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## National Foundation on the Arts and Humanities (1965-1967): Report 03

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the Department of the Interior proceed with the determination of a suitable site for a trout hatchery without further delay, and on behalf of the people of Kentucky, I am very happy that the committee reached this decision.

Mr. President, I ask unanimous consent that my testimony before the Appropriations Subcommittee in this connection be included in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. JOHN S. COOPER, A U.S. SENATOR FROM THE STATE OF KENTUCKY  
ESTABLISHMENT OF TROUT HATCHERY ON CUMBERLAND RIVER, KY.

Senator BARTLETT. Senator COOPER.  
Senator COOPER. Thank you Senator BARTLETT, and the committee.

I have two requests that I will make of the committee. One is to provide planning funds for the establishment of a trout hatchery on the Cumberland River in Kentucky, below Wolf Creek Dam which impounds Cumberland Reservoir. To give some background of the problem, let me say that the Governor of Kentucky, the commissioner of the department of fish and wildlife, the director of the division of fisheries, the membership of the League of Kentucky Sportsmen and the congressional delegation of Kentucky, have requested the Department of the Interior to proceed with planning for this hatchery, and I have also requested funds from this committee. Last year I came before you and, while the committee did not provide funds for planning at that time, Senator HAYDEN in a colloquy on the floor told me that he would give the utmost consideration to this request and he felt the committee would do so.

#### KENTUCKY PAST TROUT STOCKING

Since 1948 Kentucky has been stocking trout in its streams from hatcheries in other States, primarily from a hatchery in Virginia and one in Tennessee. The first stockings were experimental in nature, but in 1952, a trout fishery was established below Wolf Creek Dam on the Cumberland River at a point near where it is proposed that a hatchery now be constructed. It has been very successful and, from the history of this experimental work, certain conclusions can be drawn.

#### STATE DEPARTMENT OF FISH AND WILDLIFE STATEMENT AND SURVEY

The department of fish and wildlife in the Kentucky State government has provided a statement which I will file. Its survey shows that at least 75 streams in Kentucky can support a trout fishery of which some 515 miles of streams are suitable for stocking trout. There are 30,000 acres in reservoirs which would be suitable for trout stocking.

#### KENTUCKY NAVIGABLE STREAMS

I might say here that while it is not generally known—unless Alaska has now taken the lead—Kentucky has more miles of navigable streams than any State in the Union. Senator BARTLETT. This is the first time I find myself unable to claim Alaska is first, because I do not know.

Senator COOPER. You might have more miles of streams than we have but I suppose our claim is we have more miles of navigable streams. We are fourth nationally in the number of rivers that we have in our State.

#### DEPARTMENT AND BUREAU OPPOSITION AND DEARTH OF HATCHERIES IN SOUTH

I do not think there is any question that the qualities that are needed for a fish hatchery have been established in Kentucky. But I might say that I think the Department of the Interior and its Bureau of Sport Fisheries and Wildlife has quibbled about this. However, they have said that during

the next 5 years Kentucky could use about 91,500 pounds of trout annually which meets the 5-year estimate of the State of Kentucky.

The Department has suggested that trout could be furnished from Tennessee or Virginia, as in the past. But, to supply trout from Virginia for some of the streams would involve haulage up to 600 miles, the nearest point being 250 miles. Tennessee is somewhat closer, but I think any examination would show that Tennessee can use all of the trout that its hatchery produces.

The Department has also said that it will have to determine if there is a suitable site available. Yet the facts show that the Corps of Engineers has assured the State that it would make a site available. I am conscious of the problems of the Department of the Interior and its Division of Wildlife but I want to call the subcommittee's attention to the fact that if you examine the list of present trout hatcheries, you would find there are very few in the South. I notice in the report of the committee for last year that funds were made available for studies and for continued appropriations to a number of hatcheries in the North. Of course that may be because their streams are generally more suitable. But when there are streams in a Southern State which can support trout, and are appropriate for it, then an effort should be made to develop the potential in that area.

For 5 or 6 years or perhaps longer our Kentucky congressional delegation has been meeting with representatives of the Department of the Interior on this subject. I am not one who wants to place blame, but I must say in this instance I think the Department has dragged its feet and that it has not made the investigations or completed the studies it should have made. Even now the Department's answers is that it wants to continue to make further studies of streams and related factors which data is already available.

