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Dec/8/76

# SUMMARY

of

# NATIONAL PARK SERVICE

# LEGISLATION

94th CONGRESS

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CHIEF, OFFICE of LEGISLATION



IN REPLY REFER TO:

# United States Department of the Interior

NATIONAL PARK SERVICE WASHINGTON, D.C. 20240

UEC 8 1976

Memorandum

L58-170

To: Directorate, Field Directorate and WASO Division Chiefs

From: Chief, Office of Legislation

Subject: Status of Legislation, 94th Congress

Enclosed is a copy of a report showing the action taken during the 94th Congress on legislation of interest to the National Park Service.

The report covers 42 new laws. In addition, it shows the action taken by Congress on a number of bills that were considered but not enacted. In this respect it indicates items that may come up in the 95th Congress.

Everyone in the Office of Legislation wishes to extend our appreciation to the countless number of Park Service Field personnel who have lent their professional support to us in the development and implementation of this program. The presentations of this Office before the Congress, the Executive, and the public in general will continue to emphasize your professionalism and commitment to conservation principles generally, which is the hallmark of the National Park Service.

Richard C. Curry

Enclosure

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NEW UNITS AND AFFILIATED AREAS 94TH CONGRESS

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#### NEW UNITS

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Chickasaw National Recreation Area, Oklahoma (P.L. 94-235). Establishes the Chickasaw National Recreation Area in the State of Oklahoma and includes within the boundaries of the area two existing units (Platt National Park and Arbuckle Reservoir). Authorizes \$1,600,000 for acquisition of lands and \$4,567,000 for development. Total acreage of the recreation area may not exceed 10,000 acres. (Approved March 17, 1976 - H.R. 4979).

Congaree Swamp National Monument, South Carolina (P.L. 94-545). Establishes the Congaree Swamp National Monument, consisting of an area known as Beidler Tract with a maximum acreage of 15,200 acres; authorizes the Secretary to make minor boundary adjustments after notifying the appropriate Committees of Congress; Secretary is authorized to acquire lands, waters, and interests with donated or appropriated funds, lands owned by State or local governments shall be acquired by donation; within 3 years the Secretary shall review the areas within the monument and report to the President his recommendations as to the suitability or nonsuitability of any areas for preservation as wilderness, in accordance with the Wilderness Act of 1964; sums authorized for land acquisition not to exceed \$35,500,000, sums for development not to exceed \$500,000; within 3 years the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the appropriate Committees of Congress a general management plan for use and development of the monument. (Approved October 18, 1976 - H.R. 11891).

Klondike Gold Rush National Historical Park, Alaska and Washington (P.L. 94-323). Authorizes the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park, consisting of four units, the Seattle unit of Seattle, Wash., and the Skagway, Chilkoot Trail, and White Pass Trail units of Alaska. Total area within all four units is limited to 13,300 acres. The Secretary would be authorized to acquire lands, waters, and interests therein within the park, and with respect to Skagway unit he is authorized to acquire up to ten historic structures in the city of Skagway outside of the park for relocation within the Skagway unit. The law further authorizes the Secretary to cooperate and enter into agreements with Federal, State. and local public bodies and private interests relating to property within, adjacent to or otherwise affecting the park, in order to contribute to the development and management of such property in a manner compatible with the purposes of the park. It also authorizes the President to proclaim the park as part of the Klondike Gold Rush International Historic Park at such time as planning, development, and protection of adjacent or related historic and scenic resources in Canada have been accomplished. Authorizes \$2,655,000 for the acquisition of lands and interests in lands, and not more than \$5,885,000 for development. (Approved June 30, 1976 - S. 98).

- Monocacy National Battlefield, Maryland See Omnibus Ceiling and Boundary Changes, P.L. 94-578.
- Ninety Six National Historic Site, South Carolina (P.L. 94-393). Authorizes the Secretary of the Interior to acquire lands and interests therein by donation, purchase, or exchange, not to exceed 1,120 acres, in the vicinity of the Old Ninety Six and Star Fort National Historic Landmark in the State of South Carolina, for establishment as the Ninety Six National Historic Site. The law authorizes the appropriation of not more than \$320,000 for the acquisition of lands and interests in lands, and \$2,463,000 for development. Authorizes the Secretary to consult with the Governor of the State of South Carolina, to develop within 2 years a general management plan, to be transmitted to appropriate Committees of Congress. (Approved August 19, 1976 - S. 2642).

Obed River, Tennessee - See Omnibus Wild and Scenic Rivers, P.L. 94-486.

Valley Forge National Historical Park, Pennsylvania (P.L. 94-337). Authorizes the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania. The Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. The Act would provide for the donation of the existing Valley Forge State Park, authorizes appropriations for additional land acquisition, and directs the Secretary of the Interior to prepare a master plan for the park and submit his recommendations to the Congress. Authorized to be appropriated \$8,622,000 for the acquisition of land, and not more than \$500,000 for development of essential public facilities. (Approved July 4, 1976 - H.R. 5621).

### AFFILIATED AREAS

Cherokee Strip, Kansas - See Eugene O'Neill National Historic Site, P.L. 94-539.

<u>Fugene O'Neill National Historic Site, California</u>, (P.L. 94-539). Establishes the Eugene O'Neill National Historic Site; gives the Secretary the authority to acquire by donation or purchase with donated funds, Tao House, the home of Eugene O'Neill consisting of approximately 14 acres; the Secretary is authorized to accept the donation of the Cherokee Strip River Museum in Arkansas City, Kansas, and may enter into a cooperative agreement with any responsible and competent organization for the administration of such museum. (Approved October 18, 1976 - S. 2398).

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Father Marquette National Memorial, Saint Ignace, Michigan (P.L. 94-160). Establishes the Father Marquette National Memorial near Saint Ignace, Michigan. Would authorize the Secretary of the Interior to designate a memorial following conclusion of an agreement between the Governor of the State of Michigan and the Secretary providing for the location, design, construction, and operation by the State of the memorial, and upon the Secretary's determination that the State has acquired sufficient lands to constitute an efficiently administrable memorial. The law also authorizes the Secretary to assist in the development of the memorial following conclusion of the aforementioned agreement. Authorizes to be appropriated sums not to exceed \$1,000,000. (Approved December 20, 1975 - H.R. 2724).

