thank the Subcommittee again for taking the time to consider this important issue.

Senator BIBLE. The departmental representative is Mr. Douglas P. Wheeler, Deputy Assistant Secretary, Fish, Wildlife, and Parks, Department of the Interior.

Mr. STANTON. My name is Richard L. Stanton and Mr. Wheeler has not arrived at this point and we expect him momentarily. They are on their way.

Senator BIBLE. Can't you testify here?

Mr. STANTON. No. I am here to testify on Clara Barton.

Senator BIBLE. Come forward.

Mr. STANTON. Thank you, Mr. Chairman.

Senator BIBLE. Without objection, the House report on these items will be made a part of the record. The bill passed by the House is now before us on these items, and will be made a part of the record.

You may proceed, Mr. Stanton.

Mr. STANTON. Mr. Wheeler is here.

Senator BIBLE. Mr. Stanton was about ready. We are going back to Clara Barton National Historic Site.

STATEMENT OF DOUGLAS P. WHEELER, DEPUTY ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR

Mr. WHEELER. With reference to Clara Barton, H.R. 13157 specifies that the donation of the house may not be accepted unless it is vacant, whereas the Senate version makes no reference to this.

In Senate hearings, the representative of the Friends of Clara Barton, Inc., owners of the house, has indicated the willingness of the present lessees to vacate upon 6 months notice and to execute a written

release waiving any relocation costs. The House version is therefore acceptable. Second, the House has authorized $812,000 for development of the site, whereas the Senate authorized only $47,450 for all purposes. We recommend passage of the amount in the House bill as a more accurate reflection of the actual costs involved.

In all cases except the Clara Barton house and Knife River Indian Villages, the Senate bills are identical to this measure and we concur on each of them. In the Senate hearings, the representatives of the Friends of Clara Barton, cooperative owners of the house, indicated a willingness to vacate upon 6 months' notice and to execute a written notice waiving any relocation cost, whereas the Senate authorized $47,450, and we recommend the passage of the former amount. What we have maybe, Mr. Chairman, is a typographical error.

Senator BIBLE. Are there any questions in reference to the Clara Barton house? It wouldn't seem there would be any difficulty in reconciling these versions. We are glad to have your testimony to that effect.

Is there any? Who is going to testify on the five areas, the Clara Barton you just testified to, the John Day Fossil Beds——

Mr. WHEELER. The Knife River Indian Village bills also contain a different authorization of $2,268,000, whereas the House authorized $1,130,000. Both bills provide acquisition costs of $600,000. We recommend passage of the amount in the House bill as this figure is adequate to cover development costs of the area.

Senator BIBLE. That is the only difference in that?

Mr. WHEELER. Yes, sir; it is.

Senator BIBLE. We have just had the differences explained in the Clara Barton bill. How about the Springfield Armory National Historic Site?

Mr. WHEELER. The positions of the House and the Senate are essentially identical regarding the Springfield Armory National Historic Site. The Senate proposes $5,365,000, as opposed to a House figure of $5,300,000 for development. Both provide that land be acquired by donation only. In our recommendation we suggest that either figure be adopted. They are both essentially the same and either is acceptable to us, Mr. Chairman.

Senator BIBLE. How about the next item?

Mr. WHEELER. For the Tuskegee Institute National Historical Site, the House and the Senate versions are identical and we concur with them.

Senator BIBLE. Are there any differences in the Senate bill? Martin Van Buren?

Mr. WHEELER. The same pertains for the Martin Van Buren National Historic Site with a slight variation and that is because the Senate and House versions were passed in different years. The Senate version authorized $225,000 for acquisition and $2,268,000 for development. The House bill shows $213,000 for acquisition and $2,737,000 for development, so that you have a slight decrease in the House figures.

We subscribe to the figures in the House bill as being accurate at this time.

Senator BIBLE. Very well, you may continue.

Mr. WHEELER. Yes, sir, the last of the areas contained within H.R. 13157 is the John Day Fossil Beds National Monument.

Senator BIBLE. I don't think we have had hearings on that.

Mr. WHEELER. No, sir, you have not. I might indicate that Senator Packwood has introduced similar legislation.

Senator BIBLE. We will work against the House bill. Let's have Senator Packwood's bill made a part of the record so we have both bills before us. Why don't you direct your attention to the House bill because that incorporates the areas you have testified to.

[The bill referred to above follows:]

93D CONGRESS
1ST SESSION

S. 2168

IN THE SENATE OF THE UNITED STATES

JULY 13, 1973

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

A BILL

To authorize the Secretary of the Interior to establish the John Day Fossil Beds National Monument in the State of Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and protect for the education, inspiration, and enjoyment of present and future generations a great number of flora and fauna fossils constituting a unique geologic formation, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the John Day Fossil Beds National Monument (hereinafter referred to as the "monument") in the State of Oregon. The monument shall be comprised of those lands

now within the boundaries of the Thomas Condon John Day Fossil Beds State Park, the Clarno State Park, and the Painted Hills State Park together with such other areas as the Secretary determines to be suitable for administration as part of the monument.

SEC. 2. (a) The Secretary shall not establish the John Day Fossil Beds National Monument until the State of Oregon and its political subdivisions have transferred or agreed to transfer to the United States their rights, titles, and interests in and to the parks referred to in the first section of this Act for administration as part of the monument.

(b) Prior to the establishment of the monument, the Secretary shall not acquire any lands or interests therein, other than those owned by the State of Oregon or its political subdivisions, pursuant to the provisions of the Act, except by donation or purchase with donated funds.

(c) Nothing contained in this section shall preclude the Secretary from acquiring options for the purchase of lands and interests therein, other than lands and interests owned by the State of Oregon and its political subdivisions.

SEC. 3. (a) After the State of Oregon and its political subdivisions have transferred or agreed to transfer the parks referred to in the first section of this Act to the United States, the Secretary may establish the John Day Fossil Beds National Monument by publication of a notice to that

effect, including an appropriate description of the monument, in the Federal Register at such time as he determines sufficient lands have been acquired to permit administration of the monument in accordance with the purposes of this Act. The Secretary may revise the boundaries of the monument from time to time by publication of a notice to that effect in the Federal Register.

(b) Subject to the provisions of subsection (b) of section 2 of this Act, the Secretary may acquire lands and interests therein for the monument by donation, purchase with donated or appropriated funds or exchange, except that lands and interests therein owned by the State of Oregon or its political subdivisions may be acquired only by donation.

SEC. 4. The Secretary shall administer the monument in accordance with the provisions of the Act of August 16, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented. The Secretary shall designate some appropriate landmark, such as a visitor's information center, within the monument area in recognition of the work of Thomas Condon.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Senator BIBLE. You have no other sites?

Mr. WHEELER. That is correct, sir.

Senator BIBLE. You have noted your preference as to which one should be accepted as to the difference in date. Tell us about the Knife River—the John Day Fossil Beds National Monument in Arizona and why you object to it.

Mr. WHEELER. The House bill would create a monument including three State parks to preserve the natural history contained in the wide variety of fossils and geological formations in the region. The bill authorizes $400,000 for acquisition of not to exceed 1,000 acres of private land in fee and about 3,770 acres by scenic easement, and $4,435,200 for development.

Although we recognize the value of these sites, we recommend this area not be authorized for Federal acquisition and administration, in view of the protection which they already enjoy as Oregon State parks.

The proposed monument is located in north central Oregon in Grant and Wheeler Counties. As proposed it would comprise about 14,400 acres in several noncontiguous units. Of these acres, 7,600 are State owned, 2,035 are already federally owned, and 4,770 acres are privately owned.

Mr. Chairman, because of the State protection already afforded approximately half of this area, we believe that it is a resource which merits continued, and perhaps expanded, State attention, and but for which the proposed Federal expenditures are not necessary at this time, particularly in light of the current backlog in park system development and acquisition.

It should be noted that the Bureau of Outdoor Recreation has awarded a $15,600 land and water conservation fund grant in 1972 to the State of Oregon for acquisition of the Painted Hills State Park section, encompassing 2,820 acres. We believe this is an appropriate means to preserving additional lands in the John Day region.

Senator BIBLE. That is within the John Day area?

Mr. WHEELER. Yes, it is.

Senator BIBLE. Is it proposed under Senator Packwood's bill as well?

Mr. WHEELER. Yes, it is.

Senator BIBLE. Is the Senator's bill substantially the same as the House-passed bill?

Mr. WHEELER. Yes, it is. He has an open ended authorization on acquisition but we are talking about the same areas.

Senator BIBLE. My understanding is the House-passed bill authorizes $400,000 for the acquisition not to exceed 1,000 acres in private land and the rest by scenic easement. The total cost is $400,000 in the House-passed bill?

Mr. WHEELER. That is correct.

Senator BIBLE. Your objection then is basically that this is something the State should do under the money available to them under the land conservation fund and that it should not be a part of the National Park System. It should not be a part of the National Park System. Why?

Mr. WHEELER. Our feeling is, Mr. Chairman, that because most of the resources here are already protected through the State actions that I have indicated to you including their being units of the State

park system. Therefore we believe there is no necessity for Federal involvement at this point. Our best judgment is that all the national resources are adequately protected now by the State.

To the extent additional protection is required it can be provided through the land and water conservation fund. The legend indicates the proposed boundary which is in green. The proposals are in three units, the Sheep Rock unit which encompasses this area here, the Painted Hills unit here, and the Clarno unit. The brown indicates areas of State park system.

Up in here, the Bureau of Land Management has this portion in here and in here.

Senator BIBLE. Will you geographically orient me as to where I find this?

Mr. KASPAREK. This is Oregon. Here is Portland. Here is Pendleton, Oreg.

Senator BIBLE. I am very familiar with Burns, and this isn't far from Burns, is it?

Mr. KASPAREK. That is correct. Burns is right here.