#### FUNDS REQUEST

Based on this long record, I earnestly ask that the committee take this matter in hand and if it cannot supply the \$50,000 that the Department says it would need to make this study, then at least supply some funds—\$20,000 or \$25,000—so that the Department will actually make the study, report to this committee, and report to our State. It has not done it. And I ask that this be done.

Senator BARTLETT. \$50,000 seems quite a little for a study, don't you think?  
Senator COOPER. I think so, but as I say in our report—

Senator BARTLETT. That is what they want.

Senator COOPER. Yes; and if that is too much, I would say give them \$25,000. Because of the data which have been accumulated by the State, and the data which they say they have accumulated themselves in the past years, I believe they can make this study and make a determination.

Senator BARTLETT. The committee will give it close consideration.

Mr. HOLLAND. Mr. President, I am very appreciative of the unanimous action of the Appropriations Committee in placing in the bill an unbudgeted item of \$500,000 for the acquisition of land to help round out the Everglades National Park. I think I should state in the RECORD the reasons behind our action in this matter.

For the last 6 fiscal years prior to this year the Bureau of the Budget has seen fit to include in the budget items for this purpose ranging all the way from \$450,000 some 6 years ago to \$1,125,000 last year.

On every occasion the Senate committee has inserted these items in the bill. On every occasion, in the face of rather

determined opposition in the conference, these items have been eliminated in conference.

I am informed that some of the earlier opposition in the House of Representatives to this particular item has diminished and that there is a good chance of the conferees approving the item. I asked the committee, therefore, to include only \$500,000, as opposed to the \$1,125,000 requested last year, which was placed in the Senate bill, and eliminated in conference.

The reasons for my placing this item before the committee, are these: The State of Florida long ago fulfilled its commitments in this regard. It decided to the Federal Government something like 850,000 acres of land and water for the purpose of setting up the Everglades National Park. If that land were to be valued at only \$10 an acre—and it is worth much more than that—that would be \$8.5 million.

The State of Florida later made a cash grant of \$2 million as its part toward the acquisition of inholdings. The Federal Government was expected to put up \$2 million as authorized by Public Law 85-482, July 2, 1958. Unfortunately, the Federal Government has never been able to go ahead with its part of its contribution. It was for that reason that I requested the committee, acting upon the request of the Bureau of the Budget, after 6 straight years, to put in less than half of the requested item this year.

The reasons for my doing so are well set forth in a letter written by me to the Honorable CARL HAYDEN, chairman of the Appropriations Committee, under date of May 10, 1966, and I ask unanimous consent that the letter be printed in full in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 10, 1966.

HON. CARL HAYDEN,  
Chairman, Appropriations Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Everglades National Park, Florida, was established by the Act of May 30, 1934 (48 Stat. 818; 16 U.S.C., secs. 410, 410a-410c).

Public Law 85-482, July 2, 1958, established boundaries of the park, authorized the transfer of certain lands between the Federal Government and the State of Florida and authorized to be appropriated \$2 million for acquisition of privately owned lands within the park.

Under Public Law 85-482 the Secretary of the Interior transferred to the State of Florida about 65,000 acres of federal land lying outside the revised boundaries in exchange for about 64,000 acres of State lands within the revised boundaries. These exchanges of lands were completed on February 25, 1959. In addition, some 1,290,091 acres of land have been donated by the State, local agencies and private donors some of which are acquired by a \$2 million cash grant made by the State of Florida.

Since 1961 efforts have been made through budget requests for the necessary funds to purchase privately owned lands within the park boundaries (Hole in Donut), and other inholdings.

In fiscal year 1961 and fiscal year 1962 the budgets as submitted to the Congress contained \$450,000 for this acquisition. The House denied the requests and the Senate, on

both occasions, restored the monies only to lose them in Conference.

In fiscal year 1963 and fiscal year 1964 the budgets submitted to the Congress contained \$500,000 for the acquisition. The House again denied the requests and the Senate again restored the funds only to again lose them in Conference.

