COMPILATION
of
NATIONAL PARK SERVICE
LAWS
of
98TH CONGRESS
Memorandum

To: Directorate, Field Directorate, and WASO Division Chiefs

From: Assistant Director, Legislative and Congressional Affairs

Subject: Compilation of National Park Service Laws, 98th Congress

Attached for your information and use is a compilation of laws containing all the major legislation which was enacted during the 98th Congress affecting the National Park Service.

This document may be used as an up to date supplement to the 1978 volume "Laws Relating to the National Park Service" and the "Compilation of National Park Service Laws of the 96th and 97th Congresses."

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98th Congress

An Act

To provide for the establishment of a Commission on the Bicentennial of the Constitution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established a Commission on the Bicentennial of the United States Constitution, hereinafter referred to as the "Commission".

FINDINGS

SEC. 2. The Congress finds that—

(1) the bicentennial of the Constitutional Convention’s adoption of the Constitution occurs on September 17, 1987;

(2) the Constitution enunciates the limitations on government, the inalienable rights, and the timeless principles of individual liberty and responsibility, and equality before law, for the people of the United States of America;

(3) this document has set an enduring example of representative democracy for the world; and

(4) the maintenance of the common principles that animate our Republic depend upon a knowledge and understanding of their roots and origins.

PURPOSE

SEC. 3. It is the purpose of this Act to establish a Commission to promote and coordinate activities to commemorate the bicentennial of the Constitution.

MEMBERSHIP

SEC. 4. (a) The Commission shall be composed of twenty-three members as follows:

(1) twenty members appointed by the President, four of whom shall be appointed from among the recommendations made by the Speaker of the House of Representatives (in consultation with the minority leader of the House of Representatives), four of whom shall be appointed from among the recommendations made by the President pro tempore of the Senate, in consultation with the majority leader and minority leader of the Senate, and four of whom shall be appointed from among the recommendations made by the Chief Justice of the United States;

(2) the Chief Justice of the United States, or his designee;

(3) the President pro tempore of the Senate, or his designee; and

(4) the Speaker of the House of Representatives, or his designee.

(b) Each of the individuals making recommendations to the President regarding appointments shall seek to achieve a balanced membership representing, to the maximum extent practicable, the Nation as a whole. The Commission members shall be chosen from
among individuals who have demonstrated scholarship, a strong sense of public service, expertise in the learned professions, and abilities likely to contribute to the fulfillment of the duties of the Commission.

(c) Members of the Commission shall be appointed for the life of the Commission.

(d) One of the members shall be designated as Chairman by, and shall serve in the position of Chairman at the pleasure of, the President.

(e) Twelve members of the Commission shall constitute a quorum, but a lesser number may conduct meetings.

(f) A vacancy in the Commission resulting from the death or resignation of a member shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

**ADMINISTRATIVE PROVISIONS AND POWERS**

SEC. 5. (a) The Commission shall appoint a staff director who shall be paid at a rate not to exceed the rate of basic pay provided for level I of the Executive Schedule pursuant to section 5312 of title 5, United States Code.

(b) The Commission is authorized to appoint and fix the compensation, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, of such additional publicly paid personnel up to five persons, as the Chairman finds necessary to carry out the purposes of this title. Such personnel shall be compensated at a rate not to exceed a rate equal to the maximum rate of pay for GS-18 of the General Schedule under section 5332 of title 5, United States Code.

(c) Subject to the provisions of this subsection, the Commission may appoint and fix the pay of such additional personnel to be paid out of private donations. An individual appointed to a position funded in such manner shall be so designated at the time of such individual's appointment. The Chairman may appoint such additional personnel as he deems appropriate, not to exceed forty staff members.

(d) Each member of the Commission shall serve without being compensated as a member of such Commission, except that each member shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(e)(1) Upon request of the Commission, the head of any Federal agency may detail any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this Act. Details under this subsection shall be without reimbursement by the Commission to the agency from which the employee concerned was detailed.

(2) The Commission may accept the services of not to exceed twenty employees under this subsection at any time.

(f) The Commission is authorized to procure supplies, services, and property, and make contracts, in any fiscal year, only to such extent or in such amounts as are provided in appropriation Acts or are donated pursuant to subsection (h) of this section.

(g) The Commission is authorized to enter into agreements with the General Services Administration for procurement of necessary financial and administrative services, for which payment shall be
made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman and the Administrator of the General Services Administration.

(h)(1) The Commission is authorized to accept, use, solicit, and dispose of donations of money, property, or personal services.

(2) The Commission shall prescribe regulations under which the Commission may accept donations of money, property, or personal services, except that under such regulations, the Commission may not accept donations—

(A) the value of which exceeds $25,000 annually, in the case of donations from an individual; or

(B) the value of which exceeds $100,000 annually, in the case of donations from a corporation, partnership, or other business organization.

(3) The regulations prescribed under this subsection shall include procedures for determining the value of donations of property or personal services.

(4) The limitations set forth in this subsection shall not apply in the case of an organization if it is an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501(c)(3)), and exempt from taxation under section 501(a) of such Code.

(i) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(j) The Commission shall have the authority to design and use a logo as the official emblem of the bicentennial. The Commission shall issue rules and regulations, including penalties for unauthorized use, regarding the use of such logo, except that under those regulations, the Commission shall be prohibited from selling, leasing, or otherwise granting to any corporation or private person the right to use the logo in connection with the production or manufacture of any commercial goods, as part of an advertisement promoting any commercial goods or services, or as part of an endorsement for any such goods or services.

DUTIES OF THE COMMISSION

Sec. 6. (a) The Commission shall—

(1) plan and develop activities appropriate to commemorate the bicentennial of the Constitution, including a limited number of projects to be undertaken by the Federal Government seeking to harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) encourage private organizations, and State and local governments to organize and participate in bicentennial activities commemorating or examining the drafting, ratification, and history of the Constitution and the specific features of the document;

(3) coordinate, generally, activities throughout all of the States; and

(4) serve as a clearinghouse for the collection and dissemination of information about bicentennial events and plans.

(b) In planning and implementing appropriate activities to commemorate the bicentennial, the Commission shall give due consideration to—
(1) the historical setting in which the Constitution was developed and ratified, including such antecedents as the Federalist Papers, the Articles of the Confederation, and the ratification debates in the States;

(2) the contribution of diverse ethnic and racial groups;

(3) the relationship and historical development of the three branches of the Government;

(4) the importance of activities concerning the Constitution and citizenship education throughout all of the States regardless of when such State achieved statehood;

(5) the unique achievements and contributions of the participants in the Constitutional Convention of 1787 and the State ratification proceedings;

(6) the diverse legal and philosophical views regarding the Constitution;

(7) the need for reflection upon both academic and scholarly views of the Constitution and the principle that the document must be understood by the general public;

(8) the substantive provisions of the Constitution itself;

(9) the impact of the Constitution on American life and government;

(10) the need to encourage appropriate educational curriculums designed to educate students at all levels of learning on the drafting, ratification, and history of the Constitution and the specific provisions of that document; and

(11) the significance of the principles and institutions of the Constitution to other nations and their citizens.

(c) The Commission shall seek the cooperation, advice, and assistance from both private and governmental agencies and organizations, including the National Endowment for the Arts, the National Endowment for the Humanities, the Library of Congress, the Smithsonian Institution, the National Archives, the Department of the Interior, State and local governments, learned societies, academic institutions, and historical, patriotic, philanthropic, civic, and professional groups, and bar associations.

(d) The Commission may, in carrying out the purposes of this Act, delegate authority to State advisory commissions to assist in implementing this Act.

(e) Within two years after the date of enactment of this Act, the Commission shall submit to the President and each House of the Congress and the Judicial Conference of the United States a comprehensive report incorporating specific recommendations of the Commission for commemoration and coordination of the bicentennial and related activities. Such report shall include recommendations for publications, scholarly projects, conferences, programs, films, libraries, exhibits, ceremonies, and other projects, competitions and awards, and a calendar of major activities and events planned to commemorate specific historical dates. Each year after such comprehensive report, the Commission shall submit an annual report to the President, each House of the Congress, and the Judicial Conference until such Commission terminates.

TERMINATION

AUTHORIZATION OF APPROPRIATIONS

Sec. 8. There are authorized to be appropriated to carry out the purposes of this Act $300,000 for fiscal year 1984 and such sums as may be necessary for the subsequent fiscal years through fiscal year 1989.

EFFECTIVE DATE

Sec. 9. This Act shall become effective on the date of enactment.

Approved September 29, 1983.
Joint Resolution

To commemorate the centennial of Eleanor Roosevelt’s birth.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that—

(1) Eleanor Roosevelt, who was First Lady of the United States from 1933 to 1945, was one of the country's great First Ladies;

(2) born into wealth and privilege, herself, Eleanor Roosevelt nevertheless worked tirelessly to secure opportunities for disadvantaged Americans and to improve the lot of the needy elsewhere, and particularly in developing countries;

(3) both during and after her service in the White House, Eleanor Roosevelt campaigned indefatigably for human rights in the United States and throughout the world;

(4) Eleanor Roosevelt devoted her efforts especially to promoting the welfare of children;

(5) for this service, for her articulate and compassionate advocacy of the highest American ideals, and for demonstrating by personal example the capacities of American women to succeed in areas of daily life and work from which they were frequently excluded in her day, Eleanor Roosevelt earned a place of honor and respect in the hearts of the American people; and

(6) October 11, 1984, marks the centennial of Eleanor Roosevelt’s birth, and it is appropriate for Americans to mark this occasion with appropriate commemorations during 1984.

Sec. 2. (a) There is hereby established a Commission on the Eleanor Roosevelt Centennial.

(b) The membership of the Commission shall consist of the following—

(1) two Members of the House of Representatives, designated by the Speaker of the House;

(2) two Members of the Senate, designated by the President pro tempore of the Senate after consultation with the majority leader and the minority leader;

(3) the Director of the National Park Service, ex officio;

(4) the Archivist of the United States, ex officio;

(5) the Librarian of Congress, ex officio;

(6) the Governor of the State of New York, ex officio;

(7) the County Executive of Dutchess County, New York, ex officio;

(8) the surviving children of Mrs. Eleanor Roosevelt; and

(9) the chairman of the Eleanor Roosevelt Institute, ex officio.

For a particular meeting of the Commission any member of the Commission may appoint another individual to serve in his stead.

(c) Commission members shall designate one of their number as Chairman.
Termination date.

Donations.

Pay and expenses.

**Sec. 3.** The Commission established by section 2 of this resolution is authorized to—

1. encourage and recognize appropriate observances and commemorations, throughout the United States, of the one hundredth anniversary of the birth of Eleanor Roosevelt; and

2. provide advice and assistance to Federal, State, and local government agencies and to private organizations in establishing such observances and commemorations.

**Sec. 4.** (a) The Commission shall meet no later than thirty days after enactment of this resolution at a date and location determined by the Librarian of Congress, and at such locations and intervals thereafter as the Commission may decide. Unless otherwise provided by the Commission, a majority of the Commission shall constitute a quorum. The Commission shall cease to exist on January 1, 1986.

(b) The Commission may adopt such rules and regulations as may be necessary to conduct meetings and carry out its duties under this resolution.

(c) The Administrator of General Services and the Director of the National Park Service shall provide the Commission such assistance and facilities as may be necessary to carry out its proceedings.

(d) The Commission may accept donations of money, supplies, and services to carry out its responsibilities.

(e) The Eleanor Roosevelt Institute, a not-for-profit organization incorporated in the State of New York, and successor organization to the Eleanor Roosevelt Memorial Foundation, chartered pursuant to Public Law 88–11, shall provide staff assistance to, and coordinate policies and events for, the Commission.

(f) Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code, except that the total of payments made under this subsection for per diem in lieu of subsistence shall not exceed $10,000.
SEC. 5. In commemoration of the one hundredth anniversary of the birth of Eleanor Roosevelt, the Secretary of the Interior, acting through the Director of the National Park Service, shall complete such improvements and development in the Eleanor Roosevelt National Historic Site at Val-Kill in Hyde Park, New York, in fiscal year 1984, as will assure improved access and availability sufficiently to open the site to extensive public visitation.

Approved November 21, 1983.

LEGISLATIVE HISTORY—S.J. Res. 139:
   Nov. 2, considered and passed Senate.
   Nov. 4, considered and passed House.
   Nov. 21, Presidential statement.
Joint Resolution

Commending the Historic American Buildings Survey, a program of the National Park Service, Department of the Interior, the Library of Congress, and the American Institute of Architects.

Whereas the Historic American Buildings Survey has been documenting the architectural heritage of the United States with measured drawings, photographs, and historical data since 1933;
Whereas these records, stored in the Library of Congress for public use, along with the records created by a sister program, the Historic American Engineering Record, have added immeasurably to our knowledge and appreciation of the historic American built environment;
Whereas the Survey has proven to be an important training ground for thousands of architects, historians, and scholars who have worked to preserve our historic American architecture; and
Whereas the fiftieth anniversary of this program marks an appropriate time to commend the National Park Service, the Library of Congress, and the American Institute of Architects on the Survey's past accomplishments as well as a time to look forward to the continuance of this important mission of recording the best examples of historic American architecture and engineering:
Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Historic American Buildings Survey be commended for its substantial contributions to our understanding of the history and heritage of this Nation.

Approved April 17, 1984.
Public Law 98-483
98th Congress

An Act

To amend the National Historic Preservation Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212(a) of the National Historic Preservation Act (16 U.S.C. 470t(a)) is amended by striking out the second and third sentences and inserting in lieu thereof "To carry out the provisions of this title, there is authorized to be appropriated not more than $2,500,000 for each of the fiscal years 1985 through 1989".

Approved October 17, 1984.

LEGISLATIVE HISTORY—H.R. 2889:

HOUSE REPORT No. 98-761 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-623 (Comm. on Energy and Natural Resources).
June 4, considered and passed House.
Oct. 3, considered and passed Senate, amended.
Oct 4, House concurred in Senate amendment.
An Act

To amend the National Trails System Act by adding the California Trail to the study list, and for other purposes.

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

SECTION 1. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end thereof the following new paragraph:

"(30) Pony Express Trail, extending from Saint Joseph, Missouri, through Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, to Sacramento, California, as indicated on a map labeled 'Potential Pony Express Trail', dated October 1983 and the California Trail, extending from the vicinity of Omaha, Nebraska, and Saint Joseph, Missouri, to various points in California, as indicated on a map labeled 'Potential California Trail' and dated August 1, 1983. Notwithstanding subsection (b) of this section, the study under this paragraph shall be completed and submitted to the Congress no later than the end of two complete fiscal years beginning after the date of the enactment of this paragraph. Such study shall be separated into two portions, one relating to the Pony Express Trail and one relating to the California Trail."

SEC. 2. (a) Recognition should be given to the regional significance of the contributions of Daniel Boone in the exploration and settlement of the Nation to assure that a wider segment of the public be afforded the opportunity to share in Boone's contributions to America's heritage through establishment of markings of a Daniel Boone Heritage Trail.

(b) In order that significant route segments and sites, recognized as associated with Daniel Boone may be distinguished by suitable markers, the Secretary of the Interior is authorized to accept the donations of such suitable markers for placement at appropriate locations on lands administered by the Secretary of the Interior, and with the concurrence of the Secretary of Agriculture and other appropriate heads of Federal agencies, on lands under their jurisdiction. The determination of the placement of markers to commemorate the routes and sites of Daniel Boone shall be made by the Secretary of the Interior in consultation with appropriate private interests and affected local and State governments.
(c) The markers authorized by subsection (b) shall be placed in association with the Daniel Boone Trail identified on maps contained in the study entitled "Final National Trail Study, August, 1983, Daniel Boone" and submitted to the Congress pursuant to the provisions of section 5 of the National Trails Systems Act (16 U.S.C. 1244).

SEC. 3. Any provision of this Act or any amendment made by this Act which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1984.

Approved August 28, 1984.
Public Law 98-11
98th Congress

An Act

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

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

TITLE I—LIMITATION ON APPROPRIATIONS

Sec. 101. Authorizations of appropriations under this Act shall be effective only for the fiscal year beginning on October 1, 1983, and subsequent fiscal years. Notwithstanding any other provision of this Act, authority to enter into contracts, and to make payments, under this Act shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

Sec. 201. This title may be cited as the “National Trails System Act Amendments of 1983”.

Sec. 202. Section 2 of the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241 et seq.) is amended—

1. in subsection (b), by striking out “the purpose” and inserting in lieu thereof “The purpose”; and
2. by adding at the end thereof the following new subsection:

“(c) The Congress recognizes the valuable contributions that volunteers and private, nonprofit trail groups have made to the development and maintenance of the Nation’s trails. In recognition of these contributions, it is further the purpose of this Act to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails.”

Sec. 203. Section 3 of the National Trails System Act is amended—

1. by striking out “composed of—” and inserting in lieu thereof “composed of the following”:;
2. by redesignating paragraphs (a) through (d) as paragraphs (1) through (4), respectively, and by inserting “(a)” after “Sec. 3.”;
3. in paragraph (2) of subsection (a) (as so redesignated), by adding at the end thereof the following: “National scenic trails may be located so as to represent desert, marsh, grassland, mountain, canyon, river, forest, and other areas, as well as landforms which exhibit significant characteristics of the physiographic regions of the Nation.”;
4. in the fourth sentence of paragraph (3) of subsection (a) (as so redesignated), by striking out “Act, are established as initial” and inserting in lieu thereof “Act are included as”;

16 USC 1242.
(5) in the fifth sentence of paragraph (3) of subsection (a) (as so redesignated), by striking out “subsequently”; and
(6) by adding at the end thereof the following new subsections:

“(b) For purposes of this section, the term "extended trails" means trails or trail segments which total at least one hundred miles in length, except that historic trails of less than one hundred miles may be designated as extended trails. While it is desirable that extended trails be continuous, studies of such trails may conclude that it is feasible to propose one or more trail segments which, in the aggregate, constitute at least one hundred miles in length.