Senator BIBLE. How far is that from Burns?

Mr. KASPAREK. I would say on the order of 100 miles or 120 miles.

Senator BIBLE. That is a good place to retire because you go through and put a pipe down in the ground and bottle it for $4 a month.

[Laughter.]

Senator BIBLE. What would I find when I get up in these fossil beds? And have you been there yourself?

Mr. WHEELER. No, sir.

Senator BIBLE. How can you testify to it if you haven't been there? Has Senator Packwood been there?

Senator PACKWOOD. I have been there.

Senator BIBLE. These Interior people, the Park Service people, this is a new crew. How can you tell me about fossils you have never seen? I won't embarrass you further on that.

Mr. WHEELER. I think you would embarrass me very much because the first question we are asked is how much we are spending.

Senator BIBLE. In the field?

Mr. WHEELER. Yes, and their reports form the basis for our presentation.

Senator BIBLE. Your objection is that it is being well protected by the State now and they can get additional money from the land and water conservation fund and there is no particular need for Federal funds being plowed in.

Mr. WHEELER. That is our judgment; 7,600 of the acres are already administered by the State of Oregon. In addition to that figure some more than 2,000 acres are administered by the Bureau of Land Management. We have assurances from both agencies that the geological formations which are valuable here are adequately protected.

The additional private land proposed for acquisition totals some 4,770 acres and we propose this be acquired by the State.

Senator BIBLE. The only question I would have of Senator Packwood is why these should be preserved and why the Federal Government should do it rather than the State? He is capable and has been there so these are questions I would ask of him. Senator Hatfield has just come in. We are on the John Day Fossil Bed in

Oregon and we have just asked the Department some questions on it. They object to it being incorporated as a Federal national monument because they say that it is being adequately protected by BOM and under the State park system.

They say it doesn't need any further protection. You will have a chance to rebut that. I first defer to the Senator from Wyoming.

Senator HANSEN. May I yield to the Senator from Oregon?

Senator HATFIELD. I have a comment I would like to make on the general proposition if it would be appropriate at this time.

Senator BIBLE. The Department has no objections to any of the other items in this bill. This is the only one they pose an objection to.

Senator HATFIELD. Mr. Chairman, Senator Packwood, my colleague, and I, both sponsored the legislation in the Senate and Congressman Ullman whose district this very unusual place exists in has been working on the House side for sometime.

Rather than go into the details as I am sure they have already been presented to this committee, I do want to include the House report in our record.

Senator BIBLE. That has already been done. [See p. 54.]

Senator HATFIELD. Thank you.

By the way, has Senator Packwood been heard?

Senator BIBLE. He has not. This is the first witness.

Senator HATFIELD. I am sorry again, Mr. Chairman, as to not being more alert as to the procedure being followed.

Senator BIBLE. You haven't missed anything. We are on the John Day Fossil Beds at the moment. You haven't missed a thing. The proposition has been before the Congress for sometime and I am identified of course in the position taken by the administration in this hearing.

I think there is no doubt in the minds of those who have scouted the area as to the need for the ultimate protection. The Secretary of Interior reports on the national parks recommended some action in 1971 and both the government of the State and the State legislature indicated their support for this type of legislation.

I do think there may be some amendments appropriate at this time. I would have proposed one of them and that is on page 3, line 1, the Secretary of Interior shall not acquire and so forth. In my view this language should be amended to insert the word purchase before the word amend, this is 14157.

Senator HATFIELD. Mr. Chairman, I think it comes down to a question before this committee as to the proper appreciation of a unique area that has been determined by many different studies to be very unique.

Second, the State of Oregon has in good faith acted to support these proposals and very frankly it seems to me that the bills as drafted both in the House and the Senate by Congressman Ullman and Senator Packwood and myself recognize the considered judgment and study of people within the State and others as well, that this is the place and the way in which it is going to be best preserved and provided proper utilization for the public.

I would like to have a chance to read the objections and to know a little bit more in detail before I attempt to respond directly to those objections raised by the witness this morning.

Senator BIBLE. They are very short and they are over on the third page and you can read them while we are calling Senator Packwood.

Just as I stated I think you will find it a correct summary. But I would only have one further—I only have one further question of the witness and that would be this:

It seems to me that with both Senators from Oregon strongly in favor of this bill, that there is a reasonably good chance that the John Day Fossil Beds National Monument will be included in the bill.

I would like to forecast that. [Laughter.]

Senator BIBLE. The question I would ask of you is this: If the committee should join in that type of thinking and put it in the omnibus bill what would you recommend to the President as to signing or vetoing the omnibus bill?

Mr. WHEELER. I can see no reason to recommend a veto in light of the other items contained in that omnibus bill.

Senator BIBLE. That is the type of question and answer I wanted. Thank you very much. [Laughter.]

Well, we will have Senator Packwood now, please.

STATEMENT OF HON. ROBERT PACKWOOD, A U.S. SENATOR FROM THE STATE OF OREGON

Senator PACKWOOD. I will submit my entire statement for the record without reading it, Mr. Chairman.

Senator BIBLE. Without objection that will be done and I think the course you follow is an excellent one. I think your case is in pretty good shape. What would I see if I went there?

Senator PACKWOOD. You would see what I am told by both the Forest Service and Bureau of Land Management personnel is the largest collection of a variety of fossils that exist in the United States.

This used to be a subtropical area and the fossils at the moment are almost unprotected. I don't want to say desolate. That sounds like a bad term. I think it is spread over many acres and any amateur fossil hunter that wants to go can go and chip away.

The basic reason for this bill is the preservation of the area. You would see one of the most unique fossil areas of the United States.

Senator BIBLE. What kind of fossils would I see if I went there? We passed a year ago what was described to us as supposed to be the greatest collection of fossils in the United States. It was in the State of Wyoming.

Later the Senator from Colorado brought in a fossil proposition from the State of Colorado and he said these were the greatest fossils in the continental United States so we preserved those for him.

Are yours superior to the Wyoming fossils and the Colorado fossils?

Senator PACKWOOD. Just on the outside possibly that Wyoming fossils equal Colorado fossils I think it would be wise to preserve them both on the outside chance that one of the Senators may be wrong. [Laughter.]

Senator BIBLE. What kind of fossils would I see?

Senator PACKWOOD. To the best of my knowledge it is not dinosaurs, it is vegetation. I am not a fossil expert. I went and I saw.

Senator BIBLE. What did you see?

Senator PACKWOOD. I saw imprints in rocks and I had a fellow with me and he chipped away and we saw imprints of unusual leaves. I do not recall it as being principally a bone-hunting area.

Senator BIBLE. Those fossils are similar to what you find in the Colorado fossil beds.

Your full statement will be incorporated in the record, Senator.

Senator PACKWOOD. Thank you.

The power of condemnation is limited in this bill. It was not in ours and the amount of acreage to be taken by condemnation is limited.

Senator BIBLE. You will be perfectly willing to accept the House-passed version of it?

Senator PACKWOOD. That is correct.

Senator HANSEN. With some understandable interest in horses because I am in the cow business, I understand that there are fossil remains of 2-, 3-, and 4-toed horses to be found in this area.

Senator PACKWOOD. That information is in my printed statement.

Senator HATFIELD. Senator.

Senator Packwood, the testimony given by the administration witness this morning I have had a chance to read and I wonder if you had any comments you would like to make as far as responding to his lack of enthusiasm?

Senator PACKWOOD. I didn't get a chance to see his statement here. They did testify in the House and they were opposed in the House also. I think it was principally a financial objection. One of their premises is that these are already protected in State parks and there is no need for Federal action; is that correct?

Senator HATFIELD. This is one of the comments made but it is not true that we have these areas—are not contiguously joined areas and so they are separated areas which means that protection is really not as complete as it might be.

There are over 7,000 acres of State land and some 2,000-plus acres in Federal lands and then there are around 5,000 acres of private lands, and with these three jurisdictions, namely the private, State, and the Federal, one of the requests in our bill was to consolidate and to develop a single administrative unit over all these lands with the hope of acquiring the private lands that are a part of it. Is that correct?

Senator PACKWOOD. That is right because many of the fossils that we want to protect is not under the Federal authority or under the States.

Senator HATFIELD. The donation from the State and the Land and Water Conservation Fund was insignificant as to what we will have to spend to consolidate these lands to interrelate and consolidate them all.

Senator PACKWOOD. That is correct.

Senator BIBLE. Thank you, Senator. I have no further questions of you. Do we have any further witnesses on John Day?

Without objection, the record is closed.

[The prepared statement of Senator Packwood follows:]

TESTIMONY OF SENATOR BOB PACKWOOD

September 13, 1974

before the

SUBCOMMITTEE ON PARKS AND RECREATION

SENATE INTERIOR COMMITTEE

on

H.R. 13157, to establish the John Day Fossil Beds Nat'l Monument

Mr. Chairman, I am pleased to have this opportunity to voice my support for H.R. 13157, legislation to establish six historic sites as units of the National Park System. One of the proposed sites lies in my own State of Oregon, the John Day Fossil Beds National Monument. It is this site with which I am familiar and in which I have particular interest, and I will so direct my testimony.

Mr. Chairman, on July 13, 1973 Senator Hatfield and I introduced S. 2168 to establish the John Day Fossil Beds National Monument in Oregon. This legislation was patterned after the House measure earlier introduced by Congressman Al Ullman. Subsequently, Congressman Ullman's measure with some changes was incorporated in the bill you are considering today. I am pleased with the progress which has been made on this measure and hope that your Committee will agree with me that the John Day Fossil Beds are indeed worthy of becoming a part of the National Park System.

The proposed John Day Fossil Beds National Monument

is located in north-central Oregon in Grant and Wheeler Counties. It consists of three noncontiguous units which total approximately 14,400 acres.