In fiscal year 1965 there was no budget request for the regular appropriation. However, \$452,000 was in the Supplemental bill to purchase the Iori property which contained some 4,420 acres within the park boundaries. This property was obtained by the Department of Agriculture through foreclosure of certain liens which the Department held through the Farmers Home Administration. The property was simply transferred from one Federal agency to another.

In fiscal year 1966 a budget request for \$1,125,500 was submitted to the Congress, which included \$125,500 for the acquisition of the Smallwood area, in which is located Indian mounds (shells) and an Indian camp, as well as funds for the Hole in Donut. None of these funds were appropriated though the Senate itself approved the request but later it was lost in Conference.

To date the only funds appropriated under the authority of Public Law 85-482 enacted in 1958 has been the \$452,000 previously mentioned.

The State of Florida has evidenced good faith and performed its full obligation in the transfer of some 850,000 acres of land to the park and by expending some \$2 million for the acquisition of some of the private lands transferred to the park. Therefore, it is only right that the Federal Government show good faith by the acquisition of the Hole in Donut and other inholdings in order that the park boundaries may be rounded out. It is past time that the commitment of \$2 million for this purpose made by the Congress in 1958 be carried out.

I earnestly request favorable consideration of the inclusion of \$500,000 in the Department of the Interior Appropriation bill to enable a long sought after effort—since 1960—to start acquisition of the lands in the park which are privately owned, to which acquisition the Federal Government is fully committed.

With kind regards, I remain,  
Yours faithfully,

SPESSARD L. HOLLAND.

Mr. HOLLAND. Mr. President, while I think the matter is well set forth in this letter, I want this additional statement to appear in the RECORD at this point.

I have for several years been negotiating with a private foundation in an effort to secure its help in rounding out this park by acquiring sites of interest, as, for example, one which includes a rather sizable area of Indian mounds. Those mounds have been undisturbed. They are there as they have been for centuries.

I have run into the question repeatedly, "How can you ask us to provide this when the Federal Government is not doing its part?"

I think we are at the stage where if we can get the Federal Government to perform its part of the obligation, which it entered into many years ago, we can get substantial help from these particular private foundations, and in connection with the particular proposal which I have mentioned, I know others are interested in the park, who have negotiated with other private foundations, with the same result.

Is it not natural for people handling large sums of private funds which are available for such purposes to say, "We must see an interest in the Federal Government in carrying out its obligation before we can be active in this regard, in which we are interested?"

I have, therefore, set forth the reasons for the inclusion of the item of \$500,000 for land acquisition for the Everglades National Park. I appreciate it very much the action of the Appropriations Committee to that end, and the fact that the Senate is about to act on this matter without objection to this particular item.

I hope sincerely the conferees from the other body will be able to agree on this matter, and decide to approve the item, and thus show the interest of the Federal Government in fulfilling its obligation in this important matter.

BEREA, KY., FOREST RESEARCH CENTER

Mr. COOPER. Mr. President. The Senator from Nevada, who is handling the bill, may recall that I appeared before the Appropriations Committee requesting funds for planning the forest research building to be constructed at the Berea, Ky., Forest Research Center. My statement supporting this request appears on pages 1848 to 1854 of the hearings, together with letters from the Commissioner of Natural Resources, Mr. Matlick, and from President Hutchins.

Last year, the Senate included funds for this purpose, but they were not allowed by the House. For that reason, I came before the committee again this year to call attention to the needs to house strip mine restoration and other research which is going forward there. The House has now allowed funds in the amount of \$40,000 for this purpose, and I am very glad that the Senate committee has also recommended that amount. If the Senate agrees to the committee recommendation, as I am sure it will, funds for planning the building at Berea will be assured.

The forest research and strip mine restoration work proceeding at the Berea Center, as it has been developed in recent years, is a credit to the leadership, initiative and perseverance of Mr. R. D. Lane. I ask unanimous consent that a letter by the Commissioner of Natural Resources of the State of Kentucky, Mr. J. O. Matlick, on his advancement to be director of the Northeastern Experiment Station with continued responsibility for the forest research program in Kentucky, be inserted in the RECORD.

I support the \$9 million recommended by the Senate Committee for the National Foundation on the Arts and the Humanities, which I supported last year.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 30, 1966.