Omnibus Wild and Scenic Rivers, Missouri River, Montana (P.L. 94-486). Amends the Wild and Scenic Rivers Act by designating six rivers as components of the National Wild and Scenic Rivers System, which are: (1) Missouri River, Montana, designates a 149-mile segment to be administered by the Secretary of the Interior. Bureau of Land Management shall exercise management responsibilities on the river area. Section 203(g)(2) directs that the National Park Service shall be responsible for construction, operation, and maintenance of any visitor facility in or near Fort Benton and shall provide interpretive service for the historic, archeologic, scenic, natural and fish and wildlife resource of the area. Sums appropriated for land acquisition not to exceed more than \$1,800,000. No funds authorized to be available prior to October 1, 1977; (2) Flathead River, Montana, to be administered by agencies of the Departments of the Interior and Agriculture. Sums appropriated for land acquisition \$6,719,000. No funds authorized to be available prior to October 1, 1977; (3) Obed River, Tennessee, to be managed by the Secretary of the Interior. National Park Service sums appropriated for land acquisition \$2,000,000, and \$400,000 for development; (4) Housatonic River, Connecticut; (5) Feather River, California; and (6) Piedra River, Colorado. (Approved October 12, 1976 - S. 1506).

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## ADDITIONAL LEGISLATION DIRECTLY AFFECTING

#### THE NATIONAL PARK SYSTEM

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Alaska Native Claims Settlement Act, Alaska (P.L. 94-456). Amends the Alaska Native Claims Settlement Act of 1971, and specifically amends section 12 of P.L. 94-204 which provides for the settlement of the Cook Inlet land issue. Under the new law the Secretary is directed to transfer from the Federal estate to the State of Alaska those lands essential for the construction of the new runway at Anchorage International Airport. Some 56 acres of lands excessed by the military would be transferred to the Cook Inlet natives. The revised Terms and Conditions document for the settlement of the Cook Inlet issue, as negotiated by the State, Interior, and the Cook Inlet natives is ratified by the Congress. Finally the Act provides for the settlement of a village selection controversy within the Cook Inlet Region, thus allowing the natives to receive their highest priority lands and reducing the Government's administrative costs. The Secretary is granted the authority to transfer village selected lands to the Regional Corporation for reconveyance to the villages. All lands so conveyed shall be adjudicated as a single selection, not separate selections for each village. Village concurrence for this process is necessary. (Approved October 4, 1976 - S. 3651).

American Legion's Freedom Bell, Washington, D.C. (P.L. 94-483). Authorizes the American Legion to place on land of the National Park System in the District of Columbia the American Legion's Freedom Bell in honor of this Country's Bicentennial celebration. All plans for placement of the Freedom Bell would be subject to the approval of the Secretary of the Interior, who would also maintain the gift after placement. The costs of placing the Freedom Bell would be borne by the American Legion. (Approved October 12, 1976 - S. J. Res. 181).

Bernardo de Galvez Statue, Washington, D.C. (P.L. 94-287). Authorizes the Secretary to accept a statue of Bernardo de Galvez, the Spanish Governor of Colonial Louisiana during the Revolution. The statue is a gift of the Spanish Government to the United States for the Bicentennial, to be erected on grounds now owned by the United States of America in the District of Columbia. The erection of the statue and proper landscape treatment of the site, including walks, shall be without expense to the United States, except for necessary maintenance after (completion. (Approved May 21, 1976 - S. 3031).

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#### BLM Organic Act (P.L. 94-579).

Establishes a public land policy and guidelines for its administration; provides for the management, protection, development, and enhancement of the public lands; requires the Secretary to develop comprehensive land-use plans for public lands and to maintain an up-to-date inventory on the lands and their resources; gives Congress authority to veto any decision to exclude from one or more principal use -- domestic livestock grazing, mineral exploration and production, fish and wildlife development, rightsof-ways, recreation and timber production -- a tract of 100,000 acres or more for 2 or more years; requires the Secretary to review within 15 years all existing withdrawals of Federal lands in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming to determine whether and for how long the existing withdrawals should continue. Excepted from this review are wilderness areas and other major conservation systems including Indian lands, some national forest lands, parks and wildlife refuges, other lands administered by the Fish and Wildlife Service, the National Wild and Scenic Rivers and National Trails Systems; directs the Secretary to review and identify areas within the public lands with potential for wilderness status; repeals hundreds of existing public lands laws; repeals existing authority for withdrawal of public lands from application of Federal grazing and mining laws; requires Federal review of withdrawals over 5,000 acres and limits such withdrawals to 20 years. (Approved October 21, 1976 - S. 507).

Canaveral National Seashore Advisory Commission (P.L. 94-398). Amends the Act of January 3, 1975, establishing the Canaveral National Seashore, increases the membership of the Advisory Commission from the present five to six members and by changing the nature of the membership representing the general public from one member appointed by the Secretary to two members, of which one shall be appointed from each county in which the seashore is located. (Approved September 4, 1976 - H.R. 10370).

#### Congressional Cemetery, Washington, D.C. (P.L. 94-495).

Authorizes the Architect of the Capitol to perform certain work on and to maintain the historical sections of the Congressional Cemetery and to study and formulate proposals for renovation and permanent maintenance of such sections by the United States; authorized for maintenance \$175,000 for fiscal year ending September 30, 1978, and the sum of \$75,000 for the fiscal year ending September 30, 1979. Authorized for the study not to exceed \$50,000 for the fiscal year ending September 30, 1978. (Approved October 14, 1976 - S. 3441). (Department of the Interior will not be involved in the administration, operation, or maintenance of this Cemetery).

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District of Columbia Police and Firemen's Salary Act of 1958 Washington, D.C. (P.L. 94-533). Amends the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees within the General Schedule under the Federal pay comparability system; requires the Secretary to submit within 1-year a report on the feasibility and desirability of codifying the laws relating to the United States Park Police. (Approved October 17, 1976 - H.R. 15276).

#### General Authorities (P.L. 94-458).

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Amends the Act approved August 18, 1970, providing for improvement in the administration of the National Park System by the Secretary of the Interior and clarifying authorities applicable to the National Park System, includes 11 additions which are:

1. Limits disposal of park resources - so that such activity does not jeopardize or unduly interfere with natural or historic resources.