The primary significance of the John Day area lies in its record of earth history displayed in its geology and paleontology covering the last 70 million years. The record begins at a time when the climate of the region was sub-tropical in character. Both plant and animal fossils, attesting to the great climatic and geologic changes that have occurred, are present in great variety, and the area is considered to be the second largest fossil repository in the world. None of the areas presently in the National Park System possesses the diversity of life history that is present in the John Day area; thus the John Day proposal does not duplicate other areas, but fills an existing gap in the system.

The monument area, as I previously mentioned, would consist of three units, the Thomas Condon John Day Fossil Beds, the Painted Hills State Park, and the Clarno State Park, thereby uniting three separate marvels of geologic history. The Clarno section, once a bountiful garden, has yielded many specimens of tropical fruits, nuts, and leaves, and has been found to be particularly rich in invaluable samples of the two-toed, three-toed, and four-toed horse, remains of the beasts which roamed this land millions of years before the faint beginnings of mankind. Yet another natural wonder

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of the area lies in the pastel rock formations known as the Painted Hills. Bands and splotches of color were deposited by volcanic eruptions during formation of the Cascade Mountains, resulting in the formation of this scenic wonder. These areas hold great fascination and are a source of endless learning and pleasure for even those who are not students of geology. Through this legislation, the area can be preserved for the enjoyment of students of geology and the layman alike.

While the three units have indeed been established as State parks, they are not adequately policed for the purpose of protecting the fossil beds, and budget considerations are a problem. In 1971, the Secretary's Advisory Board on National Parks, Historic Sites, Building and Monuments specifically recommended the area for inclusion in the National Park System. Furthermore, the Governor of Oregon and the State Legislature have indicated support for the proposal.

Most of the lands involved in this proposal are already in public ownership and the bill specifically limits the acquisition of private lands, in fee, to no more than 1,000 acres. Adequate protection of the remaining private lands (about 3,770 acres)can be assured through the acquisition of scenic easements. The State of Oregon owns more than half the lands involved, approximately 7,600 acres which would be acquired by donation. To accomplish this,

the State Legislature has approved a measure authorizing the conveyance of these lands to the United States. The remaining 2,035 acres are already Federally owned.

Mr. Chairman, there is no question of the national significance of the John Day Fossil Beds Area, and I thank the Subcommittee for taking the time to consider this important issue.

Senator BIBLE. We now turn to bill 14217 which provides——

Mr. WHEELER. I suggest we proceed through. The House omnibus bill contains some areas that have already been acted on in your committee and there are others that would be new to you.

I would like to address those with the help of the people with me so we might describe what the House bill contains and how this differs from the Senate bill. This is an omnibus bill which passed the House on August 19. My testimony will be limited to just those projects in the House-passed bill.

We will be prepared to respond to your questions of course. H.R. 14217 amends the 1968 law which authorized the establishment of Biscayne National Monument, to add some 8,700 acres of land and water to the existing monument. The bill includes within the monument some 8,738 acres of land and water area which lie between the monument boundary and the John Pennecamp Coral Reef State Park on the south. This area includes 166 acres of private land consisting of Swan Key and Gold Key, which were originally excluded by the Congress in its consideration of the 1968 legislation leading up to the establishment of a national monument.

The estimated cost of acquiring this approximately 166 acres of private land is $2,025,000. This bill also provides for additional authorization to pay anticipated deficiencies in condemnation awards. Out of the total 4,261 acres of fastland within the existing national monument, there were 435 acres of private land which had to be condemned.

Senator BIBLE. I am very familiar with this particular area. We passed this some years ago and if my memory serves me right, and I think probably Phil Stewart can bear me out, Swan and Gold Keys were in the original Senate version; is that correct?

Mr. STEWART. That is correct; yes.

Senator BIBLE. Channel Islands National Monument, Calif.

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

Senator BIBLE. Do we have any questions?

[No response.]

Senator BIBLE. Colonial National Historical Park, Va.

Mr. WHEELER. Colonial National Historical Park was created by the act of Congress approved July 3, 1930. The park consists of four units, Yorktown, Jamestown, the Colonial Parkway, and the Cape Henry Memorial. The statutory ceiling on appropriations for land acquisition is currently $2,777,000. This authorization ceiling has been reached, and there remain to be acquired certain inholdings at Yorktown.

In addition, a judgment is outstanding for the acquisition of certain access rights which were acquired by condemnation along the Colonial Parkway. Legislation is therefore needed to increase the statutory authorization by an amount sufficient to complete this part of the acquisition program, an amount we estimate at $5,812,000.

Senator BIBLE. What is the difference between yourself and the House-passed bill?

Mr. WHEELER. The House-passed bill includes an estimate of additional funds to acquire additional access points. When this parkway was first established, Mr. Chairman, we took it subject to a right of access by various private owners whose property abuts the parkway.

We have attempted to condemn out of some of those where a negotiated settlement was not possible. We have done that in six cases identified on this map. The House would like to have us go further faster. The acquisition of an additional 10-acre site abuts the parkway.

Senator BIBLE. That is why the House-passed bill has a higher figure than yours?

Mr. WHEELER. That is right. There is a difference of $1,883,000.

Senator BIBLE. Cumberland Gap National Historical Park, Ky.

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

Senator BIBLE. I have no questions on Cumberland Gap. I am curious as to how the National Park Foundation works. They acquired this 5.49 acre tract of land formerly occupied by this meat packing facility when?

Mr. STEWART. Four years ago.

Senator BIBLE. They acquired it for x dollars. When they acquire it for x dollars then at what figure do they turn it over to the Park Service?

Mr. STEWART. They turn it over to us at their cost.

Senator BIBLE. With interest or without?

Mr. STEWART. In this case they are absorbing the interest.

Senator BIBLE. I have no questions.

Senator HANSEN. Just in further pursuit of the idea that I suspect may have prompted Senator Bible's questions, may I ask, there are several different organizations that I understand have been brought into being by publicly motivated citizens that afford this country an opportunity to take advantage of the generosity and the optimism of the people in order to move in and act quickly oftentimes purchasing land or purchasing scenic easements when legislative action would have recognized handicaps, drawbacks.

Mr. STEWART. The nature conservancy is also an example.

Senator HANSEN. Isn't that organization set up in a way so that it can acquire property and hold it and if, in time, it should make a profit—I mean if in time the difference between the purchase price and the selling price were to result in a profit, that, being set up as a nonprofit corporation, it can just add that to the corpus of its fiscal or its operating capital in order to go out and repeat that same sort of operation?

Mr. WHEELER. That is correct, Senator. They look to a turnover of their funds to maximize their leverage. They are able in many cases to acquire lands at less than fair market value.

They never pay, obviously, more than fair market value for the property. It is a completely private organization and it deals with a number of Government agencies and a number of private organizations.

The National Park Foundation is federally sponsored.

Senator BIBLE. How is it funded?

Mr. WHEELER. I think it has a charter from the Congress.

Mr. STEWART. The National Park Foundation was originally privately funded by a donation of land by Mr. Laurence S. Rockefeller and we have been able to carry on these activities on more or less a revolving fund.

Senator HANSEN. Just let me observe, Mr. Chairman, that I think we are fortunate that there are some organizations in existence. Oftentimes, the need for quick and decisive action is so pressing that if we were forced to go through the legislative and appropriating processes, the property could very well pass into other hands.

Mr. WHEELER. We agree wholeheartedly. Both organizations have been extremely helpful to the National Park Service and other agencies of the Government.

Senator HANSEN. Thank you for helping clarify.

Senator BIBLE. I agree with your observation concerning use of these foundations. They serve a very helpful roll in permitting the Congress to move faster than they can move with the legislative and appropriating process.

They are tremendously helpful to the National Park System.

I see Senator Williams has come in. Would you turn to Morristown National Historical Park in New Jersey?

Mr. WHEELER. Morristown National Historical Park contains sites of important military encampments during the Revolutionary War, including George Washington's headquarters in 1779–80. The park was created by act of Congress in 1933, and the act of September 18, 1964, authorized the acquisition by purchase of 281 additional acres.

It now consists of 1,339.78 acres, which include 262 acres acquired under the 1964 authorization.

We believe five tracts of land should be purchased and added to provide space for visitor facilities and interpretive services as well as to protect part of the existing historic scene for possible adverse development.

Because the appropriation ceiling established for the purchase of lands in 1964 of $281,000 has been reached, legislation is necessary to increase that authorization in order to provide additional funds necessary for these other lands. H.R. 14217 is also necessary in order to permit acquisition of 37.23 acres that have been identified as essential to the park.

The estimated cost of acquiring the additional 37.23 acres for the park is $830,000. H.R. 14217 would increase the authorized area and acquisition ceiling by more than is necessary. Accordingly, we recommend that the ceiling be increased in section 101(8) to only $2,111,000, and that the authorized area be increased in section 301(6) to only 300 acres.

Senator BIBLE. What is the difference between your figure and the House-passed figure?

Mr. WHEELER. The difference is that the House-passed bill includes a property known as the Cross Estate which is now held, Mr. Chairman, by the North Jersey Conservation Foundation. It is the property depicted in dark gray remote from the existing park location.

It is property which I think you will acknowledge has historic significance but its cost is about a million and its distance from the park itself has caused us to be hesitant about that recommendation.

Senator BIBLE. Is that the only difference between yourself and the House-passed bill?

Mr. WHEELER. Yes, sir.

Senator BIBLE. I will now call on Senator Williams. We have a good many of these items we have to clear up. In the interest of time, I am happy to call on you at this time. You have heard the testimony?