"(c) On October 1, 1982, and at the beginning of each odd numbered fiscal year thereafter, the Secretary of the Interior shall submit to the Speaker of the United States House of Representatives and to the President of the United States Senate, an initial and revised (respectively) National Trails System plan. Such comprehensive plan shall indicate the scope and extent of a completed nationwide system of trails, to include (1) desirable nationally significant scenic and historic components which are considered necessary to complete a comprehensive national system, and (2) other trails which would balance out a complete and comprehensive nationwide system of trails. Such plan, and the periodic revisions thereto, shall be prepared in full consultation with the Secretary of Agriculture, the Governors of the various States, and the trails community.”.

Sec. 204. Section 4(b) of the National Trails System Act is amended—

(1) in clauses (i) and (ii) by striking out “Secretary of the Interior” and inserting in lieu thereof “appropriate Secretary”;
(2) in clause (i), by striking out “agencies, and” and inserting in lieu thereof “agencies;”;
(3) in clause (ii), by striking out the period at the end thereof and inserting in lieu thereof “; and”;
and
(4) by adding at the end thereof the following:

“(iii) trails on privately owned lands may be designated ‘National Recreation Trails’ by the appropriate Secretary with the written consent of the owner of the property involved.”.

Sec. 205. (a) Section 5(a) of the National Trails System Act is amended by adding at the end thereof the following:

“(11) The Potomac Heritage National Scenic Trail, a corridor of approximately seven hundred and four miles following the route as generally depicted on the map identified as ‘National Trails System, Proposed Potomac Heritage Trail’ in ‘The Potomac Heritage Trail’, a report prepared by the Department of the Interior and dated December 1974, except that no designation of the trail shall be made in the State of West Virginia. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall initially consist of only those segments of the corridor located within the exterior boundaries of federally administered areas. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Potomac Heritage Trail. The Secretary of the Interior may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of the Interior.
"(12) The Natchez Trace National Scenic Trail, a trail system of approximately six hundred and ninety-four miles extending from Nashville, Tennessee, to Natchez, Mississippi, as depicted on the map entitled 'Concept Plan, Natchez Trace Trails Study' in 'The Natchez Trace', a report prepared by the Department of the Interior and dated August 1979. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.

"(13) The Florida National Scenic Trail, a route of approximately thirteen hundred miles extending through the State of Florida as generally depicted in 'The Florida Trail', a national scenic trail study draft report prepared by the Department of the Interior and dated February 1980. The report shall be on file and available for public inspection in the office of the Chief of the Forest Service, Washington, District of Columbia. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Florida Trail except with the consent of the owner thereof. The Secretary of Agriculture may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of Agriculture."

(b) Section 5(b) of the National Trails System Act is amended—

(1) by inserting after the second sentence the following: "The feasibility of designating a trail shall be determined on the basis of an evaluation of whether or not it is physically possible to develop a trail along a route being studied, and whether the development of a trail would be financially feasible."

(2) in paragraph (b)(3), by inserting "16* before "U.S.C.";

(3) in paragraph (b)(11)(B) by inserting the word "exploration," after "commerce," in the first sentence.

(c) Section 5(c) of the National Trails System Act is amended—

(1) in paragraph (9), by striking out "Sante Fe" and inserting in lieu thereof "Santa Fe"; and

(2) by adding after paragraph (23) the following:

"(24) Juan Bautista de Anza Trail, following the overland route taken by Juan Bautista de Anza in connection with his travels from the United Mexican States to San Francisco, California.

"(25) Trail of Tears, including the associated forts and specifically, Fort Mitchell, Alabama, and historic properties, extending from the vicinity of Murphy, North Carolina, through Georgia, Alabama, Tennessee, Kentucky, Illinois, Missouri, and Arkansas, to the vicinity of Tahlequah, Oklahoma.


"(27) Jedediah Smith Trail, to include the routes of the explorations led by Jedediah Smith—

"(A) during the period 1826-1827, extending from the Idaho-Wyoming border, through the Great Salt Lake, Sevier, Virgin, and Colorado River Valleys, and the Mojave Desert, to the San Gabriel Mission, California; thence through the Tehachapi Mountains, San Joaquin and Stanislaus River Valleys, Ebbetts Pass, and the Sierra Nevada to the vicinity of Yosemite Valley, California."

16 USC 1244.
Pass, Walker River Valley, Bald Mount, Mount Grafton, and Great Salt Lake to Bear Lake, Utah; and

“(B) during 1828, extending from the Sacramento and Trinity River Valleys along the Pacific coastline, through the Smith and Willamette River Valleys to the Fort Vancouver National Historic Site, Washington, on the Columbia River.

“(28) General Crook Trail, extending from Prescott, Arizona, across the Mogollon Rim to Fort Apache.

“(29) Beale Wagon Road, within the Kaibab and Coconino National Forests in Arizona: Provided, That such study may be prepared in conjunction with ongoing planning processes for these National Forests to be completed before 1990.”.

(d) Section 5(d) of the National Trails System Act is amended—

(1) by inserting after the first sentence the following: “If the appropriate Secretary is unable to establish such an advisory council because of the lack of adequate public interest, the Secretary shall so advise the appropriate committees of the Congress.”;

(2) by redesigning paragraphs (i) through (iv) as paragraphs (1) through (4), respectively, and by amending paragraph (1) (as so redesignated) to read as follows:

“(1) the head of each Federal department or independent agency administering lands through which the trail route passes, or his designee,”

(e) Section 5(f) of the National Trails System Act is amended—

(1) in paragraph (1), by striking out “national recreational” and inserting in lieu thereof “national historic”, and by striking out “and” after the semicolon;

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following:

“(3) a protection plan for any high potential historic sites or high potential route segments; and

“(4) general and site-specific development plans, including anticipated costs.”.

Sec. 206. Section 6 of the National Trails System Act is amended—

(1) in the first sentence, by inserting “by the appropriate Secretary” after “marked”;

(2) by striking out “: Provided” and all that follows through the period and inserting in lieu thereof the following: “, or, where the appropriate Secretary deems necessary or desirable, on privately owned lands with the consent of the landowner. Applications for approval and designation of connecting and side trails on non-Federal lands shall be submitted to the appropriate Secretary.”.

Sec. 207. (a) Section 7 of the National Trails System Act is amended—

(1) by striking out “Sec. 7. (a)” and inserting in lieu thereof “(2)”;

(2) by inserting the following immediately after the section heading:

“Sec. 7. (a)(1)(A) The Secretary charged with the overall administration of a trail pursuant to section 5(a) shall, in administering and managing the trail, consult with the heads of all other affected State and Federal agencies. Nothing contained in this Act shall be deemed to transfer among Federal agencies any management responsibil—
Management transference, procedure. Ante, p. 43.

The Secretary charged with the overall administration of any trail pursuant to section 5(a) may transfer management of any specified trail segment of such trail to the other appropriate Secretary pursuant to a joint memorandum of agreement containing such terms and conditions as the Secretaries consider most appropriate to accomplish the purposes of this Act. During any period in which management responsibilities for any trail segment are transferred under such an agreement, the management of any such segment shall be subject to the laws, rules, and regulations of the Secretary provided with the management authority under the agreement, except to such extent as the agreement may otherwise expressly provide."

(S) in the first sentence of paragraph (2) of this subsection (a) (as redesignated by paragraph (1) of this subsection), by striking out "thereof", and inserting in lieu thereof "of the availability of appropriate maps or descriptions", and striking out "together with appropriate maps and descriptions".

(b) Section 7(b) is amended—
(1) by inserting "of the availability of appropriate maps or descriptions" after "notice"; and
(2) by striking out "together with appropriate maps and descriptions".

(c) Section 7(c) is amended by adding at the end thereof the following: "The appropriate Secretary may also provide for trail interpretation sites, which shall be located at historic sites along the route of any national scenic or national historic trail, in order to present information to the public about the trail, at the lowest possible cost, with emphasis on the portion of the trail passing through the State in which the site is located. Wherever possible, the sites shall be maintained by a State agency under a cooperative agreement between the appropriate Secretary and the State agency."

(d) Section 7(e) of the National Trails System Act is amended by—
(1) deleting reference in the first sentence to "subsection (g)"); and substituting, in lieu thereof, "subsection (f)"; and
(2) by deleting the period at the end of the first sentence, and in lieu thereof, substituting a colon and the following proviso: "Provided further, That the appropriate Secretary may acquire lands or interests therein from local governments or governmental corporations with the consent of such entities."

(e) Section 7(f) of the National Trails System Act is amended by inserting "(1)" after "(f)" and by adding at the end thereof the following:
"(2) In acquiring lands or interests therein for a National Scenic or Historic Trail, the appropriate Secretary may, with consent of a landowner, acquire whole tracts notwithstanding that parts of such tracts may lie outside the area of trail acquisition. In furtherance of the purposes of this Act, lands so acquired outside the area of trail acquisition may be exchanged for any non-Federal lands or interests therein within the trail right-of-way, or disposed of in accordance with such procedures or regulations as the appropriate Secretary shall prescribe, including: (i) provisions for conveyance of such
acquired lands or interests therein at not less than fair market value to the highest bidder, and (ii) provisions for allowing the last owners of record a right to purchase said acquired lands or interests therein upon payment or agreement to pay an amount equal to the highest bid price. For lands designated for exchange or disposal, the appropriate Secretary may convey these lands with any reservations or covenants deemed desirable to further the purposes of this Act. The proceeds from any disposal shall be credited to the appropriation bearing the costs of land acquisition for the affected trail.”.

(f) Section 7(g) of the National Trails System Act is amended in the last sentence by striking out “No” and inserting in lieu thereof “Except for designated protected components of the trail, no”.

(g) Section 7(h) of the National Trails System Act is amended—

(1) by inserting “(1)” after “(h)”;
(2) in the second sentence, by striking out “a national scenic or national historic trail” and inserting in lieu thereof “such a trail”;
(3) by inserting after the second sentence the following: “Such agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of such trails, provisions providing volunteer in the park or volunteer in the forest status (in accordance with the Volunteers in the Parks Act of 1969 and the Volunteers in the Forests Act of 1972) to individuals, private organizations, or landowners participating in such activities, or provisions of both types. The appropriate Secretary shall also initiate consultations with affected States and their political subdivisions to encourage—

“(A) the development and implementation by such entities of appropriate measures to protect private landowners from trespass resulting from trail use and from unreasonable personal liability and property damage caused by trail use, and

“(B) the development and implementation by such entities of provisions for land practices, compatible with the purposes of this Act, for property within or adjacent to trail rights-of-way. After consulting with States and their political subdivisions under the preceding sentence, the Secretary may provide assistance to such entities under appropriate cooperative agreements in the manner provided by this subsection.”; and

(4) by striking out “Whenever the” in the last sentence of such subsection and inserting in lieu thereof the following: “(2) Whenever the”.

(h) Section 7(i) of the National Trails System Act is amended by adding at the end thereof the following new sentence: “The Secretary responsible for the administration of any segment of any component of the National Trails System (as determined in a manner consistent with subsection (a)(1) of this section) may also utilize authorities related to units of the national park system or the national forest system, as the case may be, in carrying out his administrative responsibilities for such component.”.

(i) Section 7 of the National Trails System Act is amended by inserting after subsection (i) the following:

“(j) Potential trail uses allowed on designated components of the national trails system may include, but are not limited to, the following: bicycling, cross-country skiing, day hiking, equestrian trails, types.
activities, jogging or similar fitness activities, trail biking, overnight and long-distance backpacking, snowmobiling, and surface water and underwater activities. Vehicles which may be permitted on certain trails may include, but need not be limited to, motorcycles, bicycles, four-wheel drive or all-terrain off-road vehicles. In addition, trail access for handicapped individuals may be provided. The provisions of this subsection shall not supersede any other provisions of this Act or other Federal laws, or any State or local laws.

“(k) For the conservation purpose of preserving or enhancing the recreational, scenic, natural, or historical values of components of the national trails system, and environs thereof as determined by the appropriate Secretary, landowners are authorized to donate or otherwise convey qualified real property interests to qualified organizations consistent with section 170(h)(3) of the Internal Revenue Code of 1954, including, but not limited to, right-of-way, open space, scenic, or conservation easements, without regard to any limitation on the nature of the estate or interest otherwise transferable within the jurisdiction where the land is located. The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant public benefit for purposes of section 6 of Public Law 96-541.”.

Sec. 208. Section 8 of the National Trails System Act is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) The Secretary of Transportation, the Chairman of the Interstate Commerce Commission, and the Secretary of the Interior, in administering the Railroad Revitalization and Regulatory Reform Act of 1976, shall encourage State and local agencies and private interests to establish appropriate trails using the provisions of such programs. Consistent with the purposes of that Act, and in furtherance of the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use, in the case of interim use of any established railroad rights-of-way pursuant to donation, transfer, lease, sale, or otherwise in a manner consistent with the National Trails System Act, if such interim use is subject to restoration or reconstruction for railroad purposes, such interim use shall not be treated, for purposes of any law or rule of law, as an abandonment of the use of such rights-of-way for railroad purposes. If a State, political subdivision, or qualified private organization is prepared to assume full responsibility for management of such rights-of-way and for any legal liability arising out of such transfer or use, and for the payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Commission shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this Act, and shall not permit abandonment or discontinuance inconsistent or disruptive of such use.”.

Sec. 209. Section 10 of the National Trails System Act is amended—

(1) by inserting “(a)(1)” after “Sec. 10.”;

(2) by striking out “(a) The” in the second sentence and inserting in lieu thereof “for the”;

(3) by striking out “It is the express intent” and inserting in lieu thereof the following:

“(2) It is the express intent”,

16 USC 1247.
PUBLIC LAW 98-11—MAR. 28, 1983

(4) in subsection (a)(2) (as designated by paragraph (3) of this subsection), by inserting "Appalachian" before "Trail"; and

(5) in subsection (c)—

(A) by inserting "(1)" after "(c)";

(B) by inserting before the period at the end of paragraph (1) (as designated by subparagraph (A) of this paragraph) "except that funds may be expended for the acquisition of lands or interests therein for the purpose of providing for one trail interpretation site, as described in section 7(c), along with such trail in each State crossed by the trail"; and

(C) by adding at the end of each such subsection the following:

"(2) There is hereby authorized to be appropriated for fiscal year 1983 and subsequent fiscal years such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs (9) through (13) of section 5(a) of this Act. Not more than $500,000 may be appropriated for the purposes of acquisition of land and interests therein for the trail designated by section 5(a)(12) of this Act, and not more than $2,000,000 may be appropriated for the purposes of the development of such trail. The administering agency for the trail shall encourage volunteer trail groups to participate in the development of the trail.".

SEC. 210. The National Trails System Act is amended by adding the following new sections at the end thereof:

"VOLUNTEER TRAILS ASSISTANCE"

"Sec. 11. (a)(1) In addition to the cooperative agreement and other authorities contained in this Act, the Secretary of the Interior, the Secretary of Agriculture, and the head of any Federal agency administering Federal lands, are authorized to encourage volunteers and volunteer organizations to plan, develop, maintain, and manage, where appropriate, trails throughout the Nation.

"(2) Wherever appropriate in furtherance of the purposes of this Act, the Secretaries are authorized and encouraged to utilize the Volunteers in the Parks Act of 1969, the Volunteers in the Forests Act of 1972, and section 6 of the Land and Water Conservation Fund Act of 1965 (relating to the development of Statewide Comprehensive Outdoor Recreation Plans).

"(b) Each Secretary or the head of any Federal land managing agency may assist volunteers and volunteer organizations in planning, developing, maintaining, and managing trails. Volunteer work may include, but need not be limited to—

"(1) planning, developing, maintaining, or managing (A) trails which are components of the national trails system, or (B) trails which, if so developed and maintained, could qualify for designation as components of the national trails system; or

"(2) operating programs to organize and supervise volunteer trail building efforts with respect to the trails referred to in paragraph (1), conducting trail-related research projects, or providing education and training to volunteers on methods of trails planning, construction, and maintenance.

"(c) The appropriate Secretary or the head of any Federal land managing agency may utilize and make available Federal facilities, equipment, tools, and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the
appropriate Secretary or the head of any Federal land managing agency deems necessary or desirable.

"Sec. 12. As used in this Act:

“(1) The term ‘high potential historic sites’ means those historic sites related to the route, or sites in close proximity thereto, which provide opportunity to interpret the historic significance of the trail during the period of its major use. Criteria for consideration as high potential sites include historic significance, presence of visible historic remnants, scenic quality, and relative freedom from intrusion.

“(2) The term ‘high potential route segments’ means those segments of a trail which would afford high quality recreation experience in a portion of the route having greater than average scenic values or affording an opportunity to vicariously share the experience of the original users of a historic route.

“(3) The term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and any other territory or possession of the United States.

“(4) The term ‘without expense to the United States’ means that no funds may be expended by Federal agencies for the development of trail related facilities or for the acquisition of lands or interests in lands outside the exterior boundaries of Federal areas. For the purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Fund Act of 1965 or any other provision of law shall not be treated as an expense to the United States.”

TITLE III—DESIGNATION OF THE “BIZZ JOHNSON TRAIL”

Sec. 301. The Congress finds that Harold T. “Bizz” Johnson, for twenty-two years a United States Representative from the State of California, should be afforded recognition for his deep appreciation and respect for the mountains, forests, rivers, and fertile valleys of northern California, and for his sustained efforts to protect areas especially suited to outdoor recreation and the enjoyment of nature, and to assure public access thereto. Bizz Johnson took an early and leading interest in proposals to convert an abandoned railroad right-of-way in Lassen County to a twenty-five-mile trail to provide access to the undeveloped Susan River Canyon in the Sierra Nevada Mountains for hikers, horseback riders, cross-country skiers, handicapped individuals, and others. As Representative for the First Congressional District he worked with, and provided major assistance to, local groups, officials of the city of Susanville and the county of Lassen, the Bureau of Land Management, the Forest Service, and the Trust for Public Land in implementing plans for the project.

