

SEC. 7. AMENDMENTS OF SECTION 5232.

(a) The first sentence of section 5232(a) (relating to transfer of imported distilled spirits) is amended to read as follows: "Distilled spirits imported or brought into the United States in bulk containers may, under such regulations as the Secretary shall prescribe, be withdrawn from customs custody and transferred in such bulk containers or by pipeline to the bonded premises of a distilled spirits plant without payment of the internal revenue tax imposed on such distilled spirits."

82 Stat. 1328.
26 USC 5232.

(b) Section 5232(b) (relating to withdrawals) is amended by striking out "Imported distilled spirits" and inserting in lieu thereof "Distilled spirits".

Approved January 8, 1971.

Public Law 91-660

AN ACT

To provide for the establishment of the Gulf Islands National Seashore, in the States of Florida and Mississippi, for the recognition of certain historic values at Fort San Carlos, Fort Redoubt, Fort Barrancas, and Fort Pickens in Florida, and Fort Massachusetts in Mississippi, and for other purposes.

January 8, 1971
[H. R. 10874]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for public use and enjoyment certain areas possessing outstanding natural, historic, and recreational values, the Secretary of the Interior (hereinafter referred to as the "Secretary") may establish and administer the Gulf Islands National Seashore (hereinafter referred to as the "seashore"). The seashore shall comprise the following gulf coast islands and mainland areas, together with adjacent water areas as generally depicted on the drawing entitled "Proposed Boundary Plan, Proposed Gulf Islands National Seashore," numbered NS-GI-7100J, and dated December 1970:

Gulf Islands
National
Seashore.
Establishment.

- (1) Ship, Petit Bois, and Horn Islands in Mississippi;
- (2) the eastern portion of Perdido Key in Florida;
- (3) Santa Rosa Island in Florida;
- (4) the Naval Live Oaks Reservation in Florida;
- (5) Fort Pickens and the Fort Pickens State Park in Florida;

and

(6) a tract of land in the Pensacola Naval Air Station in Florida that includes the Coast Guard Station and Lighthouse, Fort San Carlos, Fort Barrancas, and Fort Redoubt and sufficient surrounding land for proper administration and protection of the historic resources.

Lands, waters,
acquisition.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that property owned by a State or any political subdivision thereof may be acquired only with the consent of the owner. The Secretary may acquire by any of the above methods not more than one hundred thirty-five acres of land or interests therein outside of the seashore boundaries on the mainland in the vicinity of Biloxi-Gulfport, Mississippi, for an administrative site and related facilities for access to the seashore. With the concurrence of the agency having custody thereof, any Federal property within the seashore and mainland site may be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the seashore.

Residential property, right of use and occupancy.

(b) With respect to improved residential property acquired for the purposes of this Act, which is beneficially owned by a natural person and which the Secretary of the Interior determines can be continued in that use for a limited period of time without undue interference with the administration, development, or public use of the seashore, the owner thereof may on the date of its acquisition by the Secretary retain a right of use and occupancy of the property for noncommercial residential purposes for a term, as the owner may elect, ending either (1) at the death of the owner or his spouse, whichever occurs later, or (2) not more than twenty-five years from the date of acquisition. Any right so retained may during its existence be transferred or assigned. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less their fair market value on such date of the right retained by the owner.

"Improved residential property."

(c) As used in this Act, "improved residential property" means a single-family year-round dwelling, the construction of which began before January 1, 1967, and which serves as the owner's permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located that the Secretary finds is reasonably necessary for the owner's continued use and occupancy of the dwelling: *Provided*, That the Secretary may exclude from improved residential property any marsh, beach, or waters and adjoining land that the Secretary deems is necessary for public access to such marsh, beach, or waters.

Termination.

(d) The Secretary may terminate a right of use and occupancy retained pursuant to this section upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

Hunting and fishing.

SEC. 3. The Secretary shall permit hunting and fishing on lands and waters within the seashore in accordance with applicable Federal and States laws: *Provided*, That he may designate zones where, and establish periods when, no hunting or fishing will be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations issued by the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agencies responsible for hunting and fishing activities.

Oil and gas rights-of-way.

SEC. 4. Any acquisition of lands, waters, or interests therein shall not diminish any existing rights-of-way or easements which are necessary for the transportation of oil and gas minerals through the seashore which oil and gas minerals are removed from outside the boundaries thereof; and, the Secretary, subject to appropriate regulations for the protection of the natural and recreational values for which the seashore is established, shall permit such additional rights-of-way or easements as he deems necessary and proper.

Administration.