STATEMENT OF HON. HARRISON A. WILLIAMS, JR., A U.S. SENATOR FROM THE STATE OF NEW JERSEY

Senator WILLIAMS. I did, yes. Thank you very much, Mr. Chairman. I am grateful for the opportunity and I know that my time problems were accommodated. I appreciate that and I appreciate the fact that once again you are showing great interest in situations presenting to the Nation arising out of New Jersey. The last time you did this what we thought was good for the Nation came to pass and it is working beautifully.

Senator BIBLE. I think that is one of the great urban parks, the Gateway Park.

Senator WILLIAMS. Yes.

Mr. Chairman, the historical importance has been described by Mr. Wheeler. This is an area to the key of success of General Washington accomplished in the worst of circumstances, the coldest winter of the 18th century was spent in this area by the general and his forces.

It is a great historically important area and doubly so that we are considering this bill now as we approach our great anniversary. I would like to file my complete statement for the record.

Senator BIBLE. Without objection so ordered.

Senator WILLIAMS. The bill I introduced for myself and Senator Case, the legislation which has passed the House does include the area described as the Cross Estate. Really this is a great historical point, too. That part of this area is now known to be part of the land occupied and used by the forces of Washington. It fills out the whole area.

This as you can see is a missing link in bringing the whole area together as one National Park area. I hate to think of what might happen if this is not included.

Senator BIBLE. May I ask a question on that point? I am going to question Mr. Wheeler later on on the same question. It occurs to me—I understood him to testify that this presently being held by some type of a conservation district—did I misunderstand that?

Senator WILLIAMS. This will be fully described by Mr. Bartenstein. It is protected now and it was a holding action as I understand it. Am I right on that?

Mr. BARTENSTEIN. That is correct.

Senator WILLIAMS. It is a holding action hoping that it will become. It is not a commitment in perpetuity.

Senator BIBLE. They put their money in this to hold it until they were able to put it somewhere else?

Senator WILLIAMS. Yes.

Senator BIBLE. These foundations are very very helpful in preserving and protecting until the Federal Government can acquire it. It is a holding action.

Senator WILLIAMS. It is privately done. That is included in the House bill, it is in our bill, and I certainly hope——

Senator BIBLE. You favor the House bill I take it?

Senator WILLIAMS. I certainly do, Mr. Chairman. I will say this area is—if it goes to other purposes it is the most attractive in any part of our State. It would be a subdivider's paradise. This is the highest purpose in my judgment without any purpose.

Senator BIBLE. Well, I doubt if the Secretary of Interior would recommend a veto simply because we add the Williams proposal to the House bill, and pass it, as I feel sure we will.

I will ask Mr. Wheeler that question and he—I think—has the correct answer. I have no questions.

Senator Hansen.

Senator HANSEN. I have no questions.

Let me express my appreciation to the distinguished Senator from New Jersey for his appearance here this morning. It was my pleasure and privilege to accompany you and the others as we viewed the Gateway National Park area up there. I concur completely with their observations you made earlier. Thank you very much, Senator Williams, for your appearance here this morning.

Senator WILLIAMS. I applaud the work you do, you members of this committee. The Nation is well served. We are very grateful.

Senator BIBLE. We will excuse you and let you get to work. We will continue on ours. Thank you very much.

[The prepared statement of Senator Williams follows:]

STATEMENT OF HON. HARRISON A. WILLIAMS, JR., A U.S. SENATOR FROM THE STATE OF NEW JERSEY

Mr. Chairman, I am pleased to have this opportunity to testify before your Committee today regarding the extension of Morristown National Historical Park.

This provision of H.R. 14217 has the support of the entire New Jersey Congressional delegation and incorporates a Senate bill which I introduced last year for Senator Case and myself.

It would authorize the timely and farsighted acquisition of six properties within and bordering upon the present Park.

Our nation's approaching Bicentennial will commemorate the heroic events leading to America's independence.

What transpired in the rolling hills around Morristown, site of the Continental Army encampments during the bitter winters of 1777 and 1779–80, vividly demonstrates the courage and endurance of General Washington and his troops.

The 1777 encampment followed the brilliant victories at Trenton and Princeton, which marked a turning point in the War for Independence.

In 1779–80, the Continental Army, camping in the Jockey Hollow area of Morristown, endured the coldest winter of the 18th Century.

An appalling lack of basic supplies along with continual heavy snowfalls and freezing temperatures resulted in the loss and suffering of many men but revealed their fierce dedication to their cause in the face of overwhelming hardships and their devotion to General Washington.

It would be a fitting tribute to the heroism of these men, and to the historic significance of the site they occupied, for the Congress to authorize this needed expansion in time for Bicentennial preparations.

As modern America has become increasingly urbanized and industrialized, the open spaces which serve our recreational needs have diminished proportionally.

We have finally begun to realize that our land resources are finite and that we must act now to safeguard them for the continued enjoyment of future generations.

Already the vast majority of our public recreation areas are not readily accessible to the residents of large urban centers.

Only 3% of these lands are located within an hour's driving distance from major metropolitan areas, while only two of our 50 largest cities are within 50 miles of a national park.

The unique situation of Morristown Park, in the most densely populated State in the Union, and bordering on the expanding New York metropolitan area, make its protection particularly vital.

Morristown National Historical Park, authorized by an Act of Congress in 1933, originally comprised 950 acres, at the site of the Jockey Hollow encampment.

Further historical research, largely conducted by Mr. Fred Bartenstein, who will testify before this Committee later today, revealed the location of the New Jersey Brigade campsite southwest of Jockey Hollow, and resulted in a 25 acre addition to the Park, separated from the main sector by a large private estate and the Passaic River.

In 1964, Congress authorized the purchase of an additional 281 acres, most of which have since been acquired.

In spite of the Park's relatively small area and the separation of its two component parts, its natural setting has been protected by surrounding properties.

The Jockey Hollow sector is permanently protected by the Lewis Morris Park in the west and the Morris Area Girl Scout Camp in the southwest.

The New Jersey Brigade site is bounded in the south and east by lands which are or will eventually be included in the Scherman Wildlife Refuge of the New Jersey Audubon Society.

Five tracts of land to be acquired under H.R. 14217 would add 19 acres to the original Park, providing additional space to accommodate visitors.

The sixth tract is the 165 acre Cross estate, which lies between the two sectors of the Park and came on the market only last year.

This unique property located in the middle of open space lands holds the key to the preservation of the entire area.

Since it overlooks the isolated New Jersey Brigade sector and connects it to the rest of the Park, its acquisition by the Federal government would permit a more realistic portrayal of the extent of the encampments and the resultant communications problems encountered by the Continental Army.

The tract is historically significant in itself, as the probable site of the New Jersey Brigade's first encompment and of the Old Army Road, which General Washington had constructed to connect the Brigade to the rest of his Army at Jockey Hollow.

The Cross Mansion and other buildings located on the property could easily be converted and used for needed office and storage space.

The fate of the Cross Estate, situated along the headwaters of the still-clear Passaic River, is ecologically important to those areas served by the River.

These compelling factors aroused the concern of many groups and individuals in the Morristown area when the Cross property was offered for sale last fall.

With the cooperation of the Cross family and the willingness of local citizens to furnish security for the loan, the North Jersey Conservation Foundation borrowed approximately one million dollars to secure this land temporarily for possible purchase by the Federal government.

None of these groups or individuals, who took a considerable financial risk by their action, will profit from resale to the government.

Although the Foundation has held the property for several months pending a decision on the bill before us, prohibitive carrying costs preclude any extension beyond the time needed to enact this legislation.

The consequences of inaction in this matter are clear.

Rapid commercial growth in the Morristown area, make the property in question exceptionally attractive to developers.

Commercial or residential development on this open space land, which would undoubtedly result from failure of the United States government to purchase the Cross Estate, would permanently damage the Park's setting and permanently isolate one sector of it.

Remaining traces of the historical road and encampment which have been discovered only recently on this property would likely be destroyed, and ongoing historical research would be hindered.

It is my hope, Mr. Chairman, that your Committee will concur with the need for prompt and favorable action on the enlargement of Morristown National Historical Park as provided in H.R. 14217.

Senator BIBLE. We will now return to Mr. Wheeler——

Senator HANSEN. Mr. Chairman, before we do that if it be not out of order, I do have one question that the Senator from New Jersey, the Honorable Clifford Case, has asked me to submit to Mr. Wheeler. May I do that now?

Senator BIBLE. You are recognized.

Senator HANSEN. The question is as follows: It is my understanding that a representative of the Park Service told the House subcommittee in February of 1974 that the Cross Estate property was not essential to the Morristown New Jersey National State Park and further said that the Park Service was not proposing that it be acquired at this time?

Is opposition by the Office of Management and Budget the reason that the Park Service is not recommending that the property be acquired at this time?

Mr. WHEELER. I would have to be candid, sir, yes, that is obviously a factor in our position.

Senator BIBLE. In pursuing that, this is an acquisition bill and if this bill passes it is not going to be immediately acquired because you are going to have appropriated funds, is that correct?

Mr. WHEELER. That is correct.

Senator BIBLE. I don't see why the position of OMB would be opposed to the acquisition because it might be a year or 2 years before the full amount is appropriated by the appropriating committee.

That process takes a little while. I assume—and going back to Morristown, I assume the line of questioning I pursued in that earlier Cumberland Gap problem would probably be about the same as would be in Morristown if this committee should by chance include the item to which the administration has objected. I don't suppose that that would cause a problem to the bill?

Mr. WHEELER. I think your suggestion is a safe one, Senator.

I think there is a feeling in the Park Service that these lands—as is the case throughout the country—would be desirable additions were the funds available for appropriation. We are faced with available dollars and a juggling of available dollars.

Making those decisions, we are always aided by the Office of Management and Budget.

Senator BIBLE. I realize that, but the subdividers move in the minute they see an opportunity. Sometimes we have to overrule the fiscal judgment of OMB in order to save the property before it gets away and the land developers get to it.

You may proceed.