2. Boating regulations - promulgates and enforces regulations concerning boating and other activities on or relating to waters.

3. Meals and lodging - authorizes payment of meals and lodging for employees on extended special duty.

4. Dependents travel - authorizes payment of traveling expenses of employees upon permanent change of station, payment of traveling expenses of dependents of deceased employees, includes compensation not to exceed 60 days rental cost, payment of traveling expenses of dependents of deceased employees to the nearest port of entry if the last permanent station was outside the conterminous 48 States.

5. Legislative jurisdiction - authorizes relinquishment of legislative jurisdiction to a State by agreement which must be submitted to the Interior Committee, directs the Secretary to exercise concurrent legislative jurisdiction within the parks.

6. Uniform allowance - maximum allowance is \$400 per year.

7. New area studies and landmark monitoring - directs the Secretary to monitor areas which may have potential for inclusion in the National Park System, requires each fiscal year that the Secretary must transmit to Congress reports on those areas upon which studies have been completed, also a list of not less than 12 areas which may have potential for inclusion in the National Park System, and a complete and current list of all natural landmarks and historic landmarks which have threats to their integrity. 8. Advisory board - establishes the Secretary's Advisory Board, changing its name to National Park System Advisory Board, composed of and not to exceed 11 persons, relieves the board of responsibility to recommend as to the suitability or desirability of surplus real and related personal property for use as an historic monument.

9. Law enforcement - gives authority to carry firearms and make arrests for all Federal laws, execute warrants, investigate offenses, designate special policemen consisting of other Federal or State law enforcement personnel, provides reimbursement to State or local jurisdictions in accordance with regulations to be prescribed where concurrent jurisdiction obtains.

10. Freedom of information act exception - permits the Secretary to withhold from disclosure to the public information relating to the location of sites or objects on the National Register where such information would create a risk of destruction or harm.

11. General management plans - directs the Secretary to submit to the appropriate committees before January 15 of each year development programs for each unit of the Park System consistent with the general management plans, repeals and reenacts the requirement that concession leases and contracts involving a gross annual business of \$100,000 or more or exceeding 5 years in duration and 11 proposed rules and regulations relating to concession leases and contracts be submitted 60 days prior to their effective date to the Interior Committee. (Approved October 7, 1976 - S. 3430).

Grand Canyon National Park Enlargement Act, Arizona (P.L. 94-31). Amends the Grand Canyon National Park Enlargement Act of January 3, 1975 (88 Stat. 2089). Provides for a study in which the Secretary of the Interior shall report to the President within 2 years from the date of enactment of this Act, his recommendations for possible inclusion in the wilderness system pursuant to the provisions of the Wilderness Act. (Approved June 10, 1975 - H.R. 4109).

<u>Guadalupe Mountains National Park, Texas</u> (P.L. 94-174). Authorizes an exchange of certain lands within the park for other lands which will provide an improved access road to McKittrick Canyon portion of the park, by amending subsection (b) of section 2 of the Act approved October 15, 1966 (80 Stat. 920), establishing the Guadalupe Mountains National Park. The Secretary may accept title to and interests in lands comprising a right-of-way for a road or roads outside of the boundary of the park from U.S. Highway 62 and 180 to the park boundary, and in exchange therefore he may convey title and interests in lands comprising a right-of-way from said highway to the boundary which have been donated to the United States. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged. (Approved December 23, 1975 - S. 313).

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Home of Franklin D. Roosevelt National Historic Site, New York (P.L. 94-19). Amends the joint resolution of July 18, 1939 (53 Stat. 1062), to provide for the acceptance of additional lands for the Home of Franklin D. Roosevelt National Historic Site. This law amends section 301 and adds a new section 304. Section 301 allows the head of any executive department to accept for and in the name of the United States, title to any part or parts of the Hyde Park estate and title to any contiguous property or properties located in the town of Hyde Park, Dutchess County, State of New York, which shall be donated to the United States for use in connection with any designated governmental function in the administration of this area. Section 304 authorizes to be appropriated for development sums not to exceed \$104,000. (Approved April 30, 1975 - H.R. 2808).

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Indiana Dunes National Lakeshore, Michigan (P.L. 94-549). Amends the Act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the Lakeshore; would expand the Lakeshore by 3,662 acres; allows owners of property to retain use and occupancy rights up to 20 years, except owners within one specified area; gives the Government authority to terminate use and occupancy rights if the property was determined to have been used contrary to the purposes of this Act; expands the membership of the Indiana Dunes National Lakeshore Advisory Commission from seven to eleven members, and set specific criteria for selection of four members; sets a ceiling of \$60,812,100 for land acquisition, and \$25,286,100 more than the previous ceiling; sets a ceiling of \$8,500,000 for development; requires the Secretary to submit within 1-year a plan outlining planned land acquisition for the next 5 fiscal years; requires that a study be made of three areas to determine the feasibility of later adding them to the park. (Approved October 18, 1976 - H.R. 11455).

John F. Kennedy Center, Washington, D.C. (P.L. 94-119). Appropriations. Authorizes appropriations for services necessary to nonperforming arts functions of the John F. Kennedy Center. Amends subsection (e) of section 6 of the John F. Kennedy Center Act by adding appropriations not to exceed \$2,800,000 for the fiscal year ending June 30, 1976, \$741,000 for the transition period ending September 30, 1976, and \$3,100,000 for fiscal year ending September 30, 1977. Section 2, amends section 6 of the Act by adding a new subsection (f) wherein the General Accounting Office is authorized and directed to review and audit the accounts of the Center for the purpose of determining the continuing ability of the Center to pay its share of future operating costs, and for the purpose of assuring that the cost-ofliving formula fairly and accurately reflects the use of the buildings. (Approved October 21, 1975 - H.R. 6151).