HON. ORVILLE L. FREEMAN,  
Secretary, U.S. Department of Agriculture,  
Washington, D.C.

DEAR MR. SECRETARY: A few days ago, Mr. Edward P. Cliff, Chief, U.S. Forest Service wrote to me about the reorganization of the Forest Service in eastern United States. I was greatly pleased and gratified to learn from Mr. Cliff that Mr. R. D. Lane, formerly Director of the Central States Forest Experi-

ment Station, is now Director at the Northeastern Experiment Station and will continue to have responsibility for the Forest Service research program in Kentucky.

Under Mr. Lane's very capable and imaginative leadership, we have made in Kentucky fine progress toward a forestry research program of state and national significance. Forest Service scientists located at Berea, Kentucky, have aggressively tackled several difficult and complex research problems of major importance to us. They have undertaken their work quietly, efficiently, and without fanfare. And they have sought our advice and counsel in selection of research problems, have coordinated their work with our programs, and have consistently given us full assistance whenever we have called upon them. Moreover, with Mr. Lane's guidance, they have cooperated with and assisted others, such as the University of Kentucky, in developing a coordinated, productive forestry research program for Kentucky.

Let me give you a few examples of the excellent contributions they have made:

1. With their assistance we have established a Wood Use Demonstration and Training Center that promises to assist materially in expanding wood-based industries as well as employment opportunities in the highlands of eastern Kentucky and thus strengthen the economy of this area. The facility is operated by the University of Kentucky and located at Quicksand.

2. My Department and the Forest Service joined forces to make a thorough inventory of our state's forests. This work, now completed, gives us the most intensive, detailed inventory ever made of our state's forest resources. We have had a flood of inquiries about timber supplies in Kentucky and I am confident that our inventory will lead to the establishment of several new wood-based industries in our state.

3. Our State Legislature just recently passed a most stringent surface mine restoration law. The research conducted by Forest Service scientists at Berea provided the basis for this new law and for regulations being developed under it. Research programs they have in progress, although quite small in relation to the total problems, will help both us and the Kentucky mining industry abide by the new laws as well as other States and the industry throughout the Appalachian coal field.

We hold in great esteem the Forest Service scientists at Berea, Kentucky, and their director, Mr. Lane. They are, in our opinion, a distinct credit to your Department and to the Forest Service.

J. O. MATLICK.

Mr. PELL. Mr. President, I should like to take note of the fact that the appropriation bill for the Department of the Interior and related agencies, which we are considering today, contains a provision of \$9 million for the National Foundation on the Arts and Humanities. This is a matter of special interest to me since I am chairman of the Special Subcommittee on the Arts and Humanities which last year handled the authorizing legislation for this program.

I am pleased to note that although the Senate bill still represents a cut of \$4.9 or more than a third less than the budget request, it does provide \$2 million more than the House bill allowed, with all of the increase going to the National Endowment for the Humanities. This is entirely appropriate since the House committee passed over the request for the humanities endowment without prejudice, in view of the fact that the endowment's program had not been

fully formulated at the time the House committee considered the bill.

However, it seems to me the record should show that the Senate bill still reflects some very substantial cuts in the basic programs envisioned under the new National Foundation. The largest is a cut of \$3 million in the amount requested for the Endowment on the Humanities. In addition, the basic grant program under the Arts Endowment has been cut \$1 million; the State grant-in-aid program has been cut \$750,000 and the administrative allowance has been cut \$180,000.

It is unfortunate indeed that these worthy programs must be held back because of the budgetary constrictions resulting from the situation in Vietnam. While none of us would assert a civilian priority under these conditions, it does seem to me that our cultural well-being as a Nation should hold a high claim under normal circumstances, and one which has long remained neglected. I therefore hope that the amounts cut from the projected programs of the foundation will be restored as soon as possible, hopefully in supplemental appropriations next year.

In the meantime, I hope that the foundation will be able to manage resourcefully with the funds allotted to it, and that, in particular it will be able to make equitable distributions to the States on the basis of need.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 14215) was passed.