Mr. WHEELER. At Fort Necessity National Battlefield—I think that is the next item on our agenda. Originally established pursuant to a 1931 Act of Congress, Fort Necessity National Battlefield currently consists of 350.26 acres. The original 1931 act authorized the acquisition of property by donation, and the act of August 10, 1961, authorized a total of up to 500 acres to be acquired by purchase.

The 1961 act also limited amounts to be appropriated for acquisition purposes to $115,000. We have identified in addition to the existing 350.26 acres of Federal lands, some 560.58 acres which should be

acquired to assure preservation and restoration of the historic scene of the Battlefield at a cost of $606,300.

To permit expansion of the Battlefield H.R. 14217 would increase the acquisition authority by 411 acres and the acquisition ceiling by $606,300. We support the proposal. Included in the lands that would be acquired is a portion of the original 235-acre tract that was owned by George Washington from 1769 to 1799.

This was a specific goal stated in the 1961 act that authorized additions to the battlefield.

It should be noted, Mr. Chairman, that as in the case of the Cumberland Gap National Historical Park project, the National Park Foundation has been instrumental in acquiring part of the lands needed for Fort Necessity. The Foundation has acquired 265.31 acres of the lands that we propose to add, and which the Foundation intends to donate when the acreage ceiling is revised.

Senator BIBLE. You approve, then, of the Fort Necessity? You buy the House version?

Mr. WHEELER. Yes, sir, we do.

Senator BIBLE. The next one is what?

Mr. WHEELER. Independence National Historical Park.

Senator BIBLE. Comment on that.

Mr. WHEELER. As I indicated a moment earlier——

Senator BIBLE. You approve of the Senate-passed bill with three amendments?

Mr. WHEELER. Yes, sir, that is correct.

Mr. Chairman, the first amendment, which is contained in the Senate act would amend the act of June 28, 1948, as amended, by inserting after the phrase "is authorized to acquire by donation or with donated funds, or to acquire by purchase, any property", the phrase "or interest in property."

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

Second, we would amend paragraph 4 of title III of H.R. 14217 by adding after the phrase "Project F" in line 19 the phrase "Except that portion bounded by Ionic street, Second Street, Sansom and Front Street." This amendment will assure that the Secretary will have authority to condemn, if necessary, that part of Project F land on which the parking facility will be constructed.

Finally, we recommend that the same paragraph should be amended to conclude with a new provision: "*And provided further*, That notwithstanding any other provision of law, the Secretary may develop property on the site of Sansom Street between Front and Second Streets as a pedestrian thoroughfare or mall without regard to whether title thereto is in the United States, pursuant to a cooperative agreement with the city of Philadelphia."

This language would implement the city's intention to retain ownership of Sansom Street, which the National Park Service plans to develop as a pedestrian mall. Express authorization, such as the above, is needed for the Federal Government to expend funds on land not owned by it.

Senator BIBLE. You couldn't do it without cooperative agreement?

Mr. WHEELER. That is correct. The purpose is to authorize the expenditure of Federal funds.

Senator BIBLE. That would have to be pursuant to cooperative agreement?

Mr. WHEELER. Yes, sir.

Senator BIBLE. Do you have a precedent for that spending Federal funds for development of a street under the jurisdiction of a city?

Mr. WHEELER. I am not sure we do. Where we do have cooperative agreements, this has been done, but only as a legislative matter. The Justice Department has a long-standing ruling which prohibits spending of public funds on land not owned by the Government.

Senator BIBLE. Give us a legal opinion saying that we can do that.

Next, the Lava Beds National Monument in California, to revise the boundaries and you ask for how many additional dollars?

Mr. WHEELER. We ask for no additional dollars. This is a happy circumstance, Mr. Chairman. This is just a boundary adjustment to recognize the operating competence of the three agencies involved.

Senator HANSEN. The change or the adjustment in boundaries involves only Federal property; is that correct?

Mr. WHEELER. Yes, sir.

Senator BIBLE. Moore's Creek National Military Park.

Mr. WHEELER. Moore's Creek National Military Park includes part of the area where the battle of Moore's Creek occurred between Patriots and Loyalists of North Carolina in one of the decisive actions of the opening phases of the American Revolution. The area was authorized by the act of Congress approved June 2, 1929, to consist of lands donated by the State of North Carolina.

Approximately 30 acres of land were donated for this purpose. In the act of September 27, 1944, the Congress authorized the Secretary of the Interior to accept additional donations for the park of not more than 100 acres.

Pursuant to that act, about 12 acres have been accepted and made a part of the park. The Federal lands within the area now total approximately 42.23 acres.

We have identified some 35.02 acres of additional lands which ought to be acquired and made a part of the park. These lands consist of about 13 acres on the west side of Moore's Creek where a group of Patriots first took position, and the site of a narrow bridge across the creek which played a key role in the battle.

The remaining acreage is needed to provide necessary visitor developments and the relocation of a State highway. Acquisition of the land on the west bank of Moore's Creek will permit us to reconstruct the bridge and recreate the historic scene in time for the Bicentennial. Eventually we would expect to relocate State Highway 210, which bisects the park, and construct a new entrance road.

H.R. 14217 would make possible the acquisition of the additional 35.02 acreas needed for the park by deleting the limitation in the 1944 legislation that requires acquisition only by donation, and substituting authority to acquire by purchase or exchange.

We estimate the cost to the United States of acquiring the 35.02 acres to be $243,000 of which $68,900 is attributable to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

This acquisition cost also includes nine improvements of which seven are year-round residences, one is a seasonal residence, and one is a service station, which is not now in operation.

The bill also authorized $325,000 for development. We concur in this amount as well.

Senator BIBLE. That will cost how much?

Mr. WHEELER. The cost is $253,000. That would be offset, Mr. Chairman, by a contribution from the State of North Carolina in the amount of $10,000.

Senator BIBLE. Is that in the House-passed bill?

Mr. WHEELER, Yes, sir.

Senator BIBLE. You support the House-passed bill?

Mr. WHEELER. Yes, sir.

Senator BIBLE. Ohio and Erie Canal.

Mr. WHEELER. The bill would provide for a study of how best to preserve and interpret the historic and natural resources of the Ohio and Erie Canal and adjacent lands. The study would consider State and local plans for the canal and would be submitted to the Congress within 1 year of enactment. The bill authorizes $40,000 for the study. We support the study and concur in the section of the bill.

Senator BIBLE. Any questions on the study?

Senator HANSEN. I have no questions.

Senator BIBLE. Rocky Mountain National Park in Colorado.

Mr. WHEELER. We recommend approval of this section.

Senator BIBLE. Any questions on Rocky Mountain National Park?

Senator HANSEN. I have no questions.

Senator BIBLE. The Virgin Islands National Park, Virgin Islands.

Mr. WHEELER. Virgin Islands National Park was authorized by Congress on August 2, 1956. The boundaries were limited to 9,485 acres on the island of St. John, and authority to acquire property was limited to donation or purchases with donated funds.

On October 5, 1962, Congress revised the boundary of the park to include offshore lands surrounding the island of St. John. The 1962 act also expanded the acquisition authority for the remainder of the part to acquisition by purchase with appropriated funds. A statutory ceiling for land acquisition of $1,250,000 was established.

We believe that the most important use of Federal land acquisition funds at this time for Virgin Islands National Park would be to acquire four of the remaining waterfront properties, a total of 504.29 acres of private land. Completion of the acquisition program as to these properties within the boundaries is necessary to preserve for public use and enjoyment the outstanding natural and beautiful beaches, significant coral gardens, marine life, sea scapes, and other features for which the Park is renowned.

Acquisition of these waterfront properties is, we believe, absolutely necessary to prevent commericalization of this area and desecration of the scenic beauty, such as potential removal of sand from some of the beautiful beaches.

Acquisition of this 504.29 acres of remaining waterfront is estimated to cost $5,650,000. We therefore recommend that H.R. 14217 be amended to authorize a new ceiling of $6,900,000, rather than $1,-250,000. The former ceiling will be satisfactory to acquire the four properties we believe are most essential.

On the map before you, Mr. Chairman, in the green, is land presently owned. The brown is non-Federal land and the red is the land identified, all of it in the House bill. The tracts that we recommend be added are the four on the left side of the island.

Senator BIBLE. You don't take the ones over to my right and south?

Mr. WHEELER. Yes, sir.

Senator BIBLE. So the House has one, two, three, four, five additions that might be nice to have, but you don't want to take them at this time because of cost?

Mr. WHEELER. The cost of the House version is approximately double that of our recommendation. I might point out, too, Mr. Chairman, that although all of the lands included in the House version are waterfront lands, they are not all beach lands.

The lands we identify for acquisition are lands with beaches that could be used for public enjoyment.

Senator BIBLE. How about that big red block in the center?

Mr. WHEELER. Yes, sir. That is one within our recommendations.

Senator BIBLE. You both agree on that?

Mr. WHEELER. Yes, we do.

Senator BIBLE. Where is the ownership on the other five red additions? Is that part and parcel of the same ownership?

Mr. STEWART. No, it is not.

Senator BIBLE. How many ownerships are involved in the House-passed additions over and above what the administration is recommending?

Mr. WHEELER. Mr. Stewart is counting those up.

Could I provide some information concerning the expenditure of Federal funds on city property? I am informed that we do have one such precedent approved in the 92d Congress for the expenditure of Federal funds in the Sitka National Historical Park in Alaska.

Senator BIBLE. I just wanted to be sure that you were clear with your solicitors because you can have problems with lawyers.

Mr. STEWART. In the 4 areas in the administration-supported areas, there are 5 owners and in 6 or 7 additional areas, there are 19 additional owners.

Senator BIBLE. Questions on the Virgin Islands?

Senator HANSEN. No, sir.