Sec. 302. The Susanville-Westwood Rails to Trails project described in a joint Bureau of Land Management/Forest Service Recreation Land Acquisition Composite, converting an abandoned railbed in Lassen County, California, extending from the county seat in Susanville westward twenty-five miles to Mason Junction, four miles from the community of Westwood, and traversing the Susan River Canyon, to a public recreation trail is hereby designated and
hereafter shall be known as the “Bizz Johnson Trail”. Any law, regulation, record, map, or other document of the United States referring to this trail shall be held to refer to the “Bizz Johnson Trail”, and any future regulations, records, maps, or other documents of the United States, in reference to this trail, shall bear the name “Bizz Johnson Trail”.

SEC. 303. The Secretary of the Interior is authorized and directed, in cooperation with the city of Susanville and the county of Lassen, State of California, to design and erect at a suitable location along the Bizz Johnson Trail an appropriate marker in commemoration of the outstanding contributions of Harold T. “Bizz” Johnson toward the protection of undeveloped scenic areas of northern California for the use and enjoyment of the American people, in perpetuity.

SEC. 304. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this title.

TITLE IV—ROY TAYLOR FOREST

SEC. 401. The Congress finds and declares that Roy Taylor, for sixteen years a United States Representative from the State of North Carolina, a member of the Committee on Interior and Insular Affairs, and chairman of the Subcommittee on National Parks and Recreation, should be afforded recognition for his deep appreciation, affection and respect for the mountains, forests, and streams of western North Carolina, and for his sustained efforts to protect areas especially suited to outdoor recreation and the enjoyment of nature, and to assure public access thereto.

SEC. 402. The thirty-nine thousand acres of forested mountain land within the Nantahala National Forest in Jackson County, North Carolina, commonly referred to as the Balsam-Bonas Defeat area, are hereby designated and hereafter shall be known as the “Roy Taylor Forest”. Any law, regulation, record, map, or other document of the United States referring to this land shall be held to refer to the “Roy Taylor Forest”, and any future regulations, records, maps, or other documents of the United States, in reference to this area of the Nantahala National Forest, shall bear the name “Roy Taylor Forest”.

SEC. 403. The Secretary of Agriculture is authorized and directed, in cooperation with the county of Jackson, State of North Carolina, to design and erect at a suitable location in the Roy Taylor Forest area an appropriate marker in commemoration of the outstanding contributions of Roy Taylor toward the protection of public lands in western North Carolina and the Nation for the use and enjoyment of the American people.

SEC. 404. The Secretary of the Interior is authorized and directed to make designations regarding the Roy Taylor Forest area in publications produced for the Blue Ridge Parkway. The Secretary is further authorized to erect appropriate signs at a suitable location on the Blue Ridge Parkway to commemorate the contributions of Roy Taylor and the designation of the forest area authorized in this title.

SEC. 405. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this title.
TITLE V—COMMEMORATION OF THE TRAVELS OF WILLIAM BARTRAM

Sec. 501. (a) The Congress finds that—
(1) William Bartram's travels contributed to natural history, literature, and exploration and are of national and regional significance;
(2) a wider segment of the public should be afforded the opportunity to share in Bartram's natural, cultural, and historic resource contributions to America's heritage; and
(3) a segmented William Bartram Heritage Trail would be a practical and appropriate commemoration to a great American naturalist worthy of national recognition.

(b) In order that significant route segments and sites, recognized as associated with the travels of William Bartram may be distinguished by suitable markers, the Secretary of the Interior is authorized to accept the donations of such suitable markers for placement at appropriate locations on lands administered by the Secretary of the Interior and, with the concurrence of the Secretary of Agriculture and other appropriate heads of Federal agencies, on lands under their jurisdiction. The determination of the placement of markers to commemorate the travels of William Bartram shall be made by the Secretary of the Interior in consultation with the Bartram Trail conference and affected local and State governments. Such markers shall be placed by the Secretary of the Interior pursuant to the authority granted by the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 470 et seq.).

(c) The markers authorized by subsection (b) shall be placed in association with the William Bartram Trail segments identified on maps contained in the study entitled "Bartram Trail, National Scenic/Historic Trail Study", dated February 1982, and submitted to the Congress pursuant to the provisions of section 5 of the National Trails Systems Act (16 U.S.C. 1244).

Approved March 28, 1983,

LEGISLATIVE HISTORY—S. 271:
HOUSE REPORT No. 98-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
Feb. 3, considered and passed Senate.
Mar. 15, considered and passed House.
To amend the Volunteers in the Parks Act of 1969, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4 of the Volunteers in the Parks Act of 1969 (84 Stat. 472; 16 U.S.C. 18j) as amended is further amended by striking out "$250,000" and substituting "$1,000,000". The amendment made by this subsection shall apply with respect to fiscal years beginning after September 30, 1984.

(b) Section 1 of such Act is amended by adding the following at the end thereof: "In accepting such services of individuals or volunteers, the Secretary shall not permit the use of volunteers in hazardous duty or law enforcement work or in policymaking processes, or to displace any employee: Provided, That the services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.

Sec. 2. Section 307 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2766; 43 U.S.C. 1737) is amended by adding at the end thereof the following new subsections:
"(d) The Secretary may recruit, without regard to the civil service classification laws, rules, or regulations, the services of individuals contributed without compensation as volunteers for aiding in or facilitating the activities administered by the Secretary through the Bureau of Land Management.
"(e) In accepting such services of individuals as volunteers, the Secretary—
"(1) shall not permit the use of volunteers in hazardous duty or law enforcement work, or in policymaking processes or to displace any employee; and
"(2) may provide for services or costs incidental to the utilization of volunteers, including transportation, supplies, lodging, subsistence, recruiting, training, and supervision.
"(f) Volunteers shall not be deemed employees of the United States except for the purposes of the tort claims provisions of title 28, United States Code, and subchapter 1 of chapter 81 of title 5, United States Code, relating to compensation for work injuries.
"(g) Effective with fiscal years beginning after September 30, 1984, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of subsection (d), but not more than $250,000 may be appropriated for any one fiscal year.".

Sec. 3. (a) The Congress finds that—
"(1) the public lands administered by the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service contain valuable wildlife, scenery, natural and historic features, and other resources;
"(2) the Congress has specified the duties and responsibilities of the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to balance the
conservation and protection of these public lands and resources with permitted uses in ways Congress has found to be appropriate for each of the various land areas;

(3) the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service are currently under congressional mandates to maintain sufficient visitor and recreational services in our national parks, campgrounds, and wildlife refuges;

(4) the Congress has authorized the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to contract for the provision of certain facilities, accommodations, and services by non-Federal entities, but with certain limitations that reflect the values and appropriate management policies of the various conservation areas, parks, wildlife refuges, and other public lands;

(5) expansion of the contracting authority of the managers of these conservation areas, parks, wildlife refuges, and lands should be considered only after careful study of the existing management mandates and contracting authorities; and

(6) management and regulation of natural resources on Federal lands are inherently Government functions and should be performed by Federal employees.

(b)(1)(A) The provisions of Office of Management and Budget Circular A-76 and any similar provisions in any other order or directive shall not apply to activities conducted by the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management which involve ten full time equivalents (FTE) or less.

(B) For fiscal years 1985 through and including 1988, no contracts, for activities conducted by the National Park Service, United States Fish and Wildlife Service, or the Bureau of Land Management which have been subject to the provisions of Office of Management and Budget Circular A-76 or any similar provision in any other order or directive, shall be entered into by the United States until funds have been specifically provided therefore by an Act of Congress.

(2) Nothing in this section shall prevent the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management from entering into contracts for services and materials under provisions of law and rules, regulations, orders, and policies other than the circular referred to in paragraph (1) or any similar order or directive.

Sec. 4. (a) Beginning in fiscal year 1985, the National Park Service shall implement a maintenance management system into the maintenance and operations programs of the National Park System. For purposes of this section the term "maintenance management system" means a system that contains but is not limited to the following elements:

(1) a work load inventory of assets including detailed information that quantifies for all assets (including but not limited to buildings, roads, utility systems, and grounds that must be maintained) the characteristics affecting the type of maintenance work performed;

(2) a set of maintenance tasks that describe the maintenance work in each unit of the National Park System;

(3) a description of work standards including frequency of maintenance, measurable quality standard to which assets
should be maintained, methods for accomplishing work, required labor, equipment and material resources, and expected worker production for each maintenance task;

(4) a work program and performance budget which develops an annual work plan identifying maintenance needs and financial resources to be devoted to each maintenance task;

(5) a work schedule which identifies and prioritizes tasks to be done in a specific time period and specifies required labor resources;

(6) work orders specifying job authorizations and a record of work accomplished which can be used to record actual labor and material costs; and

(7) reports and special analyses which compare planned versus actual accomplishments and costs and can be used to evaluate maintenance operations.

(b) The National Park Service shall transmit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, at the end of each fiscal year, a copy of a report summarizing the status of implementation of a maintenance management system until such a system has been implemented.

The report shall incorporate the following information:

(1) the number of units in the National Park System that have implemented a maintenance management system during the period;

(2) contract costs versus management efficiencies achieved;

(3) the total amount of dollars spent on contracts for services; and

(4) estimation of the total value of benefits achieved through greater management efficiency.

National Park Service Areas
Public Law 98-489
98th Congress

An Act

To provide for the acquisition of a visitor contact and administrative site for the Big Thicket National Preserve in the State of Texas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of the first section of the Act entitled "An Act to authorize the establishment of the Big Thicket National Preserve in the State of Texas, and for other purposes", approved October 11, 1974 (16 U.S.C. 698), is amended by inserting after the first sentence the following new sentence: "The Secretary may also acquire, by any of the above methods, approximately 15 acres of land outside of the boundaries of the preserve in the vicinity of the intersection of United States Highway 69 and State Farm-Market Road 420, in Hardin County, Texas, for purposes of a visitor contact and administrative site."

(b) Section 6 of such Act is amended by inserting at the end thereof the following new sentence: "Effective October 1, 1984, there is authorized to be appropriated such sums as may be necessary for the acquisition of the visitor contact and administrative site referred to in subsection (c) of the first section of this Act."

Approved October 17, 1984.

LEGISLATIVE HISTORY—H.R. 5631:

HOUSE REPORT No. 98-957 (Comm. on Interior and Insular Affairs).
Aug. 6, considered and passed House.
Oct. 3, considered and passed Senate.
Public Law 98–357
98th Congress

An Act

To establish a boundary for the Black Canyon of the Gunnison National Monument, and for other purposes.

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

SECTION 1. (a) The Congress finds that—

(1) the Black Canyon of the Gunnison National Monument (hereafter in this Act referred to as the "Monument") is an integral and widely recognized part of the national park system, and possesses outstanding recreational opportunities and natural characteristics of high value which, if properly managed, contribute as an enduring resource for the benefit of the American people;

(2) the preservation of these valuable resources is significantly threatened by increased development activity and the subdivision of adjacent private lands;

(3) the Monument does not have a boundary established by legislation; and

(4) it is in the best interest of the United States to establish the boundary of the Monument so as to encompass the lands described as being within the Monument and those private lands posing the most immediate threat to the visual quality of the area.

(b) The purpose of this Act is to establish a boundary for the Monument in order to promote, perpetuate, and preserve the character of the land and to preserve scenic and historic resources.

SEC. 2. (a) The boundary of the Monument shall be as generally depicted on the map entitled "Boundary Map, Black Canyon of the Gunnison National Monument", dated February 1984, and numbered 144-80,010-B, which shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior and in the office of the Park Superintendent, Black Canyon of the Gunnison National Monument.

(b) Not later than six months after the date of enactment of this Act, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall file a legal description of the revised boundary with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such legal description shall have the same force and effect as if included in this Act, except that corrections of clerical and typographical errors in such legal description (and in the map referred to in subsection (a)) may be made. Such legal descriptions shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

SEC. 3. (a) The Secretary is authorized to acquire lands or interests therein within the boundary of the Monument by donation, exchange, or purchase with donated or appropriated funds. The Secre-
tary may acquire less than fee interests in such lands in cases where such interest will adequately protect the visual quality, natural, or cultural resources of the Monument: Provided, That the Secretary shall not acquire lands in fee interest unless the owner of such land concurs with such action.

(b) All lands under the administrative jurisdiction of the Secretary within the boundary of the Monument as of the date of enactment of this Act, shall be transferred to the administrative jurisdiction of the National Park Service to be administered as a part of the Monument.

(c) Upon request by a landowner, and if determined by the Secretary that such action would not be detrimental to the visual resources of the Monument, the Secretary shall permit as a condition of the acquisition of any less than fee interest in land under this Act—

(1) livestock grazing to continue at the levels and locations customarily exercised by the owner of such land prior to August 1, 1983, and

(2) commonly accepted operation and maintenance practices supporting livestock grazing to continue to be allowed, including the maintenance of domestic, livestock and agricultural water conveyance systems, and the construction and maintenance of required fencing and stock ponds.

(d) Subject to valid existing rights, federally owned lands and interests therein within the Monument are withdrawn from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, from operation of the Geothermal Steam Act of 1970, and from disposition under the public land laws.

SEC. 4. The Secretary shall administer the Monument in accordance with the provisions of this Act and the provisions of law generally applicable to units of the National Park System including the Acts of August 25, 1916 (39 Stat. 535), and August 21, 1935 (49 Stat. 666).

SEC. 5. Effective October 1, 1984, there is hereby authorized to be appropriated to the Department of the Interior such sums as may be necessary to carry out the provisions of this Act.

Approved July 13, 1984.

LEGISLATIVE HISTORY—H.R. 3825:
HOUSE REPORT No. 98-608 (Comm. on Interior and Insular Affairs).
Mar. 5, considered and passed House.
June 28, considered and passed Senate.
An Act

Entitled the "California Wilderness Act of 1984".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this title may be cited as the "California Wilderness Act of 1984".

TITLE I

DESIGNATION OF WILDERNESS

Sec. 101. (a) In furtherance of the purposes of the Wilderness Act, the following lands, as generally depicted on maps, appropriately referenced, dated July 1980 (except as otherwise dated) are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Lassen National Forest, California, which comprise approximately one thousand eight hundred acres, as generally depicted on a map entitled "Caribou Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Caribou Wilderness as designated by Public Law 88-577;

(2) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately one hundred sixty thousand acres, as generally depicted on a map entitled "Carson-Iceberg Wilderness—Proposed", dated July 1984, and which shall be known as the Carson-Iceberg Wilderness: Provided, however, That the designation of the Carson-Iceberg Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities in the Wolf Creek Drainage on the Toiyabe National Forest in the same manner and degree in which such access was occurring as of the date of enactment of this title;

(3) certain lands in the Shasta-Trinity National Forest, California, which comprise approximately seven thousand three hundred acres, as generally depicted on a map entitled "Castle Crags Wilderness—Proposed", and which shall be known as the Castle Crags Wilderness;

(4) certain lands in the Shasta-Trinity National Forest, California, which comprise approximately eight thousand two hundred acres, as generally depicted on a map entitled "Chancheulla Wilderness—Proposed", and which shall be known as the Chancheulla Wilderness;

(5) certain lands in the Angeles National Forest, California, which comprise approximately four thousand four hundred acres, as generally depicted on a map entitled "Cucamonga Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a
part of the Cucamonga Wilderness as designated by Public Law 88-577;

(6) certain lands in the Los Padres National Forest, which comprise approximately sixty-four thousand seven hundred acres, as generally depicted on a map entitled "Dick Smith Wilderness—Proposed", dated July 1984, and which shall be known as Dick Smith Wilderness: Provided, That the Act of March 21, 1968 (82 Stat. 51), which established the San Rafael Wilderness is hereby amended to transfer four hundred and thirty acres of the San Rafael Wilderness to the Dick Smith Wilderness and establish a line one hundred feet north of the centerline of the Buckhorn Fire Road as the southeasterly boundary of the San Rafael Wilderness, as depicted on a map entitled "Dick Smith Wilderness—Proposed", and wherever said Buckhorn Fire Road passes between the San Rafael and Dick Smith Wildernesses and elsewhere at the discretion of the Forest Service, it shall be closed to all motorized vehicles except those used by the Forest Service for administrative purposes;

(7) certain lands in the Sierra National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dinkey Lakes Wilderness—Proposed", and which shall be known as the "Dinkey Lakes Wilderness": Provided, That within the Dinkey Lakes Wilderness the Secretary of Agriculture shall permit nonmotorized dispersed recreation to continue at a level not less than the level of use which occurred during calendar year 1979;

(8) certain lands in the Sequoia National Forest, California, which comprise approximately thirty-two thousand acres, as generally depicted on a map entitled "Domeland Wilderness Additions—Proposed", dated March 1983, and which are hereby incorporated in, and which shall be deemed to be a part of the Domeland Wilderness as designated by Public Law 88-577;

(9) certain lands in the Stanislaus National Forest, California, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Emigrant Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Emigrant Wilderness as designated by Public Law 93-632;

(10) certain lands in the Tahoe National Forest, California, which comprise approximately twenty-five thousand acres, as generally depicted on a map entitled "Granite Chief Wilderness—Proposed", dated July 1984, and which shall be known as the Granite Chief Wilderness;

(11) certain lands in the Cleveland National Forest, California, which comprise approximately eight thousand acres, as generally depicted on a map entitled "Hauser Wilderness—Proposed", and which shall be known as the Hauser Wilderness;

(12) certain lands in and adjacent to the Lassen National Forest, California, which comprise approximately forty-one thousand eight hundred forty acres as shown on a map entitled "Ishi Wilderness—Proposed", and which shall be known as the Ishi Wilderness;

(13) certain lands in the Sierra National Forest, California, which comprise approximately eighty-one thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Sierra National Forest—Proposed", dated February 1983, and which are hereby incorporated in, and which shall be
deemed to be a part of the John Muir Wilderness as designated by Public Law 88-577: Provided, That the Secretary of Agriculture is authorized to modify the boundaries of the John Muir Wilderness Additions and the Dinkey Lakes Wilderness as designated by this Act in the event he determines that portions of the existing primitive road between the two wilderness areas should be relocated for environmental protection or other reasons. Any relocated wilderness boundary shall be placed no more than three hundred feet from the centerline of any new primitive roadway and shall become effective upon publication of a notice of such relocation in the Federal Register;