Mr. BIBLE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BIBLE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the presiding officer appointed Mr. HAYDEN, Mr. RUSSELL of Georgia, Mr. McCLELLAN, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. MUNDT, and Mr. YOUNG of North Dakota, conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I thank the distinguished senior Senator from Nevada for another outstanding contribution as the floor manager of this important measure. It is rather routine to achieve success on measures supported by the articulate and able advocacy of the senior Nevada Senator, but it is unusual indeed in this Chamber to pass a bill of this dimension affecting so many

interests and so many parts of the country, with the ease and expedition witnessed today. Such an achievement can be obtained only with the greatest of skill and ability.

I commend the senior Senator from Nevada and thank him on behalf of the country as a whole and particularly on behalf of the people of Montana.

Of course, the senior Senator from South Dakota [Mr. MUNDT], the ranking minority member of the subcommittee as well as the senior Senator from Alaska [Mr. BARTLETT] and others are to be commended for their support. But, as always, a success of this magnitude is a tribute to the entire Senate.

#### RESERVOIR ADMISSION FEES CONTRARY TO EARLIER PROMISE

Mr. MUNDT. Mr. President, during the last few years we have grown used to what is called the credibility gap with regard to foreign affairs and defense matters in the Johnson-Humphrey regime. Now I'm afraid we are experiencing a complete lack of credibility when dealing with the domestic policies of this administration.

A situation has again developed which leads me to question the credibility of this administration. Before I go into that, however, I believe I should lay a little groundwork. Through my home State the mighty Missouri River flows. We have been able to tame, to a certain extent, the violent wanderings of this river when the spring thaw and the March and April rains used to produce enough moisture to force the river over its banks.

We did this through the Missouri River development program. In 1944 Congress passed legislation popularly called the Pick-Sloan plan. The purpose of this plan was fourfold: flood control, irrigation, production of hydroelectric power, and improvement of navigation on the lower Missouri.

These four purposes still remain as the main reasons for the existence of the dams and the reservoirs that channel that river. Certain other benefits have derived from these dams but they are secondary in nature and always will be. Among these secondary benefits are scenic beauty and recreation.

I mention this because recently the Corps of Engineers announced certain areas that would be included as "designated areas" for the year April 1, 1966, to March 31, 1967, at which admission fees would be charged. This requirement for designated areas flows from a series of legislation, executive orders, and administrative regulations that began with the Land and Water Conservation Act of 1965.

In this piece of legislation, the Congress, by amending some existing laws and initiating others, determined that it should be the will of the legislative branch that certain areas be open to assessment of admission and user fees. As I will substantiate later, the legislative history also makes it clear that certain other areas were not included in this program.

A key point in this legislation was the limitations and requirements written into the bill as to what areas could be considered applicable for the admission fee program. These requirements which must be concurrent were:

First. Areas at which either recreation user or entrance fees may be charged must be designated by the President and all such areas must be posted.

Second. Entrance and admission fees may be charged only where a Federal area is administered primarily for scenic, scientific, historical, cultural, recreational, or wildlife purposes.

Third. The particular area for which entrance or admission fees can be charged must be administered by a Federal agency.

Fourth. The recreational facilities or services where such fees are charged must be provided at Federal expense.

In regard to this criteria, I would like to stress two things. First of all, they must be concurrent. Second, there is a requirement that the primary purpose be for scenic, scientific, historical, cultural, recreational, or wildlife reasons.

Following the enactment of this legislation into law, Public Law 88-578, the President, on March 2, 1965, issued Executive Order No. 11200, designed to implement the provisions of that law. It specifically set out the criteria to be followed in determining the designated areas for 1965. The criteria listed were, properly enough, the same criteria enumerated in the Land and Water Conservation Act of 1965. The Executive order also required all subordinate units of the executive branch, including the Department of the Interior, to annually review all areas under their respective jurisdictions to determine whether any additional areas should, in accordance with the designated criteria, be designated as areas for which entrance, admission, or other recreation user fees were to be collected in future years.

On January 30 of this year, Secretary of the Interior Udall announced the sale of a new permit called the Federal Recreation Area Entrance Permit. At the same time he issued regulations spelling out the Federal Recreation Area Entrance Permit charges authorized by the Land and Water Conservation Act of 1965. These regulations, as listed in the Federal Register of December 31, 1965, make no mention of any criteria for determining designated areas other than the fact that authority for these fees was derived from the Land and Water Conservation Act of 1965 and Executive Order No. 11200. In the news release that accompanied this announcement, however, the criteria originally listed in Public Law 88-578 were described as conditions which must be met in order for fees to be charged.