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Land and Water Conservation Fund Act of 1965, as amended, to establish the National Historic Preservation Fund (P.L. 94-422). Amends the Land and Water Conservation Fund Act of 1965, as amended, to establish the National Historic Preservation Fund, authorizes to be appropriated annually to the fund \$300,000,000 for fiscal year 1977, \$600,000,000 for fiscal year 1978, \$750,000,000 for fiscal year 1979, and \$900,000,000 for fiscal year 1980 and for each fiscal year thereafter through September 30, 1989; where significant acquisition for development is initiated appropriate standardized temporary signing shall be located on or near the affected site; directs Secretary to submit within 1-year urban park study; authorizes up to 70 percent planning grants for historic preservation projects; establishes a 5-year Historic Preservation Fund, monies covered into the fund shall remain available until appropriated, and appropriations may be made without fiscal year limitations, covered into such funds \$24,400,000 for fiscal year 1977, \$100,000,000 for fiscal year 1978, \$100,000,000 for fiscal year 1979, \$150,000,000 for fiscal year 1980, and \$150,000,000 for fiscal year 1981; amends the 1966 Act to establish the Advisory Council on Historic Preservation as an independent agency, the authority for financial and administrative services is to be provided by the Department of the Interior, authorized to be appropriated not more than \$1,500,000 for fiscal year 1977, \$1,750,000 in fiscal year 1978, and \$2,000,000 for fiscal year 1979. (Approved September 28, 1976 -S. 327).

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Lincoln National Memorial, recognition of States of Alaska and Hawaii, Washington, D.C. (P.L. 94-556). Provides for the additions of the names of the States of Alaska and Hawaii to the list of forty-eight States inscribed on the walls of the Lincoln National Memorial; directs the Secretary to review the alternatives for such recognition and forward his recommendations for approval by the National Capital Planning Commission, Commission of Fine Arts, and by the Advisory Council on Historic Preservation; sums authorized to be appropriated not to exceed \$20,000, no funds shall be available prior to October 1, 1977. (Approved October 19, 1976 - S. 64).

Lyndon Baines Johnson Memorial Grove on the Potomac, Virginia (P.L. 94-162). Amends the joint resolution approved December 28, 1973, providing for the establishment of the Lyndon Baines Johnson Memorial Grove on the Potomac, to permit Federal expenditures of \$1,000,000 to facilitate access to the memorial. (Approved December 20, 1975 - H.R. 9883).

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Mining in the National Park System (P.L. 94-429).

Provides for the regulation of mining activity within, and repeals the application of mining laws to areas of the National Park System; authorizes general regulations; repeals certain Acts in order to close six areas of the National Park System to mineral entry and location under the Mining Law of 1872, those areas are: Crater Lake National Park, Mount McKinley National Park, Death Valley National Monument, Glacier Bay National Monument, Coronado National Memorial, Oregon Pipe Cactus National Monument; prohibits surface disturbance for 4 years in Death Valley National Monument, Mount McKinley National Park and Organ Pipe Cactus National Monument; Secretary shall determine within 2 years the validity of any unpatented mining claims within Glacier Bay National Monument, Death Valley and Organ Pipe Cactus National Monuments and Mount McKinley National Park and submit to Congress his recommendations for modifications or adjustments to the existing boundaries of Death Valley National Monument, and Glacier Bay National Monument to exclude significant mineral deposits and to decrease possible acquisition costs; requires a 4-year validity determination of claims in Crater Lake, Coronado National Memorial and Glacier Bay National Monument; requires recordation of all claims in all areas of the National Park System within 1-year or claims are void; requires Secretary to report to Advisory Council on mining affecting natural and historic landmarks and a 2-year report to Congress by the Advisory Council; Secretary should consider any offers of sale of mining interests within Death Valley National Monument, Mount McKinley National Park, and Organ Pipe Cactus National Monument where there is undue hardship; and requires employees to notify the Secretary of financial interests in mining claims in the National Park System. (Approved September 28, 1976 - S. 2371).

#### National Trails System Act (P.L. 94-527).

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Amends section 5(c) of the National Trails System Act of 1968, by adding the Bartram Trail to the list of trails to be studied for possible designation as a national scenic trail; study to be undertaken by the Departments of Interior and Agriculture; list of trails includes: Daniel Boone Trail, Desert Trail, Dominguez-Escalante Trail, Florida Trail, Indian Nations Trail, Nez Perce Trail, and Pacific Northwest Trail. (Approved October 17, 1976 -S. 2112).

National Visitor Center (Flagpoles), Washington, D.C. (P.L. 94-320). Enables the Secretary of the Interior subject to the approval of the Architect of the Capitol, to make use of that portion of the United States Capitol Grounds adjacent to the plaza in front of the National Visitor Center to erect and maintain flagpoles to fly the flags of each State and its territories and possessions; Secretary maintains restoration of the grounds disturbed as a result of operations; give the Architect of the Capitol authority to enter into an agreement to afford the National Park Service the means of erecting and maintaining the poles. (Approved June 25, 1976 - S. 3161).

Omnibus Ceiling and Boundary Changes (P.L. 94-578). Provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System.

## Acquisition Ceiling Increases

Arches National Park, Utah (\$125,000 to \$275,000). Assateague Island National Seashore, Maryland and Virginia (\$21,050,000 to \$22,400,000). Buffalo National River, Arkansas (\$16,115,000 to \$30,071,500). Capitol Reef National Park, Utah (\$423,000 to \$2,173,000). Fire Island National Seashore, New York (\$16,000,000 to \$18,000,000). Gulf Islands National Seashore, Florida and Mississippi (\$3,462,000 to \$22,162,000). Lincoln Home National Historic Site, Illinois (\$2,003,000 to \$3,059,000). Mesa Verde National Park, Colorado (\$125,000 to \$193,233). North Cascades National Park and Lake Chelan National Recreation Area, Washington (\$3,500,000 to \$4,500,000). Saint-Gaudens National Historic Site, New Hampshire (not to exceed \$80,000). Scotts Bluff National Monument, Nebraska (\$15,000 to \$145,000). Canyonlands National Park, Utah (\$16,000 to \$104,500). Padre Island National Seashore, Texas (\$5,000,000 to \$5,350,000). Development Ceiling Increases Andrew Johnson National Historic Site, Tennessee (\$66,000 to \$266,000). Arkansas Post National Memorial, Arkansas (\$550,000 to \$2,750,000). Chamizal National Memorial, Texas (\$2,060,000 to \$5,063,000). Fort Larned National Historic Site, Kansas (\$1,273,000 to \$4,273,000). Golden Spike National Historic Site, Utah (\$1,168,000 to \$5,422,000). Jefferson National Expansion Memorial National Historic Site, Missouri (\$23,250,000 to \$32,750,000). Saint-Gaudens National Historic Site, New Hampshire (\$210,000

- to \$2,677,000).
- Vicksburg National Military Park, Mississippi (\$2,050,000 to \$3,850,000).