(14) certain lands in the Klamath National Forest, California, which comprise approximately twenty-eight thousand acres, as generally depicted on a map entitled "Marble Mountain Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and shall be deemed to be a part of the Marble Mountain Wilderness as designated by Public Law 88-577;

(15) certain lands in the Sierra and Inyo National Forests, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "Minarets Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Minarets Wilderness as designated by Public Law 88-577: Provided, That the existing Minarets Wilderness and additions thereto designated by this title henceforth shall be known as the Ansel Adams Wilderness;

(16) certain lands in the Eldorado, Stanislaus, and Toiyabe National Forests, California, which comprise approximately fifty-five thousand acres, as generally depicted on a map entitled "Mokelumne Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Mokelumne Wilderness as designated by Public Law 88-577;

(17) certain lands in the Sierra and Sequoia National Forests, California, which comprise approximately forty-five thousand acres, as generally depicted on a map entitled "Monarch Wilderness—Proposed", dated July 1984, and which shall be known as the Monarch Wilderness;

(18) certain lands in the Shasta-Trinity National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Mt. Shasta Wilderness—Proposed", dated July 1984, and which shall be known as Mt. Shasta Wilderness;

(19) certain lands in the Six Rivers National Forest, California, which comprise approximately eight thousand one hundred acres, as generally depicted on a map entitled "North Fork Wilderness—Proposed", and which shall be known as the North Fork Wilderness;

(20) certain lands in the Cleveland National Forest, California, which comprise approximately thirteen thousand one hundred acres, as generally depicted on a map entitled "Pine Creek Wilderness—Proposed", and which shall be known as the Pine Creek Wilderness;

(21) certain lands in the Rogue River National Forest, California, and Oregon, which comprise approximately sixteen thousand five hundred acres, as generally depicted on a map entitled...
"Red Buttes Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Red Buttes Wilderness as designated by Public Law 98–328;

(22) certain lands in the Klamath National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Russian Wilderness—Proposed", and which shall be known as the Russian Wilderness;

(23) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty-one thousand five hundred acres, as generally depicted on a map entitled "San Gorgonio Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Gorgonio Wilderness as designated by Public Law 88–577;

(24) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand nine hundred acres, as generally depicted on a map entitled "San Jacinto Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Jacinto Wilderness as designated by Public Law 88–577: Provided, however, That the Secretary of Agriculture may pursuant to an application filed within 10 years of the date of enactment of this title, grant a right-of-way for, and authorize construction of, a transmission line or lines within the area depicted as "potential powerline corridor" on the map entitled "San Jacinto Wilderness Additions—Proposed": Provided further, That if a power transmission line is constructed within such corridor, the corridor shall cease to be a part of the San Jacinto Wilderness and the Secretary of Agriculture shall publish notice thereof in the Federal Register;

(25) certain lands in the Sierra and Inyo National Forests and the Devils Postpile National Monument, California, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled "San Joaquin Wilderness—Proposed", and which shall comprise a portion of the Ansel Adams Wilderness established pursuant to subparagraph (a)(15) of this section: Provided, however, That nothing in this title shall be construed to prejudice, alter, or affect in any way, any rights or claims of right to the diversion and use of waters from the North Fork of the San Joaquin River, or in any way to interfere with the construction, maintenance, repair, or operation of a hydroelectric project similar in scope to the Jackass-Chiquito hydroelectric power project (or the Granite Creek-Jackass alternative project) as initially proposed by the Upper San Joaquin River Water and Power Authority: Provided further, That the designation of the San Joaquin Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities nor operation and maintenance of the existing cabin located in the vicinity of the Heitz Meadow Guard Station within the Ansel Adams Wilderness, in the same manner and degree in which such access and operation and maintenance of such cabin were occurring as of the date of enactment of this title;

(26) certain lands in the Cleveland National Forest, California, which comprise approximately thirty-nine thousand five hundred acres,
hundred and forty acres, as generally depicted on a map entitled "San Mateo Canyon Wilderness—Proposed", and which shall be known as the San Mateo Canyon Wilderness;

(27) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand acres, as generally depicted on a map entitled "San Rafael Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Rafael Wilderness as designated by Public Law 90-271;

(28) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty thousand one hundred and sixty acres, as generally depicted on a map entitled "Santa Rosa Wilderness—Proposed", and which shall be known as the Santa Rosa Wilderness;

(29) certain lands in the Angeles and San Bernardino National Forests, California, which comprise approximately forty-three thousand six hundred acres, as generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", dated July 1984, and which shall be known as Sheep Mountain Wilderness;

(30) certain lands in the Six Rivers, Klamath, and Siskiyou National Forests, California, which comprise approximately one hundred fifty-three thousand acres, as generally depicted on a map entitled "Siskiyou Wilderness—Proposed", dated July 1984, and which shall be known as the Siskiyou Wilderness;

(31) certain lands in the Mendocino National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Snow Mountain Wilderness—Proposed", and which shall be known as Snow Mountain Wilderness;

(32) certain lands in the Sequoia and Inyo National Forests, California, which comprise approximately sixty-three thousand acres, as generally depicted on a map entitled "South Sierra Wilderness—Proposed", dated July 1984, and which shall be known as the South Sierra Wilderness;

(33) certain lands in the Modoc National Forest, California, which comprise approximately one thousand nine hundred and forty acres, as generally depicted on a map entitled "South Warner Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the South Warner Wilderness as designated by Public Law 88-577;

(34) certain lands in and adjacent to the Klamath, Shasta-Trinity and Six Rivers National Forests, California, which comprise approximately five hundred thousand acres, as generally depicted on a map entitled "Trinity Alps Wilderness—Proposed", dated July 1984, and which shall be known as the Trinity Alps Wilderness;

(35) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand seven hundred and fifty acres, as generally depicted on a map entitled "Ventana Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Ventana Wilderness as designated by Public Laws 91-58 and 95-237;

(36) certain lands in and adjacent to the Six Rivers and Mendocino National Forests, California, which comprise ap-
approximately forty-two thousand acres, as generally depicted on a map entitled “Yolla-Bolly Middle Eel Additions—Proposed”, dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Yolla-Bolly Middle Eel Wilderness as designated by Public Law 88–577;

(37) certain lands in the Plumas National Forest, California, which comprise approximately twenty-one thousand acres, as generally depicted on a map entitled “Bucks Lake Wilderness—Proposed”, dated March 1983, and which shall be known as the Bucks Lake Wilderness;

(38) certain lands in and adjacent to the Los Padres National Forest, California, which comprise approximately twenty thousand acres, as generally depicted on a map entitled “Machesna Mountain Wilderness—Proposed”, dated March 1983, and which shall be known as the Machesna Mountain Wilderness; and

(39) certain lands in the Sequoia National Forest, which comprise approximately ten thousand five hundred acres, as generally depicted on a map entitled “Jennie Lakes Wilderness—Proposed”, dated March 1983, and which shall be known as the Jennie Lakes Wilderness.

(b) The previous classifications of the High Sierra Primitive Area, Emigrant Basin Primitive Area, and the Salmon-Trinity Alps Primitive Area are hereby abolished.

DESIGNATION OF PLANNING AREAS

Sec. 102. (a) In furtherance of the purposes of the Wilderness Act, the following lands shall be reviewed by the Secretary of Agriculture as to their suitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this title:

(1) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled “Carson- Iceberg Planning Area”, dated July 1984, and which shall be known as the Carson-Iceberg Planning Area;

(2) certain lands in the Toiyabe National Forest, California, which comprise approximately forty-nine thousand two hundred acres as generally depicted on a map entitled “Hoover Wilderness Additions Planning Area”, dated July 1984, and which shall be known as the Hoover Wilderness Additions Planning Area; and

(3) certain lands in the San Bernardino National Forest, California, which comprise approximately seventeen thousand acres, as generally depicted on a map entitled “Pyramid Peak Planning Area”, dated July 1984, and which shall be known as the Pyramid Peak Planning Area.

(b) Subject to valid existing rights, the planning areas designated by this section shall for a period of four years from the date of enactment of this title, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.
ADMINISTRATION OF WILDERNESS AREAS

SEC. 103. (a) Subject to valid existing rights, each wilderness area designated by this title shall be administered by the Secretary concerned in accordance with the provisions of the Wilderness Act: Provided, That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title.

(b) Within the National Forest wilderness areas designated by this title—

(1) as provided in subsection 4(d)(4)(2) of the Wilderness Act, the grazing of livestock, where established prior to the date of enactment of this title, shall be permitted to continue subject to such reasonable regulations, policies and practices as the Secretary deems necessary, as long as such regulations, policies and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act and this title;

(2) as provided in subsection 4(d)(1) of the Wilderness Act, the Secretary concerned may take such measures as are necessary in the control of fire, insects, and diseases, subject to such conditions as he deems desirable; and

(3) as provided in section 4(b) of the Wilderness Act, the Secretary concerned shall administer such areas so as to preserve their wilderness character and to devote them to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

(c) Within sixty days of the date of enactment of this title, the Secretary of Agriculture shall enter into negotiations to acquire by exchange all or part of any privately owned lands within the national forest wilderness areas designated by this title. Such exchange shall to the maximum extent practicable be completed within three years after the date of enactment of this title. The Secretary is authorized to acquire such lands by means other than exchange, beginning three years after the date of enactment of this title. Acquisition shall be only with the concurrence of the owner. Values shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area.

FILING OF MAPS AND DESCRIPTIONS

SEC. 104. As soon as practicable after enactment of this title, a map and a legal description on each wilderness area shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this title: Provided, That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADDITIONS TO NATIONAL PARK SYSTEM

SEC. 105. (a) The following lands are hereby added to the National Park System:
(1) certain lands in the Sequoia National Forest, California, which comprise approximately one thousand five hundred acres, as generally depicted on a map entitled "Jennie Lakes Additions, Kings Canyon National Park—Proposed", dated March 1983, and which are hereby incorporated in, and which shall be deemed to be a part of Kings Canyon National Park; and

(2) certain lands which comprise approximately one hundred eighty-five acres, as generally depicted on a map entitled "McCauley Ranch Addition, Yosemite National Park", dated December 1982 and numbered 80,021, and which are hereby incorporated in, and which shall be deemed to be a part of Yosemite National Park.

(b) Upon enactment of this title, the Secretary of Agriculture shall transfer the lands described in subsection (a) of this section, without consideration, to the administrative jurisdiction of the Secretary of the Interior for administration as part of the National Park System. The boundaries of the national forests and national parks shall be adjusted accordingly. The areas added to the National Park System by this section shall be administered in accordance with the provisions of law generally applicable to units of the National Park System.

(c) The Secretary of the Interior shall study the lands added to the National Park System by subsection (a) of this section for possible designation as national park wilderness, and shall report to the Congress his recommendations as to the suitability or nonsuitability of the designation of such lands as wilderness by not later than three years after the effective date of this title.

(d) The Secretary of Agriculture is authorized and directed to transfer to the jurisdiction of the Secretary of the Interior for administration as a part of Yosemite National Park, two hundred and fifty-three acres of the Stanislaus National Forest at Crocker Ridge, identified as all that land lying easterly of a line beginning at the existing park boundary and running three hundred feet west of and parallel to the center line of the park road designated as State Highway 120, also known as the New Big Oak Flat Road, within section 34, township 1 south, range 19 east, and within sections 4, 9, and 10, township 2 south, range 19 east, Mount Diablo base and meridian. The boundary of Yosemite National Park and the Stanislaus National Forest shall be adjusted accordingly.

(e) The Secretary of the Interior is authorized and directed to transfer to the jurisdiction of the Secretary of Agriculture one hundred and sixty acres within the boundary of the Sierra National Forest identified as the northwest quarter of section 16, township 5 south, range 22 east, Mount Diablo base meridian, subject to the right of the Secretary of the Interior to the use of the water thereon for park purposes, including the right of access to facilities necessary for the transportation of water to the park.

NATIONAL PARK WILDERNESS

SEC. 106. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.
(1) Yosemite National Park Wilderness, comprising approximately six hundred and seventy-seven thousand six hundred acres, and potential wilderness additions comprising approximately three thousand five hundred and fifty acres, as generally depicted on a map entitled “Wilderness Plan, Yosemite National Park, California”, numbered 104-20, 003-E dated July 1980, and shall be known as the Yosemite Wilderness;

(2) Sequoia and Kings Canyon National Parks Wilderness, comprising approximately seven hundred and thirty-six thousand nine hundred and eighty acres; and potential wilderness additions comprising approximately one hundred acres, as generally depicted on a map entitled “Wilderness Plan—Sequoia-Kings Canyon National Parks—California”, numbered 102-20, 003-E and dated July 1980, and shall be known as the Sequoia-Kings Canyon Wilderness.

MAP AND DESCRIPTION

SEC. 107. A map and description of the boundaries of the areas designated in section 106 of this title shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in section 106. As soon as practicable after this title takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and description shall have the same force and effect as if included in this title: Provided, That correction of clerical and typographical errors in such maps and descriptions may be made.

CESSATION OF CERTAIN USES

SEC. 108. Any lands (in section 106 of this title) which represent potential wilderness additions upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

ADMINISTRATION

SEC. 109. The areas designated by section 106 of this title as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 110. Notwithstanding any existing or future administrative designation or recommendation, mineral prospecting, exploration, development, or mining of cobalt and associated minerals undertaken under the United States mining laws within the North Fork
Smith roadless area (RARE II, 5-707, Six Rivers National Forest, California) shall be subject to only such Federal laws and regulations as are generally applicable to national forest lands designated as nonwilderness.

WILDERNESS REVIEW CONCERNS

SEC. 111. (a) The Congress finds that—
(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and
(2) the Congress had made its own review and examination of national forest roadless areas in California and the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—
(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than California, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of California;
(2) upon enactment of this title, the injunction issued by the United States District Court for the Eastern District of California in the State of California versus Bergland (483 F. Supp. 465 (1980)) shall no longer be in force;
(3) with respect to the National Forest System lands in the State of California which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), and those lands referred to in subsection (d), except those lands remaining in further planning as referred to in subsection (e), or designated as planning areas upon enactment of this title, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;
(4) areas in the State of California reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness or planning areas by this title or remaining in further planning as referenced in subsection (e) upon enactment of this title shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: Provided, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the land management plans;
(5) In the event that revised land management plans in the State of California are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(6) Unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of California for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to—

(1) Those National Forest System roadless lands in the State of California: in the Plumas and Tahoe National Forests which were evaluated in the Mohawk Unit Plan; in the Six Rivers National Forest which were evaluated in the Blue Creek Unit Plan not designated as Wilderness by this title and the Fox Unit Plan; in the Klamath National Forest which were evaluated in the King Unit Plan; in the Angeles National Forest which were evaluated in the San Gabriel Unit Plan; in the Modoc and Shasta-Trinity and Klamath National Forests in the Medicine Lake Unit Plan; in the Cleveland National Forest which were evaluated in the Palomar Mountain Unit Plan and Trabuco Unit Plan; in the Los Padres National Forest which were evaluated in the Big Sur Unit Plan; in the Tahoe National Forest which were evaluated in the Truckee-Little Truckee Unit Plan; and those portions of the Carson-Iceberg roadless area not designated as wilderness or planning areas or remaining in further planning as referenced in subsection (e);

(2) National Forest System roadless lands in the State of California which are less than five thousand acres in size; and

(3) National Forest System roadless areas or portions thereof in the State of California as identified in Executive Document Numbered 1504 Ninety-sixth Congress (House Document Numbered 96-119) and identified by name and number at the end of this subparagraph, which are not designated as wilderness by this title:

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16 USC 1604.
(e) Certain National Forest System roadless lands in the State of California as identified in Executive Document Numbered 1504 Ninety-sixth Congress (House Document Numbered 96-119) and identified by name and number at the end of this subsection, shall remain as further planning areas for purposes of this title:

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41
SEC. 112. If any provision of this title or the application thereof is held invalid, the remainder of the title and the application thereof shall not be affected thereby.

SEC. 113. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this title.
TITLE II
DESIGNATION WILD AND SCENIC RIVER

SEC. 201. Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) as amended is further amended by inserting the following new paragraph:

"(52) TUOLUMNE, CALIFORNIA.—The main river from its sources on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir consisting of approximately 83 miles as generally depicted on the proposed boundary map entitled ‘Alternative A’ contained in the Draft Tuolumne Wild and Scenic River Study and Environmental Impact Statement published by the United States Department of the Interior and Department of Agriculture in May 1979: to be administered by the Secretary of the Interior and the Secretary of Agriculture. After consultation with State and local governments and the interested public and within two years from the date of enactment of this paragraph, the Secretary shall take such action as is required under subsection (b) of this section. Nothing in this Act shall preclude the licensing, development, operation, or maintenance of water resources facilities on those portions of the North Fork, Middle Fork or South Fork of the Tuolumne or Clavey Rivers that are outside the boundary of the wild and scenic river area as designated in this section. Nothing in this section is intended or shall be construed to affect any rights, obligations, privileges, or benefits granted under any prior authority of law including chapter 4 of the Act of December 19, 1913, commonly referred to as the Raker Act (38 Stat. 242) and including any agreement or administrative ruling entered into or made effective before the enactment of this paragraph. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this subsection."