Mr. President, I have set out this history behind these designated areas because I wanted to show that the authority for them started with the Land and Water Conservation Act of 1965. To my knowledge, this legislation still controls.

It was with a great deal of surprise, then, that I learned that the Corps of

Engineers had listed four reservoirs on the Missouri River in South Dakota as designated areas. These four reservoirs are Big Bend, Fort Randall, Lewis and Clark Lake, at Gavins Point, and Oahe.

I was surprised because I had previously been informed by Edward Crafts, Director of the Bureau of Outdoor Recreation of the Department of Interior and the man who oversees this admission fee program, that these Missouri River Reservoirs would not qualify for admission charges under the provisions of the Land and Water Conservation Act of 1965.

In anticipation of the exact same problem we are confronted with today, in 1964 prior to the passage of Public Law 88-578, I attempted to elicit from Mr. Crafts an answer to whether or not passage of that bill would affect the Missouri River Reservoirs. At two different times he assured me that it would not.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter which I received from Mr. Crafts, answering in detail questions along this line, which I directed to him in a letter dated February 13, 1964, and also a colloquy between Mr. Crafts and myself when he appeared before the subcommittee on appropriations for the Interior Department.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF OUTDOOR RECREATION,  
Washington, D.C., February 20, 1964.

HON. KARL E. MUNDT,  
U.S. Senate  
Washington, D.C.

DEAR SENATOR MUNDT: We have received your letter of February 13, with further reference to the proposed land and water conservation fund.

At times, after acts of Congress have been passed, unforeseen questions have subsequently arisen, in connection with the administration of their provisions, as to the intention of the Congress with respect to a given situation. Fortunately, the interest of the Congress in the proposed land and water conservation fund is so great that a record is being made that should reduce this type of problem to the minimum.

Your recital of the provision in S. 859, as modified by the House Interior Committee in reporting H.R. 3846, is entirely correct. Concerning the question you raise—its probable effect regarding charges for recreation use of Missouri River reservoirs in South Dakota—it is necessary to consider the following limitations and requirements that have been incorporated in the bill:

1. Areas at which either recreation user or entrance fees, may be charged must be designated by the President, and all such areas must be posted.

2. Entrance and admission fees may be charged only where a Federal area is administered primarily for scenic, scientific, historical, cultural, recreational, or wildlife purposes.

3. The particular area for which entrance or admission fees can be charged must be administered by a Federal agency.

4. The recreational facilities or services where such fees are charged must be provided at Federal expense.

These requirements, you will perceive, which presumably will remain in the bill, clearly limit the areas for which charges can be made as a source of revenue for the land and water conservation fund.

Moreover, it is clear also from these provisions

of the bill as reported to the House that no Federal admission or entrance fee could be charged at Federal areas that are leased to a State or to other public or private agency for exclusive operation of the recreation resource, such as is the practice at many Federal water development projects.

The first question that arises, of course, is whether or not these particular reservoirs are administered "primarily" for recreational or other purposes, as enumerated in item 1 above. We believe this is not the case from our present knowledge of these reservoirs. The following quotation is taken from page 7 of a publication by the U.S. Army Corps of Engineers, entitled "Water Resources Development in South Dakota, 1963":

"COMPREHENSIVE PLAN, MISSOURI RIVER BASIN

"The 1944 Flood Control Act approved the expansion of the general comprehensive plan for the control of floods and development of water resources in the Missouri River Basin. The basinwide plan, popularly known as the Pick-Sloan plan, was based upon two proposals, the first recommended by the Corps of Engineers in the summer of 1943, and the second by the Bureau of Reclamation in the spring of 1944. It is a multiple-purpose program designed primarily for four basic purposes: flood control, irrigation, production of hydroelectric power, and improvement of navigation on the lower Missouri. Other allied benefits to the people of the valley and to the Nation are improved municipal water supply and sanitation, soil erosion control, conservation of fish and wildlife, and public recreational advantages."