Senator BIBLE. San Juan National Historic Site, Puerto Rico.

Mr. WHEELER. The provision would authorize and direct a study of the damage to the foundation of certain historic structures on San Juan National Historic Site, Puerto Rico. It requires the Secretary to report back to the Congress with recommendations and cost estimates, and it authorizes the appropriation of not to exceed $100,000 for the purpose of this study.

Since 1956, the National Park Service has been aware of and concerned by the conditions of certain parts of the fortification walls and foundations. Since 1956 several studies have been made as to what can and should be done to repair the damage caused by sea erosion, the most comprehensive of which was a study completed in 1971 by the Corps of Engineers.

The corps found that deterioration of some of the foundations, especially at El Morro and San Cristobal, would require extensive and costly repairs. The corps recommended that to protect the foundation of these historic structures, an extensive breakwater should be constructed and gravel and concrete material be used to fill large caverns in the foundation which have been eroded over the years.

In 1971, the estimate provided to us by the Corps of Engineers for completing this work was around $11 million.

Accordingly, the need that we foresee is not for additional studies, but it is a matter of actually protecting the structures for which no new legislation is necessary. Accordingly, while we appreciate the serious erosion problem at the historic structures on San Juan National Historic Site, we recommend that this section of the bill be deleted.

Funding necessary for protection of the structures is a high priority item in our plans, and we propose in the normal appropriation process to program and request funds in an amount commensurate with overall national priorities and the need to accomplish whatever work is necessary to protect the structures.

Senator BIBLE. What does all that language mean? You are asking for the amount necessary to preserve the fortification walls but when are you going to ask for it? That is what you are saying?

Mr. WHEELER. That is right. We are going to deal with the most serious problems first. Those would have to do with the structures themselves and not necessarily with the construction of that breakwater.

Senator BIBLE. When are you going to ask for the money to do that? In the next 2 or 3 years? If it is all crumbling and falling down, it seems the sooner, the better.

Mr. WHEELER. I am advised that this is not high enough on the priority list to warrant expenditure in the foreseeable future. That really has no bearing on the bill at hand. The bill authorizes a study.

Senator BIBLE. I understand that, but you say you recognize the need for strengthening the structures and the foundations but your point is you know there is the need, so there is no need of having the study to prove that you are right?

Mr. WHEELER. That is correct.

Senator BIBLE. You say it is not a high enough priority to get it immediately on its budgetary route toward enactment? Is that what I also understand you to say?

Mr. WHEELER. Well, the figure the corps has provided to us would just be a part of our development backlog which is already at $2.5 billion.

Senator BIBLE. $2½ million?

Mr. WHEELER. $2.5 billion of projects already authorized.

Senator BIBLE. I think they ought to put up a bill to deauthorize $2.5 billion worth of parks, national seashores, national rivers, and things that we have authorized, or would that be an unpopular thing to do?

Mr. WHEELER. I suspect we could do it and I suspect you are right. It would be unpopular. But, that is not to say that some of these ought not to be reevaluated.

Senator BIBLE. We have national seashores and parks, that when you look at them in practice, maybe we should not have passed the legislation we did.

I am not going to go running around trying to point out the ones that should be deauthorized. That is a great way to lose friends.

I have no further questions.

Senator HANSEN. I have no further questions.

Senator BIBLE. Are there any additional units of the national park system which will need a ceiling increase to acquire the authorized acreage?

Mr. WHEELER. I would be happy to provide that information for the record. I have a supplemental statement I could read to you.

Senator BIBLE. I think I have been furnished a copy of it.

[The supplemental statement of Mr. Wheeler follows:]

Supplemental Statement
Acquisition Ceiling Increases - Additional Areas

Mr. Chairman, we have identified a number of other areas for which there is great need for acquisition ceiling increases. Some of these have already been brought to the attention of Senator Jackson in June. Since then we have continued to review our land acquisition needs, particularly with regard to the more recently authorized units of the Park System. Accordingly, we can now report that there are a total of 13 acres, not including Redwoods National Park, which need ceiling increases so that the original intent of Congress can be accomplished in each case.

Among these areas are four national parks: Arches, Capitol Reef, Mesa Verde and the North Cascades/Lake Chelan complex. In addition, there are the Lake Mead National Recreation Area, Scott's Bluff National Monument, Lincoln Home National Historic Site, Buffalo National River, and the following national seashores and lakeshores: Apostle Islands, Assateague, Gulf Islands, Sleeping Bear Dunes and Cape Lookout.

Altogether, these areas require ceiling increases totalling $84,810,233, and will allow for the acquisition of 90,006.88 acres.

As I am sure that the members of the Subcommittee can appreciate, there are a number of reasons why these increases are necessary. Principally, of course, is the tremendous effects of inflation

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and the demand for land for investment and development. Other factors relate to the energy crisis and fuel speculation, homesite and recreational demands and the inevitable escalation that results in areas located in and near newly-established park areas.

I will be happy to speak to any specific unit on which you may have questions, and to supply for the record more detailed information relating to each of these areas.

Senator BIBLE. As long as we are increasing these ceilings, we might as well do as thorough a job as we can. There might be other areas that we have authorized that because of inflation and miscalculation—and I am not critical of it.

I don't know how any developer can keep track of the fast-rising land costs today. We are talking about the same thing. I have been furnished a letter from Secretary Morton under date of June 27, received by us on July 1, where he outlines a cost of acquiring remaining properties in authorized areas or additional statutory ceiling requirements.

Is this the exhibit to which you refer?

Mr. WHEELER. I have some newer and supplemental information that we would be glad to provide for the record. I would like to make one comment about it. We offer it to you with hopefully your understanding that these are Park Service figures with one exception.

They have not been approved in either the OMB or the department.

Senator BIBLE. We are not going to encumber this bill with add-ons.

Mr. WHEELER. It says Arizona and Nevada, for Lake Mead NRA.

Senator BIBLE. I guess this is the land acquisition where there was a bad estimate or a bad court judgment in the land that was located in Arizona in the Lake Mead area. Is that the problem?

Mr. STEWART. That is correct.

Senator BIBLE. I do not seem to see that on the first page.

Mr. WHEELER. Let me share with you the information that I have. Our additional requirement at this time is 5,861 acres at a cost, an additional authorization of roughly $5.9 million.

Senator BIBLE. If I understand that situation correctly, part of that increase is due to a judgment of an Arizona court; is that correct?

Mr. STEWART. This is correct.

Senator BIBLE. Why don't you spell it out for the record?

Mr. STEWART. When the 1964 act authorizing acquisition at Lake Mead was passed, the amount of $1,200,000 was stated as the statutory ceiling. Pursuant to that authority, there were 9,329 acres of private land acquired by exchange and another 8,028 acres purchased.

We filed a condemnation action on 995 acres upon which the Government deposited $336,000. The court awarded $2,318,400. The Justice Department was requested to appeal this decision.

However, after filing notice of appeal in the case, it was dropped because of the intervening circuit court of appeals decision in the same circuit that was handed down in which the Supreme Court refused to hear the Government's requests for certiorari. Since the same value concept was utilized by the Department of Justice in both of those cases, they felt it was useless to appeal.

At that time the National Park Service had to make a decision on whether to seek additional authorization from this committee or whether to dismiss the complaint action. The passage of Public Law 91–646 made the dismissal inappropriate because we were advised by the Justice Department that—and I would like to quote our solicitor on this—

> You have previously indicated that consideration would be given to a dismissal of the case in the event an appeal was not likely, but that there was a desire to avoid the litigation expense.

One of the attorneys representing the Desert Rose Development Corp. has indicated that they would seek litigation expenses which would range from $300,000 to $400,000. Since Justice wrote the enclosed letter, we have been advised that this attorney expects to seek $420,000.

One of the other attorneys involved has indicated a fee in an amount of $156,000 plus expert witness fees and there are three other attorneys to be heard from.

Senator BIBLE. Is that one of the corporations that secured a favorable judgment?

Mr. STEWART. Right.

Senator BIBLE. Which proves that Arizona attorneys come very high.

Mr. STEWART. Under Public Law 91–646, you are liable for whatever attorneys' fees, witness fees, or expert fees are incurred if you dismiss.

Senator BIBLE. What do you recommend?

Mr. STEWART. We are recommending that rather than to attempt to acquire all of the remaining property or the private land at Lake Mead, 15,546 acres, since 1,661 of these acres are governed by restrictions which limit their uses that are compatible to recreation and there are 8,023 acres that have been identified as not essential for recreation use as part of Lake Mead, we can meet our needs with the additional 5,861 acres.

These 8,023 acres are situated among 6,396 acres of Federal lands also determined to be unnecessary for the purpose of the recreation area. We propose that the nonessential private and Federal lands comprising 11,163 acres all told should be excluded.

We would plan to do that under authority of section 2 of the aforementioned public law.

Senator BIBLE. Can you shrink the boundaries of Lake Mead without congressional approval?

Mr. STEWART. Yes.

Senator BIBLE. Under this law?

Mr. STEWART. Under that public law. (Public Law 88–639.)

Senator BIBLE. What is the total acreage?

Mr. STEWART. It is well over 1 million acres, almost 2 million.

Senator BIBLE. What you are saying is you are relying on this law to shrink up this boundary line? By how much?

Mr. STEWART. A total of 11,162 acres which would eliminate 8,023 acres of privately owned land. Then we would like to seek the authority of the Congress to acquire 5,861.52 acres of private land which we feel are absolutely essential to the future of Lake Mead National Recreation area.

These we estimate to cost a total of $5,900,000 including the condemnation award.

Senator BIBLE. It would include that area?

Mr. STEWART. Yes.

Senator BIBLE. I wish you would submit to me and a copy to the committee a map that shows your proposal for shrinking up Lake Mead to the figure you give. I would hope that this condemnation suit could be worked out. I suppose that does permit the U.S. Government responsibility in the case for dismissal.