TITLE III
ESTABLISHMENT OF NATIONAL FOREST SCENIC AREA

SEC. 301. The area in the Mono Basin within and adjacent to the Inyo National Forest in the State of California, as generally depicted on a map entitled “Mono Basin National Forest Scenic Area” dated June 1983, and numbered 1983-3, is hereby designated as the Mono Basin National Forest Scenic Area (hereafter in this title referred to as the “Scenic Area”). Such map shall be on file and available for public inspection in the office of the Forest Supervisor, Inyo National Forest and in the office of the Chief of the Forest Service, Department of Agriculture. The Secretary of Agriculture (hereinafter in this title referred to as the “Secretary”) may make minor revisions in the boundary of the Scenic Area after publication of notice to that effect in the Federal Register and submission of notice thereof to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such notice shall be published and submitted at least sixty days before the revision is made.
PUBLIC LAW 98-425—SEPT. 28, 1984
98 STAT. 1688

EXTENSION OF NATIONAL FOREST BOUNDARY

SEC. 302. (a) The exterior boundary of the Inyo National Forest is hereby extended to include the area within the boundary of the Scenic Area. Any lands and interests therein acquired pursuant to section 303 shall become part of the National Forest System.

(b) For the purposes of section 7(a)(1) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-4 through 4601-11), the boundary of the Inyo National Forest, as modified by this section, shall be treated as if it were the boundary of that forest on January 1, 1964.

ACQUISITION

SEC. 303. (a) The Secretary is authorized to acquire all lands and interests therein within the boundary of the Scenic Area by donation, exchange in accordance with this title or other provisions of law, or purchase with donated or appropriated funds, except that—

(1) any lands or interests therein within the boundary of the Scenic Area which are owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only by donation or exchange; and

(2) lands or interests therein within the boundary of the Scenic Area which are not owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the Scenic Area or which is otherwise incompatible with the purposes of this title.

(b)(1) Not later than six months after the date of enactment of this title, the Secretary shall publish specific guidelines under which determinations shall be made under paragraph (2) of subsection (a). No use which existed prior to June 1, 1984, within the area included in the Scenic Area shall be treated under such guidelines as a detrimental or incompatible use within the meaning of such paragraph (2).

(2) For purposes of subsection (a)(2), any development or proposed development of private property within the boundary of the Scenic Area that is significantly different from, or a significant expansion of, development existing as of June 1, 1984, shall be considered by the Secretary as detrimental to the integrity of the Scenic Area. No reconstruction or expansion of a private or commercial building, including—

(A) reconstruction of an existing building,

(B) construction of attached structural additions, not to exceed 100 per centum of the square footage of the original building, and

(C) construction of reasonable support development such as roads, parking, water and sewage systems shall be treated as detrimental to the integrity of the Scenic Area or as an incompatible development within the meaning of paragraph (2) of subsection (a).

(c) Notwithstanding any other provision of law, the Secretary shall only be required to prepare an environmental assessment of
any exchange of mineral or geothermal interest authorized by this title.

ADMINISTRATION

SEC. 304. (a)(1) Except as otherwise provided in this title, the Secretary, acting through the Chief of the Forest Service, shall administer the Scenic Area as a separate unit within the boundary of the Inyo National Forest in accordance with the laws, rules, and regulations applicable to the National Forest System. All Bureau of Land Management administered lands that fall within the boundaries of the Scenic Area are hereby added to the Inyo National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the National Forest System.

(2) In addition, the following parcels administered by the Bureau of Land Management are hereby added to the Inyo National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the National Forest System:

- township 1 south; range 26 east; Mount Diablo Meridian: east half of southwest quarter and south half of southeast quarter of section 10; and
- township 1 north; range 26 east; Mount Diablo Meridian: southwest quarter of northeast quarter and west half of southeast quarter of section 9;
- southwest quarter of southwest quarter of section 15;
- southwest quarter of northwest quarter and northwest quarter of southwest quarter of section 25;
- north half of southeast quarter of section 26, west half of northwest quarter and northwest quarter of southwest quarter of section 27;
- township 1 north; range 27 east; Mount Diablo Meridian: east half of southeast quarter of section 34;
- southwest quarter of northwest quarter of section 35; and
- west half of section 30 as intersected by Scenic Area Boundary.

(b)(1) In a manner consistent with the protection of the water rights of the State of California or any political subdivision thereof (including the city of Los Angeles) or of any person to the extent that such water rights have been granted or modified under the laws of the State of California, the Secretary shall manage the Scenic Area to protect its geologic, ecologic, and cultural resources. The Secretary shall provide for recreational use of the Scenic Area and shall provide recreational and interpretive facilities (including trails and campgrounds) for the use of the public which are compatible with the provisions of this title, and may assist adjacent affected local governmental agencies in the development of related interpretive programs. The Secretary shall permit the full use of the Scenic Area for scientific study and research in accordance with such rules and regulations as he may prescribe.

(2) Except as specifically provided in this subsection, no commercial timber harvesting shall be permitted in the Scenic Area, but the Secretary shall permit the utilization of wood material such as firewood, posts, poles, and Christmas trees by individuals for their domestic purposes under such regulations as he may prescribe to protect the natural and cultural resources of the Scenic Area. The Secretary may take action including the use of commercial timber harvest to the minimum extent necessary to control fires, insects and diseases that might—
(A) endanger irreplaceable features within the Scenic Area, or
(B) cause substantial damage to significant resources adjacent
to the Scenic Area.

(c) The Secretary shall permit those persons holding currently
valid grazing permits within the boundary of the Scenic Area to
continue to exercise such permits consistent with other applicable
law.

(d) The Secretary may enter into cooperative agreements with the
State of California and any political subdivision thereof (including
the city of Los Angeles) for purposes of protecting Scenic Area
resources and administering areas owned by the State or by any
such political subdivision which are within the Scenic Area.

(e) Within three years after the date of enactment of this title, the
Secretary shall submit to the committees referred to in section 301,
a detailed and comprehensive management plan for the Scenic Area
which is consistent with the protection of water rights as provided in
subsection (b)(1). The plan shall include but not be limited to—

(1) an inventory of natural (including geologic) and cultural
resources;
(2) general development plans for public use facilities, includ­
ing cost estimates; and
(3) measures for the preservation of the natural and cultural
resources of the Scenic Area in accordance with subsections (a)
and (b) of this section.

Such plan shall provide for hunting and fishing (including commer­
cial brine shrimp operations authorized under State law) within the
Scenic Area in accordance with applicable Federal and State law,
except to the extent otherwise necessary for reasons of public health
and safety, the protection of resources, scientific research activities,
or public use and enjoyment.

(f) The Secretary is authorized to construct a visitor center in the
Scenic Area for the purpose of providing information through appro­
priate displays, printed material, and other interpretive programs,
about the natural and cultural resources of the Scenic Area.

(g)(1) Subject to valid existing rights, federally owned lands and
interests therein within the Scenic Area are withdrawn from entry
or appropriation under the mining laws of the United States, from
the operation of the mineral leasing laws of the United States, from
operation of the Geothermal Steam Act of 1970, and from disposition
under the public land laws.

(2) Subject to valid existing rights, all mining claims located
within the Scenic Area shall be subject to such reasonable regula­
tions as the Secretary may prescribe to assure that mining will, to
the maximum extent practicable, be consistent with protection of
the scenic, scientific, cultural, and other resources of the area, and
any patent which may be issued after the date of enactment of this
title shall convey title only to the minerals together with the right
to use the surface of lands for mining purposes subject to such
reasonable regulations.

(h) Nothing in this title shall be construed to reserve any water for
purposes of the Scenic Area or to affirm, deny, or otherwise affect
the present (or prospective) water rights of any person or of the
State of California or of any political subdivision thereof (including
the city of Los Angeles), nor shall any provision of this title be
construed to cause, authorize, or allow any interference with or
infringement of such water rights so long as, and to the extent that,
those rights remain valid and enforceable under the laws of the State of California.

(i)(1) The Act entitled “An Act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights-of-way over public lands and reserved lands to the city of Los Angeles in Mono County in the State of California”, approved June 23, 1936 (49 Stat. 1892), is hereby repealed.

(ii) (2) The Secretary and the Secretary of the Interior shall grant and convey rights-of-way easements, at no cost, to the city of Los Angeles for those rights-of-way on public lands and national forest lands in Mono County, California, as described and set forth in maps and accompanying descriptions which were—

(A) filed by the city of Los Angeles with the Secretary of the Interior on October 24, 1944, and

(B) accepted as proof of construction on behalf of the United States by the Commissioner of the General Land Office on January 4, 1945.

Such easement conveyances shall provide for the right of the city to continue its present operations and to maintain, reconstruct, and replace all existing water and power facilities located within the bounds of the area described in the maps and descriptions referred to in the preceding sentence. The United States shall reserve in the conveyance easements all rights to use and permit the use by others of the lands so conveyed to the extent that such use does not unreasonably interfere with the rights granted herein to the city of Los Angeles.

(3) The grant in paragraph (2) of this subsection shall become effective upon relinquishment in writing by the city of Los Angeles of its applications dated October 20, 1944, and January 17, 1945, to purchase twenty-three thousand eight hundred and fifty acres of Federal land.

(4) The easements granted under paragraph (2) of this subsection shall provide that whenever the city of Los Angeles ceases to use the land or any part thereof subject to such easements for the purposes for which it is currently being used, as of the date of enactment of this title, all interests in such land or part thereof shall revert to the United States.

(j) Existing community recreational uses, as of the date of enactment of this title, shall be permitted at the levels and locations customarily exercised.

STUDIES

SEC. 305. The Secretary shall take such steps as may be necessary to, within one hundred and eighty days of the date of enactment of this title, enter into a contract with the National Academy of Sciences for the purpose of conducting a scientific study of the ecology of the Scenic Area. The study shall provide for consultation with knowledgeable local, State, Federal, and private persons and organizations and shall provide findings and recommendations to the Congress. Such study shall be conducted in accordance with the best scientific methodology (as set forth by the National Academy of Sciences) and shall be transmitted by the National Academy of Sciences to the Committee on Energy and Natural Resources of the United States Senate, to the Committee on Interior and Insular Affairs of the United States House of Representatives, and to the Chief of the Forest Service not later than January 1, 1987. Progress
reports regarding the study shall be transmitted to the above committees on January 1, 1985, and January 1 of each year thereafter.

ADVISORY BOARD

Sec. 306. (a) There is hereby established the Scenic Area Advisory Board (hereinafter referred to as the “Board”). The Secretary shall consult with and seek the advice and recommendations of the Board with respect to—

(1) the administration of the Scenic Area with respect to policies, programs, and activities in accordance with this title;
(2) the preparation and implementation of the comprehensive management plan; and
(3) the location of the visitor center authorized by section 304(f).

(b) The Board shall be composed of nine members, who shall be selected as follows:

(1) five members appointed by the Mono County Board of Supervisors;
(2) two members appointed by the Governor of California (one of whom shall be an employee of the California Division of Parks and Recreation);
(3) one member appointed by the mayor of the city of Los Angeles; and
(4) one member appointed by the Secretary (who shall be an employee of the Forest Service).

(c) Each member of the Board shall be appointed to serve for a term of three years except that the initial appointments shall be for terms as follows:

(1) of those members appointed by the Mono County Board of Supervisors one shall be appointed to serve for a term of one year, two shall be for a term of two years, and two shall be for a term of three years;
(2) of those members appointed by the Governor of California one shall be appointed to serve for a term of one year and one shall be appointed to serve for a term of three years;
(3) the member appointed by the mayor of the city of Los Angeles shall be appointed to serve for a term of two years; and
(4) the member appointed by the Secretary shall be appointed to serve for a term of three years.

(d) The members of the Board shall be appointed within ninety days of the date of enactment of this title. The members of the Board shall, at their first meeting, elect a Chairman.

(e) The Secretary, or a designee, shall from time to time, but at least annually, meet and consult with the Board on matters relating to the administration of the scenic area.

(f) Members of the Board shall serve without compensation as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Board and its members in carrying out their duties under this title.

(g) Any vacancy in the Board shall be filled in the same manner in which the original appointment was made.

(h) A majority of those members appointed shall constitute a quorum for the conduct of all business of the Board.

(i) The Board shall terminate ten years from the date of its first meeting.

Establishment.
16 USC 543e.

Termination.
TRADITIONAL NATIVE AMERICAN USES

SEC. 307. In recognition of the past use of the Scenic Area by Indian people for traditional cultural and religious purposes, the Secretary shall insure nonexclusive access to Scenic Area lands by Indian people for such traditional cultural and religious purposes, including the harvest of the brine fly larvae. Such direction shall be consistent with the purpose and intent of the American Indian Religious Freedom Act of August 11, 1978 (92 Stat. 469). As a part of the plan prepared pursuant to section 304(c) of this title, the Secretary shall, in consultation with appropriate Indian tribes, define the past cultural and religious uses of the Scenic Area by Indians.

AUTHORIZATION OF APPROPRIATIONS

SEC. 308. In addition to other amounts available for such purposes, effective October 1, 1985, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

COMPLIANCE WITH BUDGET ACT

SEC. 309. Any new spending authority described in subsection (c)(2) (A) or (B) of section 401 of the Congressional Budget Act of 1974 which is provided under this title shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

Approved September 28, 1984.

LEGISLATIVE HISTORY—H.R. 1437:

HOUSE REPORT No. 98-40 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-582 (Comm. on Energy and Natural Resources).
  Apr. 12, considered and passed House.
  Aug. 9, considered and passed Senate, amended.
  Sept. 12, House agreed to Senate amendment.
An Act

To amend the Act of August 15, 1978, regarding the Chattahoochee River National Recreation Area in the State of Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 101 of the Act of August 15, 1978, entitled "An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes" (Public Law 95-344; 16 U.S.C. 460ii) is amended by adding the following at the end thereof: "For purposes of facilitating Federal technical and other support to State and local governments to assist State and local efforts to protect the scenic, recreational, and natural values of a 2,000 foot wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment referred to above, such corridor is hereby declared to be an area of national concern.

(b) Section 101 of such Act is amended—

(1) by striking out "numbered CHAT-20,000, and dated July 1976" and substituting "numbered CHAT-20,003, and dated September 1984"; and

(2) by striking out "six thousand three hundred acres" and substituting "approximately 6,800 acres".

(c) Section 102 of such Act is amended by adding the following at the end thereof:

"(f)(1) The Secretary shall exchange those federally owned lands identified on the map referenced in section 101 of this Act as 'exchange lands' for non-Federal lands which are within the boundaries of the recreation area. The values of the lands exchanged under this subsection shall be equal, or shall be equalized in the same manner as provided in section 206 of the Federal Land Policy and Management Act of 1976.

"(2) At three year intervals after the date of the enactment of this subsection, the Secretary shall publish in the Federal Register a progress report on the land exchanges which have taken place and the exchanges which are likely to take place under the authority of this subsection. Such report shall identify the lands which are unsuitable for exchange pursuant to such authority.

"(3) Effective on the date ten years after the date of the enactment of this subsection, the exchange authority of paragraph (1) shall terminate. The exchange lands identified under paragraph (1) which have not been exchanged prior to such date shall be retained in Federal ownership as a part of the recreation area.

"(4) The Secretary shall publish a revision of the boundary map referred to in section 101 to exclude from the boundaries of the recreation area any exchange lands which are used to acquire non-Federal lands under paragraph (3)."

(d) Section 104 of such Act is amended by adding the following at the end thereof:
“(d)(1) Notwithstanding any other authority of law, any department, agency, or instrumentality of the United States or of the State of Georgia, or any other entity which may construct any project recommended in the study entitled ‘Metropolitan Atlanta Water Resources Management Study, Georgia: Report of Chief of Engineers,’ dated June 1, 1982, which directly adversely impacts any lands within the authorized recreation boundaries of the Bowman’s Island tract as shown on the map numbered and dated CHAT-20,003, September 1984, which were in Federal ownership as of September 1, 1984, shall, upon request by the Secretary, mitigate such adverse impacts. It is expressly provided that use of or adverse impact upon any other lands within the recreation area as result of any such project shall not require mitigation. Mitigation required by this paragraph shall be provided by payment to the United States of a sum not to exceed $3,200,000. The mitigation funds paid pursuant to this paragraph shall be utilized by the Secretary for the acquisition of replacement lands. Such replacement lands shall be acquired only after consultation with the Governor of Georgia.

“(2) In acquiring replacement lands under paragraph (1) priority shall be given to acquisition of lands within the recreation area boundary and those lands within or adjacent to the 2,000 foot wide corridor referred to in section 101. Any lands acquired pursuant to this subsection lying outside the boundaries of the recreation area shall, upon acquisition, be included within the recreation area and transferred to the Secretary for management under this Act. The Secretary shall publish a revised boundary map to include any lands added to the recreation area pursuant to this subsection.

“(3) If lands as described in paragraph (2) are not available for acquisition, other lands within the State of Georgia may be acquired as replacement lands under paragraph (1) if such lands are transferred to the State of Georgia for permanent management for public outdoor recreation.”.

(e)(1) Section 105(a) of such Act is amended by striking out “$72,900,000” and substituting “$79,400,000” and by adding the following at the end thereof: “For purposes of section 7(a)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9(a)(3)), the statutory ceiling on appropriations under this subsection shall be deemed to be a statutory ceiling contained in a provision of law enacted prior to the convening of the Ninety-sixth Congress.”.

(2) Section 105(c) of such Act is amended by striking out “three years” and substituting “seven years”.

(3) Section 105 of such Act is further amended by adding the following new subsection at the end thereof:

“(d)(1) Whenever any Federal department, agency, or instrumentality proposes to undertake any action, or provide Federal assistance for any action, or issue any license or permit for an action within the corridor referred to in section 101 which may have a direct and adverse effect on the natural or cultural resources of the recreation area, the head of such department, agency, or instrumentality shall—

“(A) promptly notify the Secretary of the action at the time it is planning the action, preparing an environmental assessment regarding the action, or preparing an environmental impact statement under the National Environmental Policy Act of 1969 for the action;

“(B) provide the Secretary a reasonable opportunity to comment and make recommendations regarding the effect of the
Federal action on the natural and cultural resources of the recreation area; and

"(C) notify the Secretary of the specific decisions made in respect to the comments and recommendations of the Secretary. The requirements of this subsection shall be carried out in accordance with procedures established by the Federal agency responsible for undertaking or approving the Federal action. These procedures may utilize the procedures developed by such Agency pursuant to the National Environmental Policy Act.