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Channel Islands National Monument, California (\$2,936,000 to \$5,452,000).

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Nez Perce National Historical Park, Idaho (\$1,337,000 to \$4,100,000).

#### Miscellaneous Provisions

Assateague Island National Seashore, Maryland and Virginia repeals authorization for island road and overnight facilities; requires a comprehensive plan to be submitted to Congress within 2 years of enactment, and requires consultation of Secretary concerning projects with Federal interests that would adversely affect the national seashore.

Colorado National Monument, Colorado - authorizes new boundary map to be published to include an additional 2,800 acres and an acquisition ceiling of \$460,000.

Fort Scott National Historic Site, Kansas - increases ceiling from \$1,420,000 to \$2,000,000.

Montgomery County, Maryland - authorizes exchange of lands between National Park Service and Corps of Engineers.

Piscataway Park, Prince Georges and Charles Counties, Maryland deletes parcel D (Fort Washington Marina) from phaseout requirements of P.L. 93-444.

Saint-Gaudens National Historic Site, New Hampshire - authorizes acquisition of 64 acres for addition to the national historic site.

Saguaro National Monument, Arizona - authorizes \$1,700,000 for acquisition of lands.

Appomattox Court House National Historical Park, Virginia - sums appropriated not to exceed \$1,335,000 for ceiling.

Bandelier National Monument, New Mexico - sums appropriated for land acquisition \$1,463,000.

Buffalo National River, Arkansas - authorizes to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978; sums appropriated for development not to exceed \$9,371,000. Edison National Historic Site, New Jersey - establishes a development ceiling of \$1,695,000 and an acquisition ceiling of \$75,000.

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Fort Smith National Historic Site, Arkansas - authorizes \$1,719,000 for land acquisition and \$4,580,000 for development.

Haleakala National Park, Hawaii - permits appropriated funds for acquisition and sets a \$920,000 acquisition ceiling.

John F. Kennedy Center, Washington, D.C. - authorizes funds not to exceed \$4,000,000 for fiscal year ending September 30, 1978, and not to exceed \$4,300,000 for fiscal year September 30, 1979 for operation and maintenance.

Morristown National Historical Park, New Jersey - adds 135 acres to the park.

Oregon Dunes National Recreation Area (Forest Service Area) - increases acquisition ceiling by \$3,250,000.

Pecos National Monument, New Mexico - adds 23.5 acres to monument by donation.

Zion National Park, Utah - adds 2.39 acres and deletes 8.13 acres.

Monocacy National Battlefield, Maryland - changes name from Military Park to Battlefield and authorizes to be appropriated \$3,525,000 for acquisition of lands and \$500,000 for development.

Olympic National Park, Washington - authorizes to be appropriated \$13,000,000 for the acquisition of lands.

San Juan National Historic Site, Puerto Rico - establishes a ceiling of \$2,733,000 for both development (emergency repairs and further studies).

Big Thicket National Preserve, Texas - clarifies the language on year-round residences under the use and occupancy provision.

Cuyahoga National Recreation Area, Ohio - increases ceiling by \$6,600,000 from \$34,500,000 to \$41,100,000. (Approved October 21, 1976 - H.R. 13713).

Omnibus Rivers and Harbors (Big South Fork National River and Recreation Area) P.L. 94-587. Authorizes the construction, repair, and preservation of certain public works on rivers and harbors for navigation, and flood control; authorizes \$742.3 million for 14 construction projects, 36 phaseout planning and design projects, 41 modifications to previously authorized projects and 46 other provisions ranging from orders for new studies to changes in administrative policy. Section 184 expands the authority of the Secretary of the Army regarding the Big South Fork National River and Recreation Area, including an increase in its appropriation authorization from \$32,850,000 to \$103,522,000. Subsection (b) of that section authorizes the Secretary of the Army to enter into an agreement with the Secretary of the Interior for the Department of the Interior to manage the area as a unit of the National Park System when a sufficiently administrable area has been acquired. The Secretary of the Army is further authorized to transfer the funds to the Department of the Interior for the cost of such interim management. (Approved October 22, 1976 - S. 3823).

One Hundred and First Airborne Division Association Memorial, Washington, D.C. (P.L. 94-211). Authorized the One Hundred and First Airborne Division Association to erect a memorial on public grounds in the District of Columbia or its environs in honor of the men who have served their country in the 101st Airborne Division. The Secretary of the Interior is authorized with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, to select a suitable site for the Memorial on public grounds in the District of Columbia. Approval of the Mayor of the District of Columbia must be obtained if the selected site is under his jurisdiction. Maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior, or, if the memorial is erected upon public grounds belonging to or under the jurisdiction of the District of Columbia, the government of the District of Columbia. (Approved February 6, 1976 - S. 1847).

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### Payments-in-Lieu of Taxes (P.L. 94-565).

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Provides that units of local government will qualify for subsidy payments from the Department of the Interior under two types of programs, one perpetual and one limited to a 5-year period, both conditioned on having certain Government-owned land within their boundaries. Sections 1, 2, and 4 provide that beginning October 1, 1976, a perpetual annual subsidy will be paid to units of local government containing certain government lands (entitlement lands). Payments will be computed under a formula, under which the total acreage of entitlement lands within the unit boundaries will be multiplied by 75 cents an acre. Deductions will be made for other subsidies now payable by the Bureau of Land Management under various subsidy programs listed in section 4, and this figure will be matched to the population factor reducing the amount payable to the lower of the two. In no case will the payment be less than 10 cents an acre, limited to a minimum figure of \$100. For purposes of the permanent subsidy, entitlement lands include generally the National Park System lands, National Forest System lands including wilderness lands within each, Bureau of Land Management lands, and

resource development project lands and certain dredge lands of the Army Corps of Engineers. The second type of payment as described in section 3, is in addition to the above payments and seeks to offset the loss of tax revenue to the locality upon Federal acquisition of private land for parks and wilderness. Section 3 provides that whenever land or interest in lands subject to local real property taxes within 5 years preceding such acquisition, are or were acquired by the United States or national park and national forest wilderness areas beginning after December 31, 1970 (or October 2, 1968 in the case of Redwood National Park), the unit of local government is entitled to receive, for a 5-year period beginning October 1, 1976, or later, a payment based on 1 percent of the fair market value but no more than the tax assessment in the year prior to acquisition. (Approved October 20, 1976 - H.R. 9719).

