IN THE SENATE OF THE UNITED STATES

APRIL 12 (legislative day, MARCH 29), 1950

Mr. O'Mahoney (for himself and Mr. Hunt) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

[Omit the part struck through and insert the part printed in italic]

A BILL

To establish the Wyoming Jackson Hole National Park in the State of Wyoming, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 2 That, for the purpose of including in one national park, for public benefit and enjoyment, the lands within the present Grand Teton National Park and a portion of the lands within the Jackson Hole National Monument, there is hereby established the "Wyoming Jackson Hole National Park" a new "Grand Teton National Park". The park shall comprise, subject to valid existing rights, all of the present Grand Teton National Park and all lands of the Jackson

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1 Hole National Monument that are not otherwise expressly
2 provided for in this Act, and an order setting forth the
3 boundaries of the park shall be prepared by the Secretary
4 of the Interior and published in the Federal Register. The
5 national park so established shall be administered in accord-
6 ance with the general statutes governing national parks and
7 shall supersede the present Grand Teton National Park and
8 the Jackson Hole National Monument and all provisions of
9 law heretofore specifically applicable to such areas: The
10 national park so established shall, so far as consistent with
11 the provisions of this Act, be administered in accordance
12 with the general statutes governing national parks, and shall
13 supersede the present Grand Teton National Park and the
14 Jackson Hole National Monument. The Act of February
15 26, 1929 (45 Stat. 1314), and any other provisions of law
16 heretofore specifically applicable to such present park or
17 monument, are hereby repealed: Provided, That no further
18 extension or establishment of national parks or monuments
19 in Wyoming may be undertaken except by express authori-
20 zation of the Congress.

SEC. 2. The following-described lands of the Jackson
22 Hole National Monument are hereby made a part of the
23 National Elk Refuge and shall be administered hereafter by
24 the Fish and Wildlife Service of the Department of the
25 Interior in accordance with the laws applicable to said refuge:
SIXTH PRINCIPAL MERIDIAN

Township 42 north, range 116 west: Those portions of sections 24, 25, and 26 lying south and east of the north and west bank of the Gros Ventre River, also that portion of section 35 lying east of the east right-of-way line of United States Highway Numbered 187 of sections 24, 25, 26, and 35 lying east of the east right-of-way line of United States Highway Numbered 187, and lying south and east of the north and west bank of the Gros Ventre River.

Township 42 north, range 115 west: Those portions of sections 8, 9, 10, 17, 18, and 19 lying south and east of the north and west bank of the Gros Ventre River; section 20; section 29, northwest quarter; section 30, north half.

Township 41 north, range 116 west: Entire portion now in Jackson Hole National Monument except that portion in section 2 lying west of the east right-of-way line of United States Highway Numbered 187.

Containing in all six thousand six hundred seventy-five and ninety-seven one-hundredths three hundred and seventy-six acres, more or less.

Sec. 3. The following-described lands of the Jackson Hole National Monument shall be added to the Teton National Forest and shall be administered by the Forest Service of the Department of Agriculture are hereby made a part
of the Teton National Forest and shall be administered hereafter in accordance with the laws applicable to said forest:

SIXTH PRINCIPAL MERIDIAN

Township 45 north, range 113 west: Section 21, lot 5; section 22, lots 2 and 6; section 23, lot 3; section 26, lots 2, 3, 6, 7, southwest quarter northwest quarter, southwest quarter and southwest quarter southeast quarter; section 27, lots 1, 2, 4, 6, 7, 8, 9, southeast quarter northeast quarter and south half; section 28, lot 1, southeast quarter northeast quarter and east half southeast quarter; section 29, lots 2, 4, 5, 6, 8, southwest quarter northeast quarter, northwest quarter southeast quarter, south half northwest quarter, and north half southwest quarter; section 30, lot 7, south half northeast quarter, north half southeast quarter and southeast quarter southeast quarter; section 31, lots 1 and 2; section 32, lots 2 and 5; section 33, east half northeast quarter and northeast quarter southeast quarter; section 34, north half and north half south half; section 35, north half.

Containing in all two thousand eight hundred six and thirty-four one-hundredths acres, more or less.