But, you are not going to dismiss the suit?

Mr. STEWART. No. I would like to say——

Senator BIBLE. If you pay off the judgments as ordered by the court, does that also include attorneys' fees?

Mr. STEWART. Then they are not entitled to attorneys' fees.

Senator BIBLE. I am sure they have made a lot of money.

Mr. STEWART. Yes. The area is about 20 miles above Davis Dam.

Senator BIBLE. Yes. That is Bull Head City. I think I know the area rather well. That will be included. Your statement is that you do have a court judgment which is binding on the U.S. Government, now I suppose, because it hasn't been appeals and the time for appeal has run out and it probably is cheaper to go ahead and pay the judgment and let the defendants take care of paying their attorneys out of the money they get from Uncle Sam?

Mr. STEWART. That is the way we see it.

Senator BIBLE. I would be obliged to you if you would furnish me a copy of the map.

I have no further questions on Lake Mead.

Senator HANSEN. I have no further questions, Mr. Chairman.

Senator BIBLE. The new table you have handed me which is the additional table is the one which you say land acquisition ceiling increase for additional areas, this will be incorporated in full in the record.

[The table referred to above follows:]

LAND ACQUISITION CEILING INCREASES (ADDITIONAL AREAS)

Area	Ceiling		Acreage to be acquired	Reason for increase
	Existing	Proposal		
Apostle Island National Lake, Wis.	$4,250,000	$5,250,000	4,483.93	Recreational demands, inflation, demands for homesites, delays in filing condemnations due to lack of EIS statement.
Arches National Park, Utah	125,000	275,000	1,245.92	Inflation, energy demands, private investment in land.
Assateague Island National Seashore, Md. and Va.	21,050,000	22,950,000	1,255.22	Speculation for ocean front properties in close proximity to Ocean City—Washington and Baltimore.
Buffalo National River, Ark.	16,115,000	26,115,000	32,000.00	Extraordinary escalation due to recent recreational demand, which was not present at start of project. Land was originally low valued agricultural land.
Cape Lookout National Seashore, N.C.	265,000	8,168,000	4,124.51	Escalation of ocean front property, private inholdings, expansion to purchase area formerly to be acquired by State.
Capitol Reef National Park, Utah	423,000	2,173,000	987.88	Recreational land speculation, increased cost to extinguish mineral lease interests, inflation.
Gulf Islands National Seashore, Fla. and Miss.	3,462,000	17,462,000	3,115.76	Escalation due to recreational development demands, nearby condominiums, scarcity of desirable gulf frontage land.
Lake Mead National Recreation Area, Ariz., Nev.	1,200,000	7,100,000	5,861.52	Private inholdings, recreational demands.
Lincoln Home National Historic Site, Ill.	2,003,000	3,059,000	2.55	Condemnation costs and delays, necessity to buy areas previously to be acquired by the city of Springfield, negotiation difficulties. Recent improvements made to some office buildings.
Mesa Verde National Park	125,000	193,233	232.14	Inflation, rapid price escalation in the area.
North Cascades National Park, Lake Chelan N.R.A., Wash.	3,500,000	6,500,000	2,185.34	Subdivision of lands for recreation, improvements legislative prohibitions on acquisition.
Scott's Bluff National Monument, Nebr.	15,000	145,000	171.93	Change in use from agriculture to homesite, insufficient appropriations in earlier years, original ceiling only $15,000.
Sleeping Bear Dunes National Lake, Mich.	19,800,000	57,753,000	34,340.18	Recreation demand from Detroit and urban centers, legislative requirements and change in acquisition concept after enactment.

Mr. WHEELER. May I continue on the comment? My only exception to the disclaimer I made both with respect to Department approval and House action has to do with the Cape Lookout National Seashore, N.C.

This is the only one of the items on this list which has departmental support at this time and which has also been acted upon by the House.

Senator BIBLE. On that Lake Mead—because it is fresh in our minds—how could we do anything except pay the judgments?

Mr. WHEELER. We have no alternative. But, the increases, $5,900,000 and the judgment accounts for about $1½ million of that, the extra $4 million——

Mr. STEWART. That accounts for nearly $3 million, with interest.

Senator BIBLE. We will try to reconcile that.

Do we have any other additional add-on's to which you desire to be heard?

Mr. WHEELER. No, sir.

Senator BIBLE. You say the only one that has budget approval is Cape Lookout and you say, insofar as Lake Mead is concerned, there is nothing you can do about that $3 million?

Mr. WHEELER. That is right.

Senator BIBLE. You doubt if they would go for the additional add-on. I have asked Mr. Stewart to furnish me a copy of a map. The rest of them do not have budget approval at this time?

Mr. WHEELER. That is correct.

Senator BIBLE. Do you have anything else you want to bring before the committee at this time?

Mr. WHEELER. No, sir, I do not.

Senator BIBLE. Mr. Stewart?

Mr. STEWART. No, sir.

Senator BIBLE. I am told that we have another witness.

Do we have anything else to come before the committee this morning?

Mr. WHEELER. We do not, sir.

Senator BIBLE. I have no need for any other Park Service people other than the Redwood expert.

This is a long statement and it will be incorporated in the record. You are talking about the Cross tract, aren't you?

Mr. BARTENSTEIN. That is correct, Mr. Chairman.

Senator BIBLE. Please introduce yourself.

STATEMENT OF FRED BARTENSTEIN, JR., STATE OF NEW JERSEY

Mr. BARTENSTEIN. I am Fred Bartenstein, Jr. I am a neighbor of the park of Morristown National Park and a member of a group of citizens who have come together to speak for the acquisitions provided for in H.R. 14217.

Of the total 184-acre increase this bill would authorize for Morristown, the Cross addition represents 165 acres; of the total increased authorization of $1,830,000, the Cross acquisition represents $1,000,000. This property is thus the major one of the six parcels this bill would authorize for the Morristown National Park, and its addition is the one to which this statement is primarily directed.

The Morristown National Park commemorates——

Senator BIBLE. We know the historical significance of it.

Mr. BARTENSTEIN. In the west you will find the Jockey Hollow unit of the park, about 1,000 acres and, about a mile beyond that, the New Jersey Brigade section. These are forested hills in which the armies camped.

The Cross land is (D) on the map. [Map appears on p. 127.] It lies generally, you will notice, Mr. Chairman, between the two major units of the park, (A), the Jockey Hollow unit, and (E), the New Jersey Brigade unit.

It borders the New Jersey site unit and it effectively closes the gap between the two major segments of the park. The only remaining bridge between them would be a relatively narrow neck. You can see that land that is marked (C). That land is limited to camping use right now and the park has a reversionary interest in that land.

My statement attempts to show that the park has strong merits and support and in this, Cross would uniquely fit. There is a Morris County park noted there (B) and the Girl Scout land on the west and (F) and (G) indicate a wildlife refuge south and east.

With the Cross land, the park will be better able to properly interpret the existing park and to interpret and portray the large encampment as it actually was, open forested hill land with distant campsites involving problems of communication and supplies.

Conversely, housing interspersed in there for commercial development which would be adjacent to campsites and between them should destroy an attempt to realize a full potential.

We are committed to turn the land over to the Government at cost purchase price plus interest, taxes and——

Senator BIBLE. Plus interest at what rate?

Mr. BARTENSTEIN. Eight percent on the mortgage and we had to borrow money to carry this at prime rate plus one-half percent.

Senator BIBLE. So you are holding this and that is a very fine historical conservation move and I commend your foundation and your corporation. All you are asking for that corporation and foundation and the individual citizens involved is to be made whole?

Mr. BARTENSTEIN. That is correct, sir.

Senator BIBLE. There is no profit in it?

Mr. BARTENSTEIN. That is correct. We had to borrow the money and individuals have supported that individually in order to permit the foundation to borrow money. We are permitted no gain. We are subject to possible loss.

The foundation itself has committed itself to turn the property over to the Government at its cost and I am saying that we are afraid that by the end of next year, that total cost will approximate about $1 million.

Senator BIBLE. The way things are going today I don't know what that interest rate will be.

Mr. BARTENSTEIN. That is why we are hoping we can get the authorization this session.

Senator BIBLE. I don't have any problems on this.

Senator HANSEN. I have no problems.

Senator BIBLE. Thank you for being here.

[The prepared statement of Mr. Bartenstein plus the map referred to above follows:]

STATEMENT OF FRED BARTENSTEIN, JR., BEFORE THE SUBCOMMITTEE ON PARKS AND RECREATION, SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, SEPTEMBER, 13, 1974

Mr. Chairman and distinguished members of the Subcommittee:

Thank you for the opportunity to appear before you to present arguments for the provisions of H. R. 14217 that would authorize the acquisition of 6 tracts of land for the benefit of the Morristown National Historical Park in New Jersey.

I am a private citizen, a neighbor of the Park, and have done some historical work on its present units. While I represent no organization, I speak for an informal group of about 30 local citizens, foundations, and a corporation who in the last year have joined in a major effort to capture and hold the Cross property for the National Park. Of the total 184 acre increase this bill would authorize for Morristown, the Cross addition represents 165 acres; of the total increased authorization of $1,830,000, the Cross acquisition represents $1,000,000. This property is thus the major one of the 6 parcels this bill would authorize for the Morristown National Park, and its addition is the one to which this statement is primarily directed.

The Cross tract is open, forested hill land in the area between the two major army winter-quarter segments of the Park. It was put up for sale last year and seemed likely to be going for housing or commercial development. Seeing the irretrievable loss such a use would represent to the Park, our group arranged for its purchase by the New Jersey Conservation Foundation, a non-profit, member-supported organization dedicated to preservation and proper use of open land. Each member of the group individually guaranteed parts of a loan to the Foundation to enable it to purchase and hold the land to the end of 1975, which we hoped would give the Federal Government time to consider, decide, and capture the property for the National Park. Under the arrangement no individual backer could profit, but could lose. The Foundation committed itself to turn the land over to the Government at cost and to assure that it would be vacant at the time of sale as stipulated in this bill.