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Pennsylvania Avenue Development Corporation Act of 1972 (P.L. 92-578, as amended (P.L. 94-388). Amends section 17 (a) of the Act to include an appropriations request for continuation of salaries and expenses of the Corporation. Authorized to be appropriated for operating and administrative expenses sums not to exceed \$1,300,000 for fiscal year ending June 30, 1976; \$325,000 for the period July 1 through September 30, 1976; and \$1,500,000 each, for the fiscal years ending September 30, 1977, and September 30, 1978. Section 17 (b) commences implementation of the development plan authorized by section 5 of this Act, authorizes to be appropriated through fiscal years ending September 30, 1978, \$38,800,000 to remain available without fiscal year limitation through September 30, 1990. Provides that appropriations made pursuant to this authorization shall be made from the Land and Water Conservation Fund to effectuate the purposes of this Act. (Approved August 14, 1976 -S. 1689).

Philip A. Hart Visitors' Center, Michigan (P.L. 94-459). Provides that the visitors' center at the Sleeping Bear Dunes National Lakeshore be named the Philip A. Hart Visitors' Center. (Approved October 8, 1976 - S. 3843).

Point Reyes National Seashore, California (P.L. 94-544) - See Wilderness Omnibus (P.L. 94-567).

<u>Public Buildings Cooperative Use Act of 1976</u> (P.L. 94-541). Amends the Public Buildings Act of 1959 in order to preserve buildings of historical or architectural significance through their use for Federal public building purposes, and amends the Act of August 12, 1968. Title I provides the General Services Administration with legislative direction in the use of historic buildings, and in the design and use of public buildings. Section 103(3) authorizes the Advisory Council on Historic Preservation to conduct surveys for the General Service Administration of buildings within particular geographical areas that are of historic, architectural, or cultural interest and that would be suitable for acquisition or purchase to meet the public buildings needs of the Federal Government. Title II would make certain amendments in the Act of August 12, 1968, relating to the accessibility of certain buildings to the physically handicapped. (Approved October 18, 1976 - S. 865).

#### Studies Act (P.L. 94-518).

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Authorizes the study of certain areas by the Secretaries of Agriculture and Interior; authorizes the Secretary of the Interior to conduct studies for possible inclusion in the National Park System within 2 years and transmit to Congress cost estimates for acquisition, development, operation and maintenance as well as alternatives for administration and protection of the following areas: Frederick Law Olmsted Home and Office, Massachusetts; St. Paul's Church, New York; National Museum of Afro-American History and Culture, Ohio; George W. Norris Home, Nebraska; authorizes the Secretary of the Interior to conduct a 3-year study of Kalaupapa Settlement on the Island of Molokai, Hawaii, and establishes a Kalaupapa National Historical Park Advisory Commission composed of fifteen members; authorizes the Secretary of Agriculture to conduct a 3-year study of the Shawnee Hill, Illinois, establishing a national recreation area within the study area; authorizes the Secretary of Interior, in consultation with the Governor of the State of North Carolina and the Secretary of Agriculture, to conduct a study within 3 years of the Mount Mitchell area, North Carolina, as a possible national park. (Approved October 17, 1976 - S. 400).

## Tax Reform Act of 1976 (P.L. 94-455).

Provides tax incentives for historic preservation and charitable deduction status to certain donations of partial interest in real property for conservation purposes. Under new section 191, taxpayers who, under certain conditions, rehabilitate certified historic structures or structures in certified historic districts under a certified rehabilitation plan will obtain advantageous amortization options for deduction of capital investments. This clause is effective with respect to additions to capital account (of taxpayers) made after June 14, 1976, and before June 15, 1981. Under section 280B, certain taxpayers who engage in the demolition of structures, which meet the definition of certified historic structures under the law, will be denied more advantageous tax treatment otherwise permissible; unless, in advance of the demolition the taxpayer requests from the Secretary of the Interior a certification of lack of historical significance, as required. Further tax restrictions will be imposed on the new construction built on the site unless the taxpayer complies with the law. This section is effective with respect to demolitions commencing

after June 30, 1976, and before January 1, 1981. Section 280B includes yet another benefit under subsection (e) to taxpayers for 1-year from June 13, 1976, through June 13, 1977. Under this subsection, charitable deduction status will be given to a donation of partial interests in real property, defined as (1) a lease on option to purchase, or an easement with respect to real property of not less than 30 years duration; or (2) a remainder interest in real property to eligible governmental units and charitable organizations exclusively for "conservation purposes." Subsection (e) is available for income tax, gift and estate tax purposes. The Secretary of Interior will be called upon to certify structures for historic significance, or lack of significance. All tax inquiries and determinations will be made by the Internal Revenue Service. (Approved October 4, 1976 - H.R. 10612).

Volunteers in the Parks Program (P.L. 94-218). Authorizes an increase in the authorization ceiling for the Volunteers in the Parks program from \$100,000 to \$250,000 per year. (Approved November 13, 1975 - S. 896).

Wild and Scenic Rivers Act, New River (P.L. 94-407). Amends the Wild and Scenic Rivers Act (82 Stat. 906; U.S.C. 1271), by designating a segment of the New River in North Carolina as a component of the National Wild and Scenic Rivers System, that segment of the New River in North Carolina extending from its confluence with Dog Creek downstream approximately 26.5 miles to the Virginia State Line. Any license issued by the Federal Power Commission affecting the New River shall continue to be effective only for that portion of the river which is not included in the National Wild and Scenic Rivers System of the Act and that no project or undertaking so licensed shall be permitted to invade, inundate or otherwise adversely affect the designated river segment. (Approved September 11, 1976 - H.R. 13372).