"(2) Following receipt of notification pursuant to paragraph (1)(A), the Secretary, after consultation with the Governor of Georgia, shall make such comments and recommendations as the Secretary deems appropriate pursuant to paragraph (1)(B) as promptly as practicable in accordance with the notifying agency's procedures established pursuant to paragraph (1)(A). In any instance in which the Secretary does not provide comments and recommendations under paragraph (1)(B), the Secretary shall notify in writing, the appropriate committees of Congress.

"(3) Following receipt of the notifying agency's decisions pursuant to paragraph (1)(C), the Secretary shall submit to the appropriate committees of Congress, including the authorizing committees with primary jurisdiction for the program under which the proposed action is being taken, a copy of the notifying agency's specific decisions made pursuant to paragraph (1)(C), along with a copy of the comments and recommendations made pursuant to paragraph (1)(B).

"(4) In any instance in which the Secretary has not been notified of a Federal agency's proposed action within the corridor, and on his or her own determination finds that such action may have a significant adverse effect on the natural or cultural resources of the recreation area, the Secretary shall notify the head of such Federal agency in writing. Upon such notification by the Secretary, such agency shall promptly comply with the provisions of subparagraphs (A), (B), and (C) of paragraph (1) of this subsection.

"(5) Each agency or instrumentality of the United States conducting Federal action upon federally owned lands or waters which are administered by the Secretary and which are located within the authorized boundary of the recreation area shall not commence such action until such time as the Secretary has concurred in such action.

"(6) The following Federal actions which constitute a major and necessary component of an emergency action shall be exempt from the provisions of this subsection—

"(A) those necessary for safeguarding of life and property;

"(B) those necessary to respond to a declared state of disaster;

"(C) those necessary to respond to an imminent threat to national security; and

"(D) those that the Secretary has determined to be not inconsistent with the general management plan for the recreation area.

Actions which are part of a project recommended in the study entitled 'Metropolitan Atlanta Water Resources Management Study, Georgia: Report of Chief of Engineers', dated June 1, 1982, and any Federal action which pertains to the control of air space, which is regulated under the Clean Air Act, or which is required for maintenance or rehabilitation of existing structures or facilities shall also be exempt from the provisions of this subsection."
Title I of such Act is amended by adding the following at the end thereof:

"Sec. 106. (a) There is hereby established the Chattahoochee River National Recreation Area Advisory Commission (hereinafter in this Act referred to as the 'Advisory Commission') to advise the Secretary regarding the management and operation of the area, protection of resources with the recreation area, and the priority of lands to be acquired within the recreation area. The Advisory Commission shall be composed of the following thirteen voting members appointed by the Secretary:

"(1) four members appointed from among individuals recommended by local governments—
   "(A) one of whom shall be recommended by the Board of County Commissioners of Forsyth County;
   "(B) one of whom shall be recommended by the Board of County Commissioners of Fulton County;
   "(C) one of whom shall be recommended by the Board of County Commissioners of Cobb County; and
   "(D) one of whom shall be recommended by the Board of County Commissioners of Gwinnett County;

"(2) one member appointed from among individuals recommended by the Governor of Georgia;

"(3) one member appointed from among individuals recommended by the Atlanta Regional Commission;

"(4) four members appointed from among individuals recommended by a coalition of citizens public interest groups, recreational users, and environmental organizations concerned with the protection and preservation of the Chattahoochee River;

"(5) one member appointed from among individuals recommended by the Business Council of Georgia or by a local chamber of commerce in the vicinity of the recreation area; and

"(6) two members who represent the general public, at least one of whom shall be a resident of one of the counties referred to in paragraph (1).

In addition, the Park Superintendent for the recreation area shall serve as a nonvoting member of the Advisory Commission. The Advisory Commission shall designate one of its members as Chairman.

"(b)(1) Except as provided in paragraph (2), members of the Advisory Commission shall serve for terms of three years. Any voting member of the Advisory Commission may be reappointed for one additional three-year term.

"(2) The members first appointed under paragraph (1) shall serve for a term of one year. The members first appointed under paragraphs (2), (3), (5), and (6) shall serve for a term of two years.

"(c) The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement.

"(d) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairman.

"(e) The Advisory Commission shall terminate on the date ten years after the date of the enactment of this subsection."
SEC. 2. Any provision of any amendment made by this Act which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1984.


LEGISLATIVE HISTORY—H.R. 2645:

HOUSE REPORT No. 98–607 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98–633 (Comm. on Energy and Natural Resources).
   Mar. 5, considered and passed House.
   Oct. 3, considered and passed Senate, amended.
   Oct. 4, House concurred in Senate amendments.
An Act

To designate certain national forest lands in the State of Arizona as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Arizona Wilderness Act of 1984”.

TITLE I

SEC. 101. (a) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands in the State of Arizona are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) certain lands in the Prescott National Forest, which comprise approximately five thousand four hundred and twenty acres, as generally depicted on a map entitled “Apache Creek Wilderness—Proposed”, dated February 1984, and which shall be known as the Apache Creek Wilderness;

(2) certain lands in the Prescott National Forest, which comprise approximately fourteen thousand nine hundred and fifty acres, as generally depicted on a map entitled “Cedar Bench Wilderness—Proposed”, dated August 1984, and which shall be known as the Cedar Bench Wilderness;

(3) certain lands in the Apache-Sitgreaves National Forest, which comprise approximately eleven thousand and eighty acres, as generally depicted on a map entitled “Bear Wallow Wilderness—Proposed”, dated March 1984, and which shall be known as the Bear Wallow Wilderness;

(4) certain lands in the Prescott National Forest, which comprise approximately twenty-six thousand and thirty acres, as generally depicted on a map entitled “Castle Creek Wilderness—Proposed”, dated August 1984, and which shall be known as the Castle Creek Wilderness;

(5) certain lands in the Coronado National Forest, which comprise approximately sixty-nine thousand seven hundred acres, as generally depicted on a map entitled “Chiricahua Wilderness—Proposed”, dated March 1984, and which are hereby incorporated in and shall be deemed part of the Chiricahua Wilderness, as designated by Public Law 88-577;

(6) certain lands in the Coconino National Forest, which comprise approximately eleven thousand five hundred and fifty acres, as generally depicted on a map entitled “Fossil Springs Wilderness—Proposed”, dated April 1984, and which shall be known as the Fossil Springs Wilderness;

(7) certain lands in the Tonto National Forest, which comprise approximately fifty-three thousand five hundred acres, as generally depicted on a map entitled “Four Peaks Wilderness—Proposed”, dated April 1984, and which shall be known as the Four Peaks Wilderness;
(8) certain lands in the Coronado National Forest, which comprise approximately twenty-three thousand six hundred acres, as generally depicted on a map entitled “Galiuro Wilderness Additions—Proposed”, dated April 1984, and which are hereby incorporated in and shall be deemed a part of the Galiuro Wilderness as designated by Public Law 88-577;

(9) certain lands in the Prescott National Forest, which comprise approximately nine thousand eight hundred acres, as generally depicted on a map entitled “Granite Mountain Wilderness—Proposed”, dated April 1984, and which shall be known as Granite Mountain Wilderness;

(10) certain lands in the Tonto National Forest, which comprise approximately thirty-six thousand seven hundred and eighty acres, as generally depicted on a map entitled “Hellsgate Wilderness—Proposed”, dated August 1984, and which shall be known as the Hellsgate Wilderness;

(11) certain lands in the Prescott National Forest which comprise approximately seven thousand six hundred acres, as generally depicted on a map entitled “Juniper Mesa Wilderness—Proposed”, dated February 1984, and which shall be known as the Juniper Mesa Wilderness;

(12) certain lands in the Kaibab and Coconino National Forests, which comprise approximately six thousand five hundred and ten acres, as generally depicted on a map entitled “Kendrick Mountain Wilderness—Proposed”, dated February 1984, and which shall be known as Kendrick Mountain Wilderness;

(13) certain lands in the Tonto National Forest, which comprise approximately forty-six thousand six hundred and seventy acres, as generally depicted on a map entitled “Mazatzal Wilderness Additions—Proposed”, dated August 1984, and which are hereby incorporated and shall be deemed a part of the Mazatzal Wilderness as designated by Public Law 88-577: Provided, That within the lands added to the Mazatzal Wilderness by this Act, the provisions of the Wilderness Act shall not be construed to prevent the installation and maintenance of hydrologic, meteorologic, or telecommunications facilities, or any combination of the foregoing, or limited motorized access to such facilities when nonmotorized access means are not reasonably available or when time is of the essence, subject to such conditions as the Secretary deems desirable, where such facilities or access are essential to flood warning, flood control, and water reservoir operation purposes;

(14) certain lands in the Coronado National Forest, which comprise approximately twenty thousand one hundred and ninety acres, as generally depicted on a map entitled “Miller Peak Wilderness—Proposed”, dated February 1984, and which shall be known as the Miller Peak Wilderness;

(15) certain lands in the Coronado National Forest, which comprise approximately twenty-five thousand two hundred and sixty acres, as generally depicted on a map entitled “Mt. Wrightson Wilderness—Proposed”, dated February 1984, and which shall be known as the Mt. Wrightson Wilderness;

(16) certain lands in the Coconino National Forest, which comprise approximately eighteen thousand one hundred and fifty acres, as generally depicted on a map entitled “Munds Mountain Wilderness—Proposed”, dated August 1984, and which shall be known as the Munds Mountain Wilderness;
(17) certain lands in the Coronado National Forest, which comprise approximately seven thousand four hundred and twenty acres, as generally depicted on a map entitled "Pajarita Wilderness—Proposed", dated March 1984, and which shall be known as the Pajarita Wilderness;

(18) certain lands in the Coconino National Forest, which comprise approximately forty-three thousand nine hundred and fifty acres, as generally depicted on a map entitled "Red Rock-Secret Mountain Wilderness—Proposed", dated April 1984, and which shall be known as the Red Rock-Secret Mountain Wilderness;

(19) certain lands in the Coronado National Forest, which comprise approximately thirty-eight thousand five hundred and ninety acres, as generally depicted on a map entitled "Rincon Mountain Wilderness—Proposed", dated February 1984, and which shall be known as the Rincon Mountain Wilderness;

(20) certain lands in the Tonto National Forest, which comprise approximately eighteen thousand nine hundred and fifty acres, as generally depicted on a map entitled "Salome Wilderness—Proposed", dated August 1984, and which shall be known as the Salome Wilderness;

(21) certain lands in the Tonto National Forest, which comprise approximately thirty-two thousand eight hundred acres, as generally depicted on a map entitled "Salt River Canyon Wilderness—Proposed", dated April 1984, and which shall be known as the Salt River Canyon Wilderness;

(22) certain lands in the Coconino National Forest, which comprise approximately eighteen thousand two hundred acres, as generally depicted on a map entitled "Kachina Peaks Wilderness—Proposed", dated August 1984, and which shall be known as the Kachina Peaks Wilderness;

(23) certain lands in the Coronado National Forest, which comprise approximately twenty-six thousand seven hundred and eighty acres, as generally depicted on a map entitled "Santa Teresa Wilderness—Proposed", dated February 1984, and which shall be known as the Santa Teresa Wilderness; the governmental agency having jurisdictional authority may authorize limited access to the area, for private and administrative purposes, from U.S. Route 70 along Black Rock Wash to the vicinity of Black Rock;

(24) certain lands in the Tonto National Forest, which comprise approximately thirty-five thousand six hundred and forty acres, as generally depicted on a map entitled "Superstition Wilderness Additions—Proposed", dated August 1984, and which are hereby incorporated in and shall be deemed to be a part of the Superstition Wilderness as designated by Public Law 88-577;

(25) certain lands in the Coconino National Forest and Prescott National Forest, which comprise approximately eight thousand one hundred and eighty acres, as generally depicted on a map entitled "Sycamore Canyon Wilderness Additions—Proposed", dated April 1984, and which are hereby incorporated in and shall be deemed a part of the Sycamore Canyon Wilderness as designated by Public Law 92-241;

(26) certain lands in the Coconino National Forest, which comprise approximately thirteen thousand six hundred acres, as generally depicted on a map entitled "West Clear Creek Wilder-
ness—Proposed”, dated April 1984, and which shall be known as the West Clear Creek Wilderness;

(27) certain lands in the Coconino National Forest, which comprise approximately six thousand seven hundred acres, as generally depicted on a map entitled “Wet Beaver Wilderness—Proposed”, dated February 1984, and which shall be known as the Wet Beaver Wilderness;

(28) certain lands in the Prescott National Forest, which comprise approximately five thousand six hundred acres, as generally depicted on a map entitled “Woodchute Wilderness—Proposed”, dated August 1984, and which shall be known as the Woodchute Wilderness;

(29) certain lands in the Coconino National Forest, which compromise approximately ten thousand one hundred and forty acres, as generally depicted on a map entitled “Strawberry Crater Wilderness—Proposed”, dated April 1984, and which shall be known as Strawberry Crater Wilderness;

(30) certain lands in the Apache-Sitgreaves National Forest, which comprise approximately five thousand two hundred acres, as generally depicted on a map entitled “Escudilla—Proposed Wilderness”, dated April 1984, and which shall be known as Escudilla Wilderness.

(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereinafter in this title referred to as the “Secretary”) in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

(d) The Congress does not intend that designation of wilderness areas in the State of Arizona lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e)(1) As provided in paragraph (6) of section 4(d) of the Wilderness Act, nothing in this Act or in the Wilderness Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from Arizona State water laws.

(2) As provided in paragraph (7) of section 4(d) of the Wilderness Act, nothing in this Act or in the Wilderness Act shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to wildlife and fish in the national forests located in that State.
(f)(1) Grazing of livestock in wilderness areas established by this title, where established prior to the date of the enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and section 108 of Public Law 96-560.

(2) The Secretary is directed to review all policies, practices, and regulations of the Department of Agriculture regarding livestock grazing in national forest wilderness areas in Arizona in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in this Act.

(3) Not later than one year after the date of the enactment of this Act, and at least every five years thereafter, the Secretary of Agriculture shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a report detailing the progress made by the Forest Service in carrying out the provisions of paragraphs (1) and (2) of this section.

Sec. 102. (a) In furtherance of the purposes of the Wilderness Act, the Secretary of Agriculture shall review the following as to their suitability or nonsuitability for preservation as wilderness and shall submit his recommendations to the President:

(1) certain lands in the Coronado National Forest, which comprise approximately eight hundred fifty acres, as generally depicted on a map entitled “Bunk Robinson Wilderness Study Area Additions—Proposed”, dated February 1984, and which are hereby incorporated in the Bunk Robinson Wilderness Study Area as designated by Public Law 96-550;

(2) certain lands in the Coronado National Forest, which comprise approximately five thousand and eighty acres, as generally depicted on a map entitled “Whitmire Canyon Study Area Additions—Proposed”, dated February 1984, and which are hereby incorporated in the Whitmire Canyon Wilderness Study Area as designated by Public Law 96-550; and

(3) certain lands in the Coronado National Forest, which comprise approximately sixty-two thousand acres, as generally depicted on a map entitled “Mount Graham Wilderness Study Area”, dated August 1984, and which shall be known as the Mount Graham Wilderness Study Area.

With respect to the areas named in paragraphs (1) and (2), the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than January 1, 1986.

(b) Subject to valid existing rights, the wilderness study areas designated by this section shall, until Congress determines otherwise, be administered by the Secretary so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

Sec. 103. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II);

(2) the Congress has made its own review and examination of national forest system roadless areas in Arizona and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—
(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest system lands in States other than Arizona, such statement shall not be subject to judicial review with respect to national forest system lands in the State of Arizona;

(2) with respect to the national forest system lands in the State of Arizona which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), except those lands designated for wilderness study upon enactment of this Act, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Arizona reviewed in such final environmental statement or referred to in subsection (d) and not designated wilderness or wilderness study upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: Provided, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Arizona are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of Arizona for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term “revision” shall not include an “amendment” to a plan.
(d) The provisions of this section shall also apply to national forest system roadless lands in the State of Arizona which are less than five thousand acres in size.

SEC. 104. Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274) is amended by inserting the following after paragraph (50):

“(51) VERDE, ARIZONA.—The segment from the boundary between national forest and private land in sections 26 and 27, township 13 north, range 5 east, Gila Salt River meridian, downstream to the confluence with Red Creek, as generally depicted on a map entitled 'Verde River—Wild and Scenic River', dated March 1984, which is on file and available for public inspection in the Office of the Chief, Forest Service, United States Department of Agriculture; to be administered by the Secretary of Agriculture. This designation shall not prevent water users receiving Central Arizona Project water allocations from diverting that water through an exchange agreement with downstream water users in accordance with Arizona water law. After consultation with State and local governments and the interested public and within two years after the date of enactment of this paragraph, the Secretary shall take such action as is required under subsection (b) of this section.”

SEC. 105. There are added to the Chiricahua National Monument, in the State of Arizona, established by Proclamation Numbered 1692 of April 18, 1924 (43 Stat. 1946) certain lands in the Coronado National Forest which comprise approximately eight hundred and fifty acres as generally depicted on the map entitled “Bonita Creek Watershed”, dated May 1984, retained by the United States Park Service, Washington, D.C. The area added by this paragraph shall be administered by the National Park Service as wilderness.

TITLE II

SEC. 201. The Congress finds that—

(1) the Aravaipa Canyon, situated in the Galiuro Mountains in the Sonoran desert region of southern Arizona, is a primitive place of great natural beauty that, due to the rare presence of a perennial stream, supports an extraordinary abundance and diversity of native plant, fish, and wildlife, making it a resource of national significance; and

(2) the Aravaipa Canyon should, together with certain adjoining public lands, be incorporated within the National Wilderness Preservation System in order to provide for the preservation and protection of this relatively undisturbed but fragile complex of desert, riparian and aquatic ecosystems, and the native plant, fish, and wildlife communities dependent on it, as well as to protect and preserve the area's great scenic, geologic, and historical values, to a greater degree than would be possible in the absence of wilderness designation.