SEC. 4. With respect to those lands that are included by this Act within the Wyoming Jackson Hole Grand Teton National Park—

(a) the Secretary of the Interior shall designate
and open rights-of-way, including stock driveways, over
and across Federal lands therein within the exterior
boundary of the park for the movement of persons and
property to or from State and private lands within
the exterior boundary of the park and to or from
national forest, State, and private lands adjacent to the
park. The location and use of such rights-of-way shall
be subject to such regulations as may be prescribed by
the Secretary of the Interior;
(b) all leases, permits, and licenses issued or au-
thorized by any department, establishment, or agency
of the United States with respect to the Federal lands
within the exterior boundary of the park which are in
effect on the date of approval of this Act shall continue
in effect, subject to compliance with the terms and con-
ditions therein set forth, until terminated in accordance
with the provisions thereof;
(c) where any Federal lands included within the
park by this Act were legally occupied or utilized on
the date of approval of this Act for residence or grazing
purposes, or for other purposes not inconsistent with
to a lease, permit, or license issued or authorized by
any department, establishment, or agency of the United
States, the person so occupying or utilizing such lands,
and the heirs, successors, or assigns of such persons, person, shall, upon the termination of such lease, permit, or license, be entitled to have the privileges so possessed or enjoyed by him renewed from time to time, subject to such terms and conditions as the Secretary of the Interior shall prescribe, for a period of twenty-five years from the date of approval of this Act, and thereafter during the lifetime of such person and the lifetime of his heirs, successors, or assigns but only if they were members of his immediate family on such date, as determined by the Secretary of the Interior: Provided, That grazing privileges appurtenant to privately owned lands located within the Wyoming Jackson Hole Grand Teton National Park established by this Act shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto after reasonable notice of default: Provided further, That nothing in this section subsection shall apply to any lease, permit, or license for mining purposes or for public accommodations and services or to any occupancy or utilization of lands for purely temporary purposes. Nothing contained in this Act shall be construed as creating any
vested right, title, interest, or estate in or to any Federal lands.

Sec. 5. (a) In order to provide compensation for tax losses sustained as a result of any acquisition by the United States, subsequent to March 15, 1943, of privately owned lands and improvements thereon located within the boundary of the Wyoming Jackson Hole National Park, payment shall be made to the State of Wyoming for distribution to the county in which the park is located as follows: For the fiscal year in which the land was or may be acquired and for each succeeding year so long as title remains in the United States, there shall be paid an amount equal to the full amount of taxes last assessed and levied on the land by public taxing units in such county, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for any period falling within such fiscal year. Provided, That the amount payable for any fiscal year preceding the first full fiscal year following the approval of this Act shall not become payable until the end of such first fiscal year.

(b) As soon as practicable after the end of each fiscal year the amount then due for such fiscal year shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury from the fees collected during such fiscal year from visitors to the Wyoming
Jackson Hole National Park if sufficient, and the balance, if any, from similar fees collected from visitors to the Yellowstone National Park. Payments made to the State of Wyoming under this section shall be distributed to such public taxing units and in such manner as the State of Wyoming may prescribe.

Sec. 5. (a) In order to provide compensation for tax losses sustained as a result of any acquisition by the United States, subsequent to March 15, 1943, of privately owned lands, together with any improvements thereon, located within the exterior boundary of the Grand Teton National Park established by this Act, payments shall be made to the State of Wyoming for distribution to the county in which such lands are located in accordance with the following schedule of payments: For the fiscal year in which the land has been or may be acquired, there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on the land by public taxing units in such county, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for any period falling within such fiscal year. For each succeeding fiscal year, until twenty years elapse, there shall be paid on account of such land an amount equal to the full amount of taxes referred to in the preceding sentence, less 5 per centum of such full amount for each fiscal year, including the year for
which the payment is to be made, following the fiscal year in which the land was acquired: Provided, That the amount payable under the foregoing schedule for any fiscal year preceding the first full fiscal year following the approval of this Act shall not become payable until the end of such first full fiscal year.

(b) As soon as practicable after the end of each fiscal year, the amount then due for such fiscal year shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury: Provided, That such amount shall not exceed 25 per centum of the fees collected during such fiscal year from visitors to the Grand Teton National Park established by this Act and the Yellowstone National Park. Payments made to the State of Wyoming under this section shall be distributed to the county where the lands acquired from private landowners are located and in such manner as the State of Wyoming may prescribe.

SEC. 6. (a) The Jackson Hole elk herd shall be under the jurisdiction of the Wyoming Game and Fish Commission and the National Park Service, who shall devise, from technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly by the technical and administrative personnel of the two agencies, and recommend to the Secretary of the Interior and the Governor of Wyoming for their joint ap-
proval, a long-range program and a yearly plan to insure the permanent conservation of the Jackson Hole elk herd. Such plans shall include the controlled reduction of elk on the Wyoming Jackson Hole National Park. The Wyoming Game and Fish Commission and the National Park Service shall devise, from technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly by the technical and administrative personnel of the agencies involved, and recommend to the Secretary of the Interior and the Governor of Wyoming for their joint approval, a program to insure the permanent conservation of the elk within the Grand Teton National Park established by this Act. Such program shall include the controlled reduction of elk in such park, by hunters licensed by the State of Wyoming and deputized as rangers by the Secretary of the Interior, when it is found necessary for the purpose of proper management and protection of the elk herd.