Accordingly, I am convinced that the Missouri River Reservoirs constructed by the Corps of Engineers in South Dakota are not in fact administered primarily for recreation or other purposes that would qualify them for the making of entrance or admission charges to these areas as a whole.

As in the case of the national forests, there may be small developed areas on the Federal land bordering a reservoir where the Federal Government makes substantial expenditures for recreation purposes and for which it would be reasonable and logical to make nominal charges. This, of course, would not restrict general public use of the water area of the reservoirs without charge.

In connection with the foregoing, we note that the House Committee on Interior and Insular Affairs in House Report No. 900, on page 20, is very clear on this point: "The bill will not be applicable to areas where recreation is purely incidental to another major purpose of the area, to areas where neither Federal personnel nor Federal facilities are provided for the recreationist, or to areas which are turned over by a Federal agency to a local authority for administration."

I hope this will help to clarify some of the questions in your mind. As your secretary may have told you, I have called to ask for an appointment to see you, at which time I would like to discuss the fund bill, some of the other recent correspondence which you have sent to me, as well as certain activities of the Bureau which may be of particular interest to your State.

I appreciate very much your interest.

Sincerely yours,

EDWARD C. CRAFTS, Director.

COLLOQUY BETWEEN MR. CRAFTS AND SENATOR MUNDT

MR. MUNDT. I want to ask you a couple of questions about that. What would you envision as the kind of establishment on the chain of Missouri River reservoirs out in the Midwest in connection with this program of charging user fees as admission, under the act? I have had a lot of questions about that, and I have had no answers to give.

HOUSE MODIFIED BILL

MR. CRAFTS. Senator MUNDT, under the terms of the bill, as reported by the House

committee—and this, I think, is the draft of the bill that I should speak to, because the House committee substantially modified the bill from the way it was originally set up—under the terms of the bill as reported by the committee, the admission fees or entrance fees can be assessed only if certain conditions prevail.

FEE ASSESSMENT

I think they need to be listed and there are four of them.

Areas that are federally administered directly, not under lease to the State or private concessionaires. They need to be areas that are administered primarily for recreation. And this is a very key point, the word "primary." They need to be areas of which Federal facilities are provided at Federal expense, and the areas need to be posted.

Now, most of the reservoirs in the Missouri River, and I am speaking in general here—I think the same would apply to reservoirs on most of the rivers—are built either by the Bureau of Reclamation or the Corps of Engineers.

Senator MUNDT. May I interrupt. The Missouri River chain of projects were authorized under special legislation. Criteria that apply there might not apply to others, so maybe we had better stick to the Missouri River.

MR. CRAFTS. As far as I know, with respect to the Missouri River, the purpose of the reservoirs was primarily not recreation.

Senator MUNDT. That is correct.

EXCLUSION OF FEES

MR. CRAFTS. Therefore, we have gone on record in this in response to similar questions from other Members of Congress that on the reservoirs which are not administered primarily for recreation, it would not be possible, under the terms of the House bill, to impose a general admission or entrance fee.

It would be possible to charge a specific user fee for launching facilities, for camping facilities, for this sort of thing, but not a general entrance or admission fee.

MR. MUNDT. I think it is clear, on the basis of Mr. Crafts' letter and his answers to my questions in committee that the Missouri River Reservoirs were never intended to be included in the designated areas for admission charges. I think it is also clear that the floor debate on this legislation, which can be found on pages 19115 through 19117 of the CONGRESSIONAL RECORD of August 12, 1964, points in this direction. At that time I made the same argument that is being made today; namely, that because the purpose of these reservoirs is not primarily for recreation, the reservoirs do not meet the requirements set forth for the levying of charges under the Land and Water Conservation Fund Act. This argument was not refuted on the floor by the managers of the bill. Therefore, legislative history of the act clearly supports my contention that these reserves should be exempt from the recently imposed visitors' fees.

MR. President, the reason we hold congressional hearings and the reason we participate in floor debate is to attempt to obtain answers to questions about specific provisions in pending legislation. This is the way legislative history is established. Once we obtain these answers and rely upon them in making our final determination on the legislation we should be secure in the knowledge that these answers will remain the same after laws have been enacted.