#### Wilderness Omnibus (P.L. 94-567).

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Designates certain lands within units of the National Park System as wilderness and revises the boundaries of two units. The following lands are designated as wilderness:

1. Bandelier National Monument, New Mexico - (23,267 acres, the Bandelier Wilderness).

2. Black Canyon of the Gunnison National Monument, Colorado - (11,180 acres, the Black Canyon of the Gunnison Wilderness).

3. Chiricahua National Monument, Arizona - (9,440 acres, potential wilderness 2 acres, the Chiricahua National Monument Wilderness).

4. Great Sand Dunes National Monument, Colorado - (33,450 acres, potential wilderness 670 acres, the Great Sand Dunes Wilderness).

5. Haleakala National Park, Hawaii - (19,270 acres, potential wilderness 5,500 acres, the Haleakala Wilderness).

6. Isle Royale National Park, Michigan - (131,880 acres, potential wilderness 231 acres, the Isle Royale Wilderness).

7. Joshua Tree National Monument, California - (429,690 acres, potential wilderness 37,500 acres, the Joshua Tree Wilderness).

8. Mesa Verde National Park, Colorado - (8,100 acres, the Mesa Verde Wilderness).

9. Pinnacles National Monument, California - (12,952 acres, potential wilderness 990 acres, the Pinnacles Wilderness).

10. Saguaro National Monument, Arizona - (71,400 acres, the Saguaro Wilderness).

11. Point Reyes National Seashore, California - (25,370 acres, potential wilderness 8,003 acres, the Point Reyes Wilderness).

12. Badlands National Monument, South Dakota - (64,250 acres, the Badlands Wilderness).

13. Shenandoah National Park, Virginia - (79,019 acres, potential wilderness 560 acres, the Shenandoah Wilderness).

The following are revised boundaries:

1. Isle Royale National Park, Michigan - boundaries extended to include any submergedlands within the territorial jurisdiction of the United States within  $4\frac{1}{2}$  miles of the shoreline of Isle Royale and the surrounding islands, including Passage Island and the Gull Islands.

2. Pinnacles National Monument, California - boundary revised by adding lands totaling approximately 1,717.90 acres. Authorizes sums to be appropriated not to exceed \$955,000 for land acquisition. No funds authorized are to be available prior to October 1, 1977.

The Act also directs the Secretary to designate the principal environmental education center within Point Reyes National Seashore as The Clem Miller Environmental Education Center. (Approved October 20, 1976 - H.R. 13160).

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AREA	BILL_	STATUS
Commonwealth of Puerto Rico (construction of youth recreation center)	H.R. 10669	NPS report to Legislative Counsel
Compact between Puerto Rico and U.S. (San Juan NHS lands)	H.R. 11200	Hearing
Concessions (overnight accommodations)	H. Res. 697 S. Res. 232	Hearing Comments not forwarded
Concessions (guarantee loans)	S. 884	Comments not forwarded
Consumer Protection Act of 1976	S. 3384	NPS report to Legislative Counsel
Consumer Cost Evaluation Act of 1975	H.R. 10921	NPS report to Legislative Counsel
Deacon Jacob Estey National Monument	H.R. 4738	NPS report to Legislative Counsel
Declaration of Independence (transfer to Archives)	S. 2240	Report to OMB
Delaware River (Wild & Scenic Rivers System)	H.R. 2645	NPS report to Legislative Counsel
Delta Solar (erection of sculpture in D.C.)	H.R. 13456	Reported by Committee
Department of Transportation Act (authorization for space in historic buildings)	S. 3220	NPS report to Legislative Counsel
District of Columbia Self Government and Governmental Reorganization Act (Federal Enclave)	H.R. 10041	Passed House

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AREA	BILL	STATUS
Espada Aqueduct (San Antonio)	H.R. 8296	NPS report to Legislative Counsel
Federal Financial Assistance (HUD proposed report)	H.R. 825	Report to OMB (only)
Federal Grant and Cooperative Agreement, and Federal Frocurement relationships	S. 1437	Vetoed
Federal-Aid Highway Act of 1975(appropriations)	H.R. 8235 S. 2711	Public Law 94-280 May 5, 1976
Fort Clatsop National Memorial	H.R. 3619 S. 828	Report to Committee Passed Senate
Fort Union Trading Post National Historic Site	H.R. 14182 S. 3501	No Action Passed Senate
General Draza Mihailovich Monument	H.R. 7711 S. 2135	NPS report to Legislative Counsel Passed Senate
George Washington Birthplace National Monument	H.R. 9986 (omnibus) H.R. 14934, H.R. 13713	Senate failed to agree to final House version
Gettysburg Address (manuscripts transfer to Interior)	H.R. 8997 S. 2155	No Action Report to OMB
Glen Canyon National Recreation Area (franchise fees)	H.R. 10449 S. 2333	No Action Report to Congress
Goddard Rocket Launching Site	H.R. 5574 S. 397	No Action Hearing
Goddard Sculpture (appropriations)	H.R. 7154	Report to Committee
Golden Gate National Recreation Area	H.R. 10398	Comments not forwarded
Grand Canyon National Park , (river trips)	H. Con. Res. 294 S. Con. Res. 56	NPS report to Legislative Counsel NPS report to

Legislative Counsel

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AREA	BILL	STATUS
Great Salt Lake National Monument	S. 25	NPS report to Legislative Counsel
Gruber Wagon Works	H.R. 6505 S. 1497	Report to OMB (only) Passed Senate
Grizzly Bear (study)	H.R. 11440	NPS report to Legislative Counsel
Guam (establish national historic park)	H.R. 4262	Report to Committee
Gutzon Borglum National Historic Site	S. 3251	NPS report to Legislative Counsel
Hadley Memorial Hospital (convey certain property)	S. 3243	NPS report to Legislative Counsel
Haleakala National Park (transportation of employees)	H.R. 1712	NPS report to Legislative Counsel
Historic Preservation (Internal Revenue Code)	H.R. 432 S. 678, 679, 667	No Action NPS report to Legislative Counsel
Historical Property (Federal lands)	S. 1707	NPS report to Legislative Counsel
Hudson River Compact Commission (composed of Secretary of Interior)	H.R. 5483	NPS report to Legislative Counsel
Iditarod Gold Rush Trail (National Trails System)	H.R. 14178 S. 3287	No Action Hearing
Indian Art and Cultural Center	S. 150	NPS report to Legislative Counsel
Interior Appropriations	H.R. 14231	Public Law 94-373 July 31, 1976
Interior Appropriations	H.R. 8773	Public Law 94-165 December 23, 1975