(b) At least once a year between February 1 and April 1, the Wyoming Game and Fish Commission and the National Park Service shall submit to the Secretary of the Interior and to the Governor of Wyoming, for their joint approval, their joint recommendations for the management, protection, and control of the elk herd for the coming that year. The yearly plan recommended by the Wyoming
Game and Fish Commission and the National Park Service
shall become effective when approved by the Secretary of
the Interior and the Governor of Wyoming, and there-
upon the Wyoming Game and Fish Commission and the
Secretary of the Interior shall issue separately, but simul-
taneously, such appropriate orders and regulations as are
necessary to carry out those portions of the approved
plan that fall within their respective jurisdictions. Such
orders and regulations, to be issued by the Secretary of
the Interior and the Wyoming Game and Fish Commiss-
ion, shall include provision for controlled and managed
reduction by qualified and experienced hunters licensed by
the State of Wyoming and deputized as rangers by the
Secretary of the Interior, if and when a reduction in the
number of elk by this method within the Wyoming
Jackson
Hole Grand Teton National Park established by this Act is
required as a part of the approved program plan for the
year, provided that one elk only may be killed by each
such licensed and deputized ranger. Such orders and reg-
ulations of the Secretary of the Interior for controlled reduc-
tion shall apply only to the lands within the park which
lie east of the Snake River and those lands west of Jack-
son Lake and the Snake River which lie north of the present
north boundaries of Grand Teton National Park, but shall
not be applicable to lands within the Jackson Hole Wild-
life Park. After the Wyoming Game and Fish Commission and the National Park Service shall have recommended to the Secretary of the Interior and the Governor of Wyoming in any specified year a plan, which has received the joint approval of the Secretary of the Interior and the Governor of Wyoming, calling for the controlled and managed reduction by the method prescribed herein of the number of elk within the Wyoming Jackson Hole Grand Teton National Park established by this Act, and after the Wyoming Game and Fish Commission shall have transmitted to the Secretary of the Interior a list of persons who have elk hunting licenses issued by the State of Wyoming and who are qualified and experienced hunters, on or before July 1 of that year the Secretary of the Interior, without charge, shall cause to be issued the required number of orders deputizing such qualified hunters orders deputizing the persons whose names appear on such list, in the number specified by the plan, as rangers for the purpose of entering the park and assisting in the controlled reduction plan. Each such qualified hunter, deputized as a ranger, participating in the controlled reduction plan shall be permitted to remove from the park the carcass of the elk he has killed as a part of the plan.

SEC. 7. The Secretary of the Interior is authorized to construct within the Wyoming Jackson Hole Grand Teton
National Park established by this Act and appropriate building which shall be maintained and may be used as a summer home for the President of the United States. The Secretary is also authorized to accept the donation of the following-described lands, which lands, upon acceptance by the United States, shall become a part of the national park:

**SIXTH PRINCIPAL MERIDIAN**

Township 41 north, range 116 west: Section 3, lots 1 and 2.

Containing seventy-eight and ninety-three one-hundredths acres, more or less.

**SEC. 8.** All temporary withdrawals of public lands made by Executive order in aid of legislation pertaining to parks, monuments, or recreational areas, adjacent to Wyoming Jackson Hole the Grand Teton National Park as established by this Act are hereby revoked.

**SEC. 9.** Nothing in this Act shall affect the use for reclamation purposes, in accordance with the Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, of the lands within the exterior boundary of the park as prescribed by this Act which have been withdrawn or acquired for reclamation purposes, or the operation, maintenance, rehabilitation, and improvement of the reservoir and other reclamation facilities located on such withdrawn or acquired lands. All provisions of law inconsistent with the
provisions of this Act are hereby repealed to the extent of such inconsistency. The remaining unexpended balance of any funds appropriated for the present Grand Teton National Park and the Jackson Hole National Monument shall be available for expenditure in connection with the administration of the Wyoming Jackson Hole Grand Teton National Park established by this Act.

Amend the title so as to read: "A bill to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes."
A BILL

To establish the Wyoming Jackson Hole National Park in the State of Wyoming, and for other purposes.

By Mr. O'MAHONEY and Mr. HUNT

APRIL 12 (legislative day, MARCH 29), 1950

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