Under current conditions it will be difficult for our private group to hold on beyond the end of next year when total cost, interest, and carrying charges on the Cross land will be approaching $1,000,000.

Briefly, the arguments for the Morristown National Historical Park Acquisition of the Cross land are these:

The Park commemorates the Continental army winter encampments of 1777 and 1779-80, the latter one being in the harshest winter of the 18th century. The Park's main components are the Washington Headquarters building in Morristown and the soldiers' encampments which in 1779-80 extended along the wooded hills south of Morristown for several miles. Today's Park contains all the campsites proper, but there is a break in the land holdings. The New Jersey Brigade Site is on the 25-acre piece of ground about a mile beyond the southernmost camp of the other State Brigades in the main 1,000 acre segment of the Park. It was, of course, all one winter camp along those hills in 1779-80. Only recently has the actual extent of the encampment been fully visualized.

Fortunately the land between and around the separated portions of these winter camp units has remained open and forested, as it was in 1777 and 1779-80.

The attached map of the Park, taken from its latest Master Plan Draft, can be used to demonstrate the extensive open-land support the Park now has around it, and, because of its strategic location, the unique additional value the Cross tract would provide. (Alphabetical letters have been added for clarity.)

The central Jockey Hollow unit (marked A) is protected on the west by Morris County's Lewis Morris Park (B). It is protected on the southwest by a tract of forested hill land owned by the Morris Area Girl Scouts (C). This land is limited to camping use; the National Park has reversionary rights in it. Further to the southwest is the 165 acre Cross tract (D). Bounded by roads on the northwest and west, it overlooks and is adjacent to the New Jersey Brigade section of the Park (E). On the other side of the New Jersey Brigade unit is the 125-acre Scherman Wildlife Refuge of the New Jersey Audubon Society (F) and a 77 acre tract of open field and forest recently donated to the Refuge by a neighboring landowner who has indicated his intention to give the remaining 75 acres of his land to the Wildlife Refuge (G).

Thus, it may be seen, the Cross property would serve to protect both existing campsite units of the Park, particularly the New Jersey Brigade Site to which it is immediately adjacent. It would effectively close a gap between the now-separated segments and assure permanent preservation of the area very much as it was 200 years ago, and thus allow the Park in accordance with its major purpose to portray and interpret the full extent of the winter camp with its actual problems of troop movement and supply.

Sale of the tract for housing or commercial use, which may be the only feasible outcome if the National Park is not able to get it, would weaken the Park as now constituted, but even more it would represent an irretrievable loss of opportunity to realize its full potential.

The other 5 pieces of property whose acquisition this bill would authorize for the Park are within or bordering the main encampment unit and adjacent to the Headquarters unit. They are needed for proper protection and interpretation of these areas and their purchase is clearly justified.

We thus strongly endorse all the provisions of H. R. 14217 relating to the Morristown National Historical Park as consistent with the Park's purpose to commemorate the Continental army winter encampments at Morristown and to perpetuate the historical, non-commercial character of the encampment grounds.

Respectfully submitted,


To Netcong
To Paterson
To Boonton
To New York
To Succasunna
Parsippany
Littleton
Morris Plains
Whippany
To Newark
FUTURE PATRIOTS PATH GREEN STRIP
MORRISTOWN
FRELINGHUYSEN ARBORETUM
WASHINGTON'S HEADQUARTERS UNIT
FORT NONSENSE UNIT
LEWIS MORRIS PARK
JOCKEY HOLLOW UNIT
Convent Station
LOANTAKA BROOK RESERVATION
Madison
To Chatham
Morris County
Somerset
Proposed Addition
Girl Scouts of America
NEW JERSEY BRIGADE SITE UNIT
GREAT SWAMP NATIONAL WILDLIFE REFUGE
To Far Hills
To Somerville
0 1 2 MILES
0 1 2 KILOMETERS
N
RECREATION
OPEN SPACE
Morristown National Historical Park
PASSAIC RIVER PARK
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Senator BIBLE. We will now call on Mr. Tkach.

Mr. TKACH. The present status of the *Redwood* case is as follows: On July 25, 1974, the trial judge issued a preliminary opinion on the *Arcata National Corp.* v. *the U.S. Court of Claims,* Docket No. 771–71. The preliminary opinion issued, set a market value on the Arcata property of $96,231——

Senator BIBLE. What does preliminary opinion mean? Is he going to change his mind?

Mr. TKACH. The trial judge issues the opinion and the full court of claims reviews it and the court either accepts it, remands it or modifys it.

Senator BIBLE. This is the preliminary judgment. This means then this is the judgment made by the trial judge who heard the witnesses, is that correct?

Mr. TKACH. That is correct, Mr. Chairman. In addition to the value, the decision calls for 6.6 percent interest but also deferred requiring any payment until count 2 and count 3 have been determined by further proceedings.

Senator BIBLE. This does not include the severance cost?

Mr. TKACH. No. Not at this time.

Senator BIBLE. It does not include the attorney fees that would be allowed?

Mr. TKACH. Maybe. At this time we do not know whether they will be allowed.

Senator BIBLE. When is that going to be determined?

Mr. TKACH. It will be a future legal proceeding. There will be another trial coming up.

Senator BIBLE. In other words the preliminary judgment on the Redwood has come back with a judgment for Arcata property of $96 million but it has not decided the question of severance damages and has not decided the question of legal fees?

Mr. TKACH. That is correct.

Senator BIBLE. How many others do you have involved?

Mr. TKACH. We have two other cases pending before the court of claims——

Senator BIBLE. What is the timetable on those additional cases?

Mr. TKACH. They have both filed petitions. The trial dates have not been set for either one.

Senator BIBLE. What will the Government—well, you can't do anything until you get the judgment from the full court, is that right?

Mr. TKACH. That is correct, sir. Both Arcata and the Government have filed notices of exception to the opinion. This will call for a hearing before the full court of claims.

As I mentioned, there are two cases that are pending and have been filed by Georgia Pacific Corp. and Harold Miller et al., no trial dates have been scheduled.

The severance claims by all four companies have been estimated and we do not have the claims from all the companies. Some may come out during the trials. At this time we have no firm figures on what the total cost would be.

Senator BIBLE. I can see why you wouldn't have. What is the comparative size of the Miller and Georgia Pacific and Arcata? You know roughly what you are going to have to pay in Arcata because you

already have a judgment against the U.S. Government of $96 million and above that there could be severance cost and lawyers' fees. How does the Arcata region compare with Georgia Pacific and Miller?

Mr. TKACH. Arcata involved 11,000 acres. For Georgia Pacific it was 3,368 and for Miller——

Senator BIBLE. First give me Arcata.

Mr. TKACH. 11,000 acres. Miller was 2,647 acres and Georgia Pacific Corp. 3,368 acres.

Senator HANSEN. What was the 3,368?

Mr. TKACH. Georgia Pacific?

Senator BIBLE. I realize how impossible it is to try to give an estimate of what the additional costs are going to be. What was the original authorization?

Mr. TKACH. $92 million, sir.

Senator BIBLE. How much has been expended to date?

Mr. TKACH. All but $2.8 million of the $72 million appropriated has been expended.

Senator BIBLE. You are going to need at least another $100 million?

Mr. TKACH. It could run that high.

Senator BIBLE. I have no further questions and I am not going to try to ask you to estimate the final balance because that is a terrifically difficult question to answer.

Senator HANSEN. I have no questions, Mr. Chairman.

Senator MCCLURE. What were the estimates on the—the regional estimates on the cost of Arcata?

Mr. TKACH. $57.8 million.

Senator MCCLURE. At what point in time was that the estimate?

Mr. TKACH. 1968 values.

Senator MCCLURE. It sticks in my mind some figure like $38 to $45 million estimate for Arcata.

Mr. TKACH. I don't recall that, Senator.

Senator BIBLE. To put the question in appropriate context, the court judgment was $96 million and that does not include settlement and severance or attorney fees. Whatever the original estimate was that was given to the Congress, we have long passed it.

Senator MCCLURE. I thought we might be able to relate—I assumed that $57 million was a part of requested $92 million.

Mr. TKACH. Yes, sir.

Senator MCCLURE. If the 57 becomes 96 you could make a straight line extrapolation what the 92 would become if the margin of error was the same on those two.

Mr. TKACH. I guess one could. The issue that the trial judge did not allow was the matter of discount.

Senator BIBLE. Discount for what?

Mr. TKACH. Discount for the future value of the money.

Senator MCCLURE. Is that issue not involved in the others?

Mr. TKACH. Yes.

Senator MCCLURE. What makes you think the judge will allow it in the others?

Mr. TKACH. We are appealing this portion.

Senator MCCLURE. You don't feel the 96 is a final figure?

Mr. TKACH. We stand a good chance of getting it reduced.

Senator HANSEN. I am not sure I understand the import of your reference to the discount of money. Would you go through that again?

Mr. TKACH. It is the present worth of money at a future date. In other words, instead of waiting until they could remove all the timber and turn it into a product and get the cash after they sell the product they would have the cash as of that date.

Senator HANSEN. And the thought insofar as the Federal Government is concerned was that there should be a discounting of the eventual worth of the timber that could be removed from the area if they could get a cash settlement now.

Mr. TKACH. Our fair market value estimate of that yes, sir.

Senator BIBLE. Any further questions on the redwoods?

[No response.]

Senator BIBLE. Thank you very much for being here. We will adjourn subject to call of the Chair.

[Whereupon, at 1 p.m., the subcommittee adjourned.]

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