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	AREA	BILL	STATUS
	Interior Authorization (transition)	S. 1398	Report to Congress
	International Center (appropriations)	S. 3115	Report to Congress
	Jean Lafitte National Park	s. 3546	Comments not forwarded
	John F. Kennedy Center (funds for repair)	H.R. 14360	Passed House/Senate Senate disagreed to House version
	John Witherspoon Statue	H.R. 12778 S. 2996	Report to Committee Passed Senate
ţ	Kalaupapa National Historical Park	H. J. Res. 220	NPS report to Legislative Counsel
	Labor Management Relations (in Federal Service)	H.R. 4800	NPS report to Legislative Counsel
	Land and Water Conservation Fund (admission permits, disabled, golden eagle)	H.R. 11061 S. 2692	Passed House No Action
	Land Use Planning	H.R. 3510 S. 984	Hearing No Action
	Manassas National Battlefield Park (boundary)	H.R. 14934(omnibus) H.K. 13713	Senate failed to agree to final House version
	Mar-A-Lago National Historic Site (transfer)	H.R. 6538 S. 2429	Report to Congress No Action
	Mosquito Control Act of 1976	H.R. 12376	NPS report to Legislative Counsel
	Nantucket Sound Islands Trust	H.R. 1629 S. 67	Hearing Passed Senate
	Natchez Trace Parkway (funds)	H.R. 3162	NPS report to Legislative Counsel

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AREA	BILL	STATUS
National Environmental Policy Act of 1969	H.R. 75	NPS report to Legislative Counsel
National Environmental Policy Act (amends section 102)	H.R. 3130	Public Law 94-83 August 9, 1975
National Law Enforcement Heroes Memorial	H.R. 3685	Report to Committee
National Petroleum Reserve in Alaska	H.R. 49	Public Law 94-258 April 6, 1976
National Trails System Act (bicycle trails)	H.R. 6391	Hearing
Natural and Human Resources Restoration and Conservation Act of 1975	H.R. 552	NPS report to Legislative Counsel
Nee-Me-Poo Trail (national scenic trail)	S. 3273	Passed Senate
100th Infantry Battalion and 442d Regimental Combat Team	S. J. Res. 129	Report to OMB
Polynesian Culture (American Revolution Bicentennial)	H.R. 10544	Report to OMB
Potomac Heritage Trail	H.R. 485 S. 324	NPS report to Legislative Counsel Hearing
Potomac National River	H.R. 11875 S. 2561	No Action Hearing
Public Works Employment Act of 1973	H.R. 1485	NPS report to Legislative Counsel
Red River Gorge (Wild & Scenic Rivers System)	H.R. 5583	NPS report to Legislative Counsel

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AREA	BILL	STATUS
Redwood National Park	H.R. 5193 - No Action	NPS proposal submitted to Legislative Counsel
Revolution's Southernmost Battlefields National Park	H.R. 17	Report to Committee
Rocky Mountain National Park	H.R. 8360	NPS report to Legislative Counsel
San Antonio Missions National Historical Park	H.R. 14064	Comments not
Santa Monica Mountains and Seashore Urban National Park	H.R. 3201 S. 1640	Hearing Passed Senate
Scott-Grant House	S. J. Res. 576	Report to Committee
Sequoia National Park (Mineral King Valley)	H.R. 6882	NPS report to Legislative Counsel
Seward National Recreation Area	S. 847	Passed Senate
Snake River (prohibit licensing of hydroelectric projects)	H.R. 5395	NPS report to Legislative Counsel
Solid Waste Utilization Act of 1975	S. 2150	Public Law 94-580 October 21, 1976
Southern Appalachian Slope National Recreation Area	H.R. 7895	NPS report to Legislative Counsel
Swimming Pool Safety Act of 1976	S. 3304	NPS report to Legislative Counsel
Theodore Roosevelt National Park	S. 1609	<u>Report to Committee</u>

	AREA	BILL	<u>STATUS</u>
ñé,	Theodore Roosevelt Inaugural National Historic Site (financial assistance)	H.R. 6708	Report to Committee
	Tocks Island Reservoir (Delaware River Basin)	H.R. 12462 S. 3106	Report to Congress Hearing
	Tourists (parking U.S. Capitol)	H.R. 4205	Report to OMB (only)
	Trails West National Historical Park	H.R. 11763	NPS report to Legislative Counsel
	Tule Elk National Wildlife Refuge (Point Reyes National Seashore)	H. J. Res. 738	Public Law 94-389 August 14, 1976
	United States Ship Arizona Memorial	H.R. 1882	Report to OMB
	Vietnam Chapel, as a national memorial	H.R. 2909 S. 171	No Action Report to Committee
	Vietnam War Memorial in District of Columbia	H. J. Res. 735	NPS report to Legislative Counsel
	Warren G. Harding National Historic Site	H.R. 9197 S. 2263	Report to Committee No Action
	Washington Monument, Lincoln Memorial, Jefferson Memorial illumination at night	H. J. Res. 592	Report to Committee
	Washington-Rochambeau National Historic Route	H. Con. Res. 225	Resolution Approved
	Weather Modification (wilderness areas)	H.R. 2742	NPS report to Legislative Counsel

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AREA	BILL	STATUS
Wetlands Resources	H.R. 378	NPS report to Legislative Counsel
Wheeling Suspension Bridge,	H.R. 1949	NPS report to
as national historic site	S. 909	Legislative Counsel
Wolf Study	H.R. 11581	NPS report to Legislative Counsel
Yosemite National Park,	H.R. 7205	No Action
as wilderness	S. 97	Hearing
Young Adult Conservation	H.R. 10138	Passed House
Corps	S. 2630	Report to Committee

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