Sec. 203. Subject to valid existing rights, the Aravaipa Canyon Wilderness shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness. For purposes of this title, any references in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act and any reference to the Secretary of Agriculture with regard to administration of such areas shall be deemed to be a reference to the Secretary of the Interior, and any reference to wilderness areas designated by the Wilderness Act or designated national forest wilderness areas shall be deemed to be a reference to the Aravaipa Canyon Wilderness. For purposes of this title, the reference to national forest rules and regulations in the second sentence of section 4(d)(3) of the Wilderness Act shall be deemed to be a reference to rules and regulations applicable to public lands, as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, 1702).

Sec. 204. As soon as practicable after this Act takes effect, the Secretary of the Interior shall file a map and a legal description of the Aravaipa Canyon Wilderness with the Committee on Energy and Natural Resources of the United States Senate and with the Committee on Interior and Insular Affairs of the United States House of Representatives, and such map and description shall have the same force and effect as if included in this Act: Provided, That correction of clerical and typographical errors in the legal description and map may be made. The map and legal description shall be on file and available for public inspection in the offices of the Bureau of Land Management, Department of the Interior.

Sec. 205. Except as further provided in this section, the Aravaipa Primitive Area designations of January 16, 1969, and April 28, 1971, are hereby revoked.

TITLE III

Sec. 301. (a) In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately six thousand five hundred acres, as generally depicted on a map entitled “Cottonwood Point Wilderness—Proposed”, dated May 1983, and which shall be known as the Cottonwood Point Wilderness;

(2) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately thirty-six thousand three hundred acres, as generally depicted on a map entitled “Grand Wash Cliffs Wilderness—Proposed”, dated May 1983, and which shall be known as the Grand Wash Cliffs Wilderness;

(3) certain lands in the Kaibab National Forest and in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately seventy-seven thousand one hundred acres, as generally depicted on a map entitled “Kanab Creek Wilderness—Proposed”, dated May 1983, and which shall be known as the Kanab Creek Wilderness;
(4) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately fourteen thousand six hundred acres, as generally depicted on a map entitled “Mt. Logan Wilderness—Proposed”, dated May 1983, and which shall be known as the Mount Logan Wilderness;

(5) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately seven thousand nine hundred acres, as generally depicted on a map entitled “Mt. Trumbull Wilderness—Proposed”, dated May 1983, and which shall be known as the Mount Trumbull Wilderness;

(6) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately eighty-four thousand seven hundred acres, as generally depicted on a map entitled “Paiute Wilderness—Proposed”, dated May 1983, and which shall be known as the Paiute Wilderness;

(7) certain lands in the Arizona Strip District, Arizona, and in the Cedar City District, Utah, of the Bureau of Land Management, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled “Paria Canyon-Vermilion Cliffs Wilderness—Proposed”, dated May 1983, and which shall be known as the Paria Canyon-Vermilion Cliffs Wilderness;

(8) certain lands in the Kaibab National Forest, Arizona, which comprise approximately forty thousand six hundred acres, as generally depicted on a map entitled “Saddle Mountain Wilderness—Proposed”, dated May 1983, and which shall be known as the Saddle Mountain Wilderness; and

(9) certain lands in the Arizona Strip District, Arizona, and in the Cedar City District, Utah, of the Bureau of Land Management which comprise approximately nineteen thousand six hundred acres, as generally depicted on a map entitled “Beaver Dam Mountains Wilderness—Proposed”, dated May 1983, and which shall be known as the Beaver Dam Mountains Wilderness.

(b) The previous classifications of the Paiute Primitive Area and the Paria Canyon Primitive Area are hereby abolished.

Sec. 302. (a) Subject to valid existing rights, each wilderness area designated by this title shall be administered by the appropriate Secretary in accordance with the provisions of the Wilderness Act: Provided, That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

(b) Within the wilderness areas designated by this title, the grazing of livestock, where established prior to the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies, and practices as the Secretary concerned deems necessary, as long as such regulations, policies, and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act.

Sec. 303. As soon as practicable after enactment of this Act, a map and a legal description on each wilderness area designated by this title shall be filed by the Secretary concerned with the Committee.
on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: Provided, That correction of clerical and typographical errors in each such legal description and map may be made by the Secretary concerned subsequent to such filings. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture or in the Office of the Director of the Bureau of Land Management, Department of the Interior, as is appropriate.

Sec. 304. The Congress hereby finds and directs that lands in the Arizona Strip District of the Bureau of Land Management, Arizona, and those portions of the Starvation Point Wilderness Study Area (UT-040-057) and Paria Canyon Instant Study Area and contiguous Utah units in the Cedar City District of the Bureau of Land Management, Utah, not designated as wilderness by this Act have been adequately studied for wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act (Public Law 94-579), and are no longer subject to the requirement of section 603(c) of the Federal Land Policy and Management Act pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

TITLE IV

Sec. 401. If any provision of this Act or the application thereof is held invalid, the remainder of the Act and the application thereof shall not be affected thereby.

Approved August 28, 1984.
An Act

To enhance the economic development of Guam, the Virgin Islands, American Samoa, the Northern Mariana Islands, and for other purposes.

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

TITLE I

SEC. 101. From the sums authorized to be appropriated to the Secretary of the Interior for technical assistance to the territories there may be appropriated not to exceed $2,000,000 for each of fiscal years 1985, 1986, and 1987 for technical assistance (including but not limited to management, marketing, and finance) in developing private enterprises in Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

SEC. 102. The Secretary of the Interior is authorized and directed to report to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate not later than January 1 of Fiscal years 1985, 1986, and 1987 on the executive branch’s efforts regarding and recommendations for developing private enterprises in Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

TITLE II

SEC. 201. (a) Subsection (b) of section 8 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1574) is amended—

(1) by striking out “shall be sold at public sale and” in the fourth sentence of paragraph (i), and

(2) by adding at the end thereof the following new paragraph:

“(iii)(A) The legislature of the government of the Virgin Islands may cause to be issued after September 30, 1984, industrial development bonds (within the meaning of section 103(b)(2) of the Internal Revenue Code of 1954).

“(B) Except as provided in subparagraph (C), any obligation issued under subparagraph (A) and the income from such obligation shall be exempt from all State and local taxation in effect on or after October 1, 1984.

“(C) Any obligation issued under subparagraph (A) shall not be exempt from State or local gift, estate, inheritance, legacy, succession, or other wealth transfer taxes.

“(D) For purposes of this paragraph—

“(I) The term ‘State’ includes the District of Columbia.

“(II) The taxes imposed by counties, municipalities, or any territory, dependency, or possession of the United States shall be treated as local taxes.
“(E) For exclusion of interest for purposes of Federal income taxation, see section 103 of the Internal Revenue Code of 1954.”

Sec. 202. (a) The legislature of the government of American Samoa may cause to be issued after September 20, 1984, industrial development bonds (within the meaning of section 103(b)(2) of the Internal Revenue Code of 1954).

(b)(1) Except as provided in paragraph (2), any obligation shall be exempt from all State and local taxation in effect on or after October 1, 1984.

(2) Any obligation issued under subsection (a) shall not be exempt from State or local gift, estate, inheritance, legacy, succession, or other wealth transfer taxes.

(3) For purposes of this subsection—
   (A) The term “State” includes the District of Columbia.
   (B) The taxes imposed by counties, municipalities, or any territory, dependency, or possession of the United States shall be treated as local taxes.

(c) For exclusion of interest for purposes of Federal income taxation, see section 103 of the Internal Revenue Code of 1954.

Sec. 203. Section 11 of the Organic Act of Guam (64 Stat. 387, 48 U.S.C. 1423a), as amended, is amended by inserting, immediately before the sentence that begins with the words “Should the Guam Power Authority fail to pay”, the following language: “At the request of the Board of Directors of the Guam Power Authority for a second refinancing agreement and conditioned on the approval of the Government of Guam pursuant to the law of Guam, and conditioned on the establishment of an independent rate-making authority by the Government of Guam, the Secretary may guarantee for purchase by the Federal Financing Bank, on or before December 31, 1984, according to an agreement that shall provide for—
   “(a) substantially equal semiannual installments of principal and interest;
   “(b) maturity of obligations no later than December 31, 2004;
   “(c) authority for the Secretary, should there be a violation of a provision of this legislation, or covenants or stipulations contained in the refinancing document and after giving sixty days notice of such violation to the Guam Power Authority and the Governor of Guam, to dismiss members of the Board of Directors or the general manager of the Guam Power Authority, and (1) appoint in their place members or a general manager who shall serve at the pleasure of the Secretary, or (2) contract for the management of the Guam Power Authority; and
   “(d) an annual simple interest rate of seven per centum; and the Federal Financing Bank shall purchase such Guam Power Authority obligations if such Guam Power Authority obligations are issued to refinance the principal amount scheduled to mature on December 31, 1990. Should such second refinancing occur, (1) the independent rate-making authority to be established by the Government of Guam, or in its absence, the Board of Directors of the Guam Power Authority, shall establish rates sufficient to satisfy all financial obligations and future capital investment needs of the Guam Power Authority that shall be consistent with generally accepted rate-making practices of public utilities, and (2) the Government of Guam shall not modify the requirements of such refinancing agreement without
agreement of the Secretary. There are authorized to be appropriated to the Secretary of the Interior for payment to the Federal Financing Bank such sums as are necessary to pay (1) the repurchase payment required under the fifth paragraph of the December 31, 1980, note from the Guam Power Authority to the Federal Financing Bank and any subsequent repurchase payments required under the second refinancing agreement, and (2) the interest rate differential between the seven percent to be paid by the Guam Power Authority and the second refinancing agreement and the interest rate that would otherwise be determined in accordance with the above cited section 6 of the Federal Financing Bank Act.”.

Sec. 204. (a) The Governor of any possession of the United States may for calendar years 1984 and 1985 proclaim a formula (different from that provided by section 103A(g) of the Internal Revenue Code of 1954) for allocating the State ceiling under such section among the governmental units in such possession having authority to issue qualified mortgage bonds (as defined in section 103A(c) of such Code).

(b) The authority provided by subsection (a) shall not apply after the effective date of any legislation with respect to the allocation of the State ceiling enacted by the legislature of the possession after the date of the enactment of this Act.

TITLE III

Sec. 301. Title 46, United States Code, is amended—

(a) in section 2101 add a new paragraph (3a) to read as follows:

“(3a) ‘citizen of the United States’ means a national of the United States as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or an individual citizen of the Trust Territory of the Pacific Islands who is exclusively domiciled in the Northern Mariana Islands within the meaning of section 1005(e) of the Covenant to establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1681 note).”;

(b) in section 12106 add the following at the end:

“(c) A coastwise license to engage in the coastwise trade of fisheries products between places in Guam, American Samoa, and the Northern Mariana Islands may be issued for a vessel that—

“(1) is less than two hundred gross tons;
“(2) was not built in the United States;
“(3) is eligible for documentation; and
“(4) otherwise qualifies under the laws of the United States to be employed in the coastwise trade.”;

and

(c) in section 12108 add the following at the end:

“(c) A fishery license to engage in fishing in the territorial sea and fishery conservation zone adjacent to Guam, American Samoa, and the Northern Mariana Islands may be issued to a vessel that—

“(1) is less than two hundred gross tons;
“(2) was not built in the United States;
“(3) is eligible for documentation; and
“(4) otherwise qualifies under the laws of the United States to be employed in the fisheries.”.

Sec. 302. A vessel that is or was last documented under chapter 121 of title 46, United States Code, may be sold, chartered, leased, mortgaged, or transferred by any other means to a citizen of the
United States (as defined in section 2101 of that title) without the approval of the Secretary of Transportation under section 9 of the Shipping Act, 1916 (46 App. U.S.C. 808).

Sec. 303. The weight limitations contained in subsections (b) and (c) of section 301 above shall not apply to the Northern Mariana Islands until the termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands (61 Stat. 3301).

TITLE IV

Sec. 401. To further the rehabilitation, upgrading, and construction of public facilities in the territories of the United States—

(a) Section 1(a)(1) of the Act of August 18, 1978 (92 Stat. 487), as amended, is further amended by adding “effective October 1, 1985, $16,300,000,” before the words “such sums”.

(b) There are authorized to be appropriated $600,000 in fiscal year 1985 (to remain available until expended) to the Secretary of the Interior who, in consultation with and with the assistance of the Secretary of Transportation, shall use said funds exclusively for planning improvements for the Alexander Hamilton Airport in St. Croix, Virgin Islands.

(2) Section 303 of the Act of October 19, 1982 (96 Stat. 1705), as amended, is further amended by inserting after “water and power” the words “and improvements for the Alexander Hamilton Airport in St. Croix, Virgin Islands”.

(c) The Secretary of the Interior is authorized and directed, in consultation with and with the assistance of the Secretary of Housing and Urban Development, to study the desirability and feasibility of initiating a program for the development of housing in American Samoa and including the territory in existing Federal housing programs and to submit such recommendations (such recommendations to include, but are not limited to, any changes or modifications which would be necessary to such existing Federal housing programs to adapt them to the culture and traditions of American Samoa) as he may deem appropriate to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate of the United States within one year of the date of enactment of this Act.

(d) There are authorized to be appropriated $15,000,000 in fiscal year 1986 (to remain available until expended) to the Secretary of the Interior for grants to the government of Northern Mariana Islands for improvements in the production and distribution of water.

TITLE V

Sec. 501. There is hereby conveyed, without consideration, to the Frederick Lutheran Church of Charlotte Amalie, St. Thomas, Virgin Islands, all of the right, title, and interest of the United States in and to parcel numbered 9F, Estate Hospital Ground, Numbered 9 New Quarter, St. Thomas, Virgin Islands (known as Ebenezer Home), and improvements thereof.

Sec. 502. Section 11 of the Revised Organic Act of the Virgin Islands, as amended, is further amended by striking the words “St. Croix, free of rent” and inserting in lieu thereof “Saint Croix, which house, together with land appurtenant thereto is also transferred to the government of the Virgin Islands”.

Gifts and property.

Gifts and property.
SEC. 503. The Department of the Army may remove from American Samoa any of the 4500 kilowatt power plants sent to American Samoa pursuant to the 1974 loan agreement between the Department of the Army and the Department of the Interior, and all charges that may accrue or may have accrued under such agreement shall be excused.

SEC. 504. Section 818(b)(2) of the Military Construction Authorization Act, 1981 (Public Law 96-418) is amended by adding at the end thereof the following: "Reasonable development costs shall be a fixed standard percentage of such monetary consideration received by the Government of Guam. The fixed standard percentage shall be determined by a study, conducted by the Secretary, typical development costs required to convert comparable lands to finished developed sites, except that such percentage shall not exceed 30 percent."

TITLE VI

SEC. 601. To rationalize the application of certain statutes so that the development of the territories of the United States is facilitated—

(a) section 1013 of the Act of November 10, 1978 (92 Stat. 3467) is amended by deleting "subsection" and inserting in lieu thereof "section";

(b) section 501(d) of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (91 Stat. 1159), as amended, is further amended by deleting "Samoa" where it appears and inserting in lieu thereof "Samoa, Guam, the Virgin Islands."

(c) section 119(n)(1) of the Act of August 22, 1974 (88 Stat. 633), as amended, is further amended by deleting "Guam" and inserting in lieu thereof "Guam, American Samoa, the Northern Mariana Islands."

(d) section 17(a) of the Act of April 27, 1935 (49 Stat. 163), as amended, is further amended by deleting "Puerto Rico, and the Virgin Islands" and inserting in lieu thereof "Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands";

(e) the Act of December 22, 1975 (89 Stat. 871), as amended, is amended by deleting "Samoa" in sections 391(a) and 398(b) and inserting in lieu thereof "Samoa, the Northern Mariana Islands."

(f) section 513(2) of the National Energy Extension Service Act (42 U.S.C. 7011(2)), is amended to read as follows:

"(2) 'State' means a State, the District of Columbia, Puerto Rico, the Trust Territory of the Pacific Islands, or any territory or possession of the United States."

(g) section 513(2) of the National Energy Extension Service Act (42 U.S.C. 7011(2)), is amended to read as follows:

"(2) 'State' means a State, the District of Columbia, Puerto Rico, the Trust Territory of the Pacific Islands, or any territory or possession of the United States."

(h) amend the first sentence of section 30 of the Organic Act of Guam (64 Stat. 392, as amended 48 U.S.C. 1421h) by adding after the words "inhabitants of Guam" the following: "(including, but not limited to, compensation paid to members of the Armed Forces and pensions paid to retired civilians and military em-
ployees of the United States, or their survivors, who are resi­
dents of, or who are domiciled in, Guam).

Sec. 602. Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by adding at the end the following new subsection:

“(1) The requirement of paragraph (26)(B) of subsection (a) may be waived by the Attorney General, the Secretary of State, and the Secretary of the Interior, acting jointly, in the case of an alien applying for admission as a nonimmigrant visitor for business or pleasure and solely for entry into and stay on Guam for a period not to exceed fifteen days, if the Attorney General, the Secretary of State, and the Secretary of the Interior jointly determined that—

“(1) Guam has developed an adequate arrival and departure control system, and

“(2) such a waiver does not represent a threat to the welfare, safety, or security of the United States.”.

(b) Section 214(a) of such Act (8 U.S.C. 1184(a)) is amended by adding at the end the following new sentence: “No alien admitted to Guam without a visa pursuant to section 212(l) may be authorized to enter or stay in the United States other than in Guam or to remain in Guam for a period exceeding fifteen days from date of admission to Guam.”

TITLE VII
VIRGIN ISLANDS

Sec. 701. In section 3 of the Revised Organic Act of the Virgin Islands, as amended (68 Stat. 4981; 48 U.S.C. 1561), the proviso in the next to the last paragraph is amended to read as follows: “Provided. That all offenses against the laws of the United States and the laws of the Virgin Islands which are prosecuted in the district court pursuant to sections 22 (a) and (c) of this Act may be had by indictment by grand jury or by information, and that all offenses against the laws of the Virgin Islands which are prosecuted in the district court pursuant to section 22(b) of this Act or in the courts established by local law shall continue to be prosecuted by information, except such as may be required by local law to be prosecuted by indictment by grand jury.”.