SEC. 5. Except as otherwise provided in this Act, the Secretary shall administer the seashore in accordance with the Act of August 25, 1916 (30 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.). In the administration of the seashore the Secretary may utilize such statutory authorities available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. With respect to Fort Redoubt, Fort San Carlos, Fort Barrancas at Pensacola Naval Air Station, Fort Pickens on Santa Rosa Island, and Fort McRee on Perdido Key, Florida, and Fort Massachusetts on Ship Island, Mississippi, together with

39 Stat. 535.

such adjacent lands as the Secretary may designate, the Secretary shall administer such lands so as to recognize, preserve, and interpret their national historical significance in accordance with the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467), and he may designate them as national historic sites. The Act of July 2, 1948 (62 Stat. 1220), which provided for the establishment of the Pensacola National Monument, is hereby repealed.

Repeal.
16 USC 450gg.

SEC. 6. The Secretary of the Interior and the Secretary of the Army may cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore. Any such protective works or spoil deposit activities undertaken by the Chief of Engineers, Department of the Army, shall be carried out within the seashore in accordance with a plan that is acceptable to the Secretary of the Interior and that is consistent with the purposes of this Act.

Beach erosion
control, study.

SEC. 7. There are hereby transferred from the National Wildlife Refuge System to the seashore the Horn Island and Petit Bois National Wildlife Refuges to be administered in accordance with the provisions of this Act.

Land transfer.

SEC. 8. Within four years from the date of the enactment of this Act, the Secretary of the Interior shall review the area within the Gulf Islands National Seashore and shall report to the President, in accordance with subsections 3 (c) and 3 (d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), and recommend as to the suitability or unsuitability of any area within the seashore for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

Review.

Report to
President.

SEC. 9. No provision of this Act, or of any other Act made applicable thereby, shall be construed to affect, supersede, or modify any authority of the Department of the Army or the Chief of Engineers, with respect to navigation or related matters except as specifically provided in section 6 of this Act.

SEC. 10. There is hereby established a Gulf Islands National Seashore Advisory Commission. The Commission shall terminate ten years after the date the seashore is established pursuant to this Act. The Commission shall be composed of three members from each county in which the seashore is located, each appointed for a term of two years by the Secretary as follows:

Gulf Islands
National
Seashore
Advisory
Commission,
establishment,
membership.

(1) one member to be appointed from recommendations made by the county commissioners in the respective counties;

(2) one member to be appointed from recommendations made by the Governor of the State from each county; and

(3) one member to be designated by the Secretary from each county.

Provided, That two members shall be appointed to the Advisory Commission in each instance in counties whose population exceeds one hundred thousand.

The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

The Secretary or his designee shall, from time to time, consult with the Commission with respect to the matters relating to the development of the Gulf Islands National Seashore.

Appropriation.

SEC. 11. There are authorized to be appropriated not more than \$3,120,000 for the acquisition of lands and interests in lands and not more than \$14,779,000 (1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.

Approved January 8, 1971.

Public Law 91-661

AN ACT

January 8, 1971
[H. R. 10482]

To authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes.

Voyageurs
National
Park, Minn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to preserve, for the inspiration and enjoyment of present and future generations, the outstanding scenery, geological conditions, and waterway system which constituted a part of the historic route of the Voyageurs who contributed significantly to the opening of the Northwestern United States.

ESTABLISHMENT

Publication
in Federal
Register.

SEC. 101. In furtherance of the purpose of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Voyageurs National Park (hereinafter referred to as the "park") in the State of Minnesota, by publication of notice to that effect in the Federal Register at such time as the Secretary deems sufficient interests in lands or waters have been acquired for administration in accordance with the purposes of this Act: *Provided*, That the Secretary shall not establish the park until the lands owned by the State of Minnesota and any of its political subdivisions within the boundaries shall have been donated to the Secretary for the purposes of the park: *Provided further*, That the Secretary shall not acquire other lands by purchase for the park prior to such donation unless he finds that acquisition is necessary to prevent irreparable changes in their uses or character of such a nature as to make them unsuitable for park purposes and notifies the Committees on Interior and Insular Affairs of both the Senate and the House of Representatives of such findings at least thirty days prior to such acquisition.

Notification to
congressional
committees.

Boundaries.

SEC. 102. The park shall include the lands and waters within the boundaries as generally depicted on the drawing entitled "A Proposed Voyageurs National Park, Minnesota," numbered LNPMW-VOYA-1001, dated February 1969, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Within one year after acquisition of the lands owned by the State of Minnesota and its political subdivisions within the boundaries of the park the Secretary shall affix to such drawing an exact legal description of said boundaries. The Secretary may revise the boundaries of the park from time to time by publishing in the Federal Register a revised drawing or other boundary description, but such revisions shall not increase the land acreage within the park by more than one thousand acres.

Boundary
revision;
publication in
Federal Register.

LAND ACQUISITION

SEC. 201. (a) The Secretary may acquire lands or interests therein within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. When any tract of land is only