Sec. 702. Section 21 of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1611) is amended to read as follows:

“Sec. 21. (a) The judicial power of the Virgin Islands shall be vested in a court of record designated the ‘District Court of the Virgin Islands’ established by Congress, and in such appellate court and lower local courts as may have been or may hereafter be established by local law.

“(b) The legislature of the Virgin Islands may vest in the courts of the Virgin Islands established by local law jurisdiction over all causes in the Virgin Islands over which any court established by the Constitution and laws of the United States does not have exclusive jurisdiction. Such jurisdiction shall be subject to the concurrent jurisdiction conferred on the District Court of the Virgin Islands by section 22 (a) and (c) of this Act.

“(c) The rules governing the practice and procedure of the courts established by local law and those prescribing the qualifications and duties of the judges and officers thereof, oaths and bonds, and the times and places of holding court shall be governed by local law or the rules promulgated by those courts.”.
SEC. 703. (a) Section 22 of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1612) is amended to read as follows:

"SEC. 22. (a) The District Court of the Virgin Islands shall have the jurisdiction of a District Court of the United States, including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28, United States Code, and that of a bankruptcy court of the United States. The District Court of the Virgin Islands shall have exclusive jurisdiction over all criminal and civil proceedings in the Virgin Islands with respect to the income tax laws applicable to the Virgin Islands, regardless of the degree of the offense or of the amount involved, except the ancillary laws relating to the income tax enacted by the legislature of the Virgin Islands. Any act or failure to act with respect to the income tax laws applicable to the Virgin Islands which would constitute a criminal offense described in chapter 75 of subtitle F of the Internal Revenue Code of 1954 shall constitute an offense against the government of the Virgin Islands and may be prosecuted in the name of the government of the Virgin Islands by the appropriate officers thereof in the District Court of the Virgin Islands without the request or the consent of the United States attorney for the Virgin Islands, notwithstanding the provisions of section 27 of this Act.

(b) In addition to the jurisdiction described in subsection (a) the District Court of the Virgin Islands shall have general original jurisdiction in all causes in the Virgin Islands the jurisdiction over which is not then vested by local law in the local courts of the Virgin Islands: Provided, That the jurisdiction of the District Court of the Virgin Islands under this subsection shall not extend to civil actions wherein the matter in controversy does not exceed the sum or value of $500, exclusive of interest and costs; to criminal cases wherein the maximum punishment which may be imposed does not exceed a fine of $100 or imprisonment for six months, or both; and to violations of local police and executive regulations. The courts established by local law shall have jurisdiction over the civil actions, criminal cases, and violations set forth in the preceding proviso. In causes brought in the district court solely on the basis of this subsection, the district court shall be considered a court established by local law for the purposes of determining the availability of indictment by grand jury or trial by jury.

(c) The District Court of the Virgin Islands shall have concurrent jurisdiction with the courts of the Virgin Islands established by local law over those offenses against the criminal laws of the Virgin Islands, whether felonies or misdemeanors or both, which are of the same or similar character or part of, or based on, the same act or transaction or two or more acts or transactions connected together or constituting part of a common scheme or plan, if such act or transaction or acts or transactions also constitutes or constitute an offense or offenses against one or more of the statutes over which the District Court of the Virgin Islands has jurisdiction pursuant to subsections (a) and (b) of this section."

(b) The provisions of this section shall not result in the loss of jurisdiction of the District Court of the Virgin Islands over any complaint or proceeding pending in it on the day preceding the effective date of this amendatory Act and such complaint and proceeding may be pursued to final determination in the District Court of the Virgin Islands, the United States Court of Appeals for the Third Circuit, and the Supreme Court, notwithstanding the provisions of this amendatory Act.
SEC. 704. Section 23 of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1613) is amended to read as follows:

"Sec. 23. The relations between the courts established by the Constitution or laws of the United States and the courts established by local law with respect to appeals, certiorari, removal of causes, the issuance of writs of habeas corpus, and other matters or proceedings shall be governed by the laws of the United States pertaining to the relations between the courts of the United States, including the Supreme Court of the United States, and the courts of the several States in such matters and proceedings: Provided, That for the first fifteen years following the establishment of the appellate court authorized by section 21(a) of this Act, the United States Court of Appeals for the Third Circuit shall have jurisdiction to review by writ of certiorari all final decisions of the highest court of the Virgin Islands from which a decision could be had. The Judicial Council of the Third Circuit shall submit reports to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives at intervals of five years following the establishment of such appellate court as to whether it has developed sufficient institutional traditions to justify direct review by the Supreme Court of the United States from all such final decisions. The United States Court of Appeals for the Third Circuit shall have jurisdiction to promulgate rules necessary to carry out the provisions of this section."

SEC. 705. The Revised Organic Act of the Virgin Islands is amended by adding to it a new section 23A:

"Sec. 23A. (a) Prior to the establishment of the appellate court authorized by section 21(a) of this Act, the District Court of the Virgin Islands shall have such appellate jurisdiction over the courts of the Virgin Islands established by local law to the extent now or hereafter prescribed by local law: Provided, That the legislature may not preclude the review of any judgment or order which involves the Constitution, treaties, or laws of the United States, including this Act, or any authority exercised thereunder by an officer or agency of the Government of the United States, or the conformity of any law enacted by the legislature of the Virgin Islands or of any order or regulation issued or action taken by the executive branch of the government of the Virgin Islands with the Constitution, treaties, or laws of the United States, including this Act, or any authority exercised thereunder by an officer or agency of the United States.

"(b) Appeals to the District Court of the Virgin Islands shall be heard and determined by an appellate division of the court consisting of three judges, of whom two shall constitute a quorum. The chief judge of the district court shall be the presiding judge of the appellate division and shall preside therein unless disqualified or otherwise unable to act. The other judges who are to sit in the appellate division at any session shall be designated by the presiding judge from among the judges who are serving on, or are assigned to, the district court from time to time pursuant to section 24(a) of this Act: Provided, That no more than one of them may be a judge of a court established by local law. The concurrence of two judges shall be necessary to any decision by the appellate division of the district court on the merits of an appeal, but the presiding judge alone may make any appropriate orders with respect to an appeal prior to the hearing and determination thereof on the merits and may dismiss an appeal for want of jurisdiction or failure to take or prosecute it in..."
accordance with the applicable law or rules of procedure. Appeals pending in the district court on the effective date of this Act shall be heard and determined by a single judge.

“(c) The United States Court of Appeals for the Third Circuit shall have jurisdiction of appeals from all final decisions of the district court on appeal from the courts established by local law. The United States Court of Appeals for the Third Circuit shall have jurisdiction to promulgate rules necessary to carry out the provisions of this subsection.

“(d) Upon the establishment of the appellate court provided for in section 21(a) of this Act all appeals from the decisions of the courts of the Virgin Islands established by local law not previously taken must be taken to that appellate court. The establishment of the appellate court shall not result in the loss of jurisdiction of the district court over any appeal then pending in it. The rulings of the district court on such appeals may be reviewed in the United States Court of Appeals for the Third Circuit and in the Supreme Court notwithstanding the establishment of the appellate court.”.

SEC. 706. (a) Section 24(a) of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1614(a)) is amended to read as follows:

“(a) The President shall, by and with the advice and consent of the Senate, appoint two judges for the District Court of the Virgin Islands, who shall hold office for terms of ten years and until their successors are chosen and qualified, unless sooner removed by the President for cause. The judge of the district court who is senior in continuous service and who otherwise qualifies under section 136(a) of title 28, United States Code, shall be the chief judge of the court. The salary of a judge of the district court shall be at the rate prescribed for judges of the United States district courts. Whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the district court, the chief judge of the Third Judicial Circuit of the United States may assign a judge of a court of record of the Virgin Islands established by local law, or a circuit or district judge of the Third Judicial Circuit, or a recalled senior judge of the District Court of the Virgin Islands, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge of the District Court of the Virgin Islands. The compensation of the judges of the district court and the administrative expenses of the court shall be paid from appropriations made for the judiciary of the United States.”.

(b) Section 24(b) of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1614(b)) is amended to read as follows:

“(b) Where appropriate, the provisions of part II of title 18 and of title 28, United States Code, and, notwithstanding the provisions of rule 7(a) and of rule 54(a) of the Federal Rules of Criminal Procedure relating to the requirement of indictment and to the prosecution of criminal offenses in the Virgin Islands by information, respectively, the rules of practice heretofore or hereafter promulgated and made effective by the Congress or the Supreme Court of the United States pursuant to titles 11, 18, and 28, United States Code, shall apply to the district court and appeals therefrom: Provided, That the terms ‘Attorney for the government’ and ‘United States attorney’ as used in the Federal Rules of Criminal Procedure, shall, when applicable to causes arising under the income tax laws applicable to the Virgin Islands, mean the Attorney General of the Virgin Islands or such
other person or persons as may be authorized by the laws of the Virgin Islands to act therein: Provided further, That in the district court all criminal prosecutions under the laws of the United States, under local law under section 22(c) of this Act, and under the income tax laws applicable to the Virgin Islands may be had by indictment by grand jury or by information: Provided further, That an offense which has been investigated by or presented to a grand jury may be prosecuted by information only by leave of court or with the consent of the defendant. All criminal prosecutions arising under local law which are tried in the district court pursuant to section 22(b) of this Act shall continue to be had by information, except such as may be required by the local law to be prosecuted by indictment by grand jury.

(c) The provisions of subsection (a) of this section regarding the determination and qualifications of the chief judge of the District Court of the Virgin Islands shall not apply to a person serving as chief judge of said court on the effective date of this Act.

Sec. 707. Section 25 of the Revised Organic Act of the Virgin Islands (68 Stat. 507; 48 U.S.C. 1615) is amended to read as follows:

"Sec. 25. The Virgin Islands consists of two judicial divisions; the Division of Saint Croix, comprising the island of Saint Croix and adjacent islands and cays, and the Division of Saint Thomas and Saint John, comprising the islands of Saint Thomas and Saint John and adjacent islands and cays. Court for the Division of Saint Croix shall be held in Christiansted, and for the Division of Saint Thomas and Saint John at Charlotte Amalie."

Sec. 708. Section 27 of the Revised Organic Act of the Virgin Islands (68 Stat. 507; 48 U.S.C. 1617) is amended by substituting the words "courts established by local law" for "inferior courts of the Virgin Islands" wherever they appear, and by deleting the last two sentences.


TITLE VIII

GUAM

Sec. 801. Section 22 of the Organic Act of Guam (64 Stat. 389; 48 U.S.C. 1424), as amended, is amended to read as follows:

"Sec. 22. (a) The judicial authority of Guam shall be vested in a court of record established by Congress, designated the 'District Court of Guam,' and such local court or courts as may have been or shall hereafter be established by the laws of Guam in conformity with section 22A of this Act.

"(b) The District Court of Guam shall have the jurisdiction of a district court of the United States, including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28, United States Code, and that of a bankruptcy court of the United States.

"(c) In addition to the jurisdiction described in subsection (b), the District Court of Guam shall have original jurisdiction in all other causes in Guam, jurisdiction over which is not then vested by the legislature in another court or other courts established by it. In causes brought in the district court solely on the basis of this subsection, the district court shall be considered a court established by the laws of Guam for the purpose of determining the requirements of indictment by grand jury or trial by jury.

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"Sec. 22A. (a) The local courts of Guam shall consist of such trial court or courts as may have been or may hereafter be established by the laws of Guam. On or after the effective date of this Act, the legislature of Guam may in its discretion establish an appellate court.

"(b) The legislature may vest in the local courts jurisdiction over all causes in Guam over which any court established by the Constitution and laws of the United States does not have exclusive jurisdiction. Such jurisdiction shall be subject to the exclusive or concurrent jurisdiction conferred on the District Court of Guam by section 22(b) of this Act.

"(c) The practice and procedure in the local courts and the qualifications and duties of the judges thereof shall be governed by the laws of Guam and the rules of those courts.

"Sec. 22B. The relations between the courts established by the Constitution or laws of the United States and the local courts of Guam with respect to appeals, certiorari, removal of causes, the issuance of writs of habeas corpus, and other matters or proceedings shall be governed by the laws of the United States pertaining to the relations between the courts of the United States, including the Supreme Court of the United States, and the courts of the several States in such matters and proceedings: Provided, That for the first fifteen years following the establishment of the appellate court authorized by section 22A(a) of this Act, the United States Court of Appeals for the Ninth Circuit shall have jurisdiction to review by writ of certiorari all final decisions of the highest court of Guam from which a decision could be had. The Judicial Council of the Ninth Circuit shall submit reports to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives at intervals of five years following the establishment of such appellate court as to whether it has developed sufficient institutional traditions to justify direct review by the Supreme Court of the United States from all such final decisions. The United States Court of Appeals for the Ninth Circuit shall have jurisdiction to promulgate rules necessary to carry out the provisions of this subsection.

"Sec. 22C. (a) Prior to the establishment of the appellate court authorized by section 22A(a) of this Act, the District Court of Guam shall have such appellate jurisdiction over the local courts of Guam as the legislature may determine: Provided, That the legislature may not preclude the review of any judgment or order which involves the Constitution, treaties, or laws of the United States, including this Act, or any authority exercised thereunder by an officer or agency of the Government of the United States, or the conformity of any law enacted by the legislature of Guam or of any orders or regulations issued or actions taken by the executive branch of the government of Guam with the Constitution, treaties, or laws of the United States, including this Act, or any authority exercised thereunder by an officer or agency of the United States.

"(b) Appeals to the District Court of Guam shall be heard and determined by an appellate division of the court consisting of three judges, of whom two shall constitute a quorum. The district judge shall be the presiding judge of the appellate division and shall preside therein unless disqualified or otherwise unable to act. The other judges who are to sit in the appellate division of any session shall be designated by the presiding judge from among the judges who are serving on, or are assigned to, the district court from time

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Ante, p. 1741.

Supra

Supra Reports.

48 USC 1424-3.

48 USC 1424-2.
to time pursuant to section 24 of this Act: Provided, That no more than one of them may be a judge of a court of record of Guam. The concurrence of two judges shall be necessary to any decision of the appellate division of the district court on the merits of an appeal, but the presiding judge alone may make any appropriate orders with respect to an appeal prior to the hearing and determination thereof on the merits and may dismiss an appeal for want of jurisdiction or failure to take or prosecute it in accordance with the applicable law or rules of procedure.

"(c) The United States Court of Appeals for the Ninth Circuit shall have jurisdiction of appeals from all final decisions of the appellate division of the district court. The United States Court of Appeals for the Ninth Circuit shall have jurisdiction to promulgate rules necessary to carry out the provisions of this subsection.

"(d) Upon the establishment of the appellate court provided for in section 22A(a) of this Act all appeals from the decisions of the local courts not previously taken must be taken to the appellate court. The establishment of that appellate court shall not result in the loss of jurisdiction of the appellate division of the district court over any appeal then pending in it. The rulings of the appellate division of the district court on such appeals may be reviewed in the United States Court of Appeals for the Ninth Circuit and in the Supreme Court notwithstanding the establishment of the appellate court.

"Sec. 22D. Where appropriate, the provisions of part II of title 18 and of title 28, United States Code, and notwithstanding the provision in rule 54(a) Federal Rules of Criminal Procedure relating to the prosecution of criminal offenses on Guam by information, the rules of practice and procedure heretofore or hereafter promulgated and made effective by the Congress or the Supreme Court of the United States pursuant to titles 11, 18, and 28, United States Code, shall apply to the District Court of Guam and appeals therefrom; except that the terms, 'Attorney for the government' and 'United States attorney', as used in the Federal Rules of Criminal Procedure, shall, when applicable to cases arising under the laws of Guam, including the Guam Territorial income tax, mean the Attorney General of Guam or such other person or persons as may be authorized by the laws of Guam to act therein.'

Sec. 802. Section 24 of the Organic Act of Guam, as amended (64 Stat. 390; 48 U.S.C. 1424b), is amended, by:

(a) substituting in the first paragraph of subsection (a) the words "for the term of ten years" for "for a term of eight years";

(b) substituting in the second paragraph of subsection (a) the words "a local court of record" for "the Island Court of Guam";

(c) inserting in the second paragraph of subsection (a) between the words "ninth circuit" and "or" the words "or a recalled senior judge of the District Court of Guam or of the District Court for the Northern Mariana Islands";

(d) substituting in subsection (b) the numbers "35" and "37" for "31" and "33", respectively; and

(e) deleting subsection (c).

Sec. 803. Section 1 of the Act of August 27, 1954 (68 Stat. 882), is amended by repealing that portion which reads: "that no provisions of any such rules which authorize or require trial by jury or the prosecution of offenses by indictment by a grand jury instead of by information shall be applicable to the District Court of Guam unless

Infra.

Ante, p. 1742.

Crimes and misdemeanors.
48 USC 1424-4.
18 USC 3001.
28 USC 501.
18 USC app.

18 USC app.

Law enforcement.
48 USC 1424.
and until made so applicable by laws enacted by the Legislature of Guam, and except further”.

TITLE IX

NORTHERN MARIANA ISLANDS

Sec. 901. Section 1 of the Act of November 8, 1977 (91 Stat. 1265, 48 U.S.C. 1694) is amended by—

(a) substituting in subsection (b)(1) the words “for a term of ten years” for “for a term of eight years”;

(b) inserting in subsection (b)(2) between the words “President” and “or”, the words “or a recalled senior judge of the District Court of Guam or of the District Court of the Northern Mariana Islands”; and

(c) substituting the following for subsection (c): “Where appropriate, and except as otherwise provided in articles IV and V of the Covenant approved by the Act of March 24, 1976 (90 Stat. 263), the provisions of part II of title 18 and of titles 28, United States Code, the rules of practice and procedure heretofore or hereafter promulgated and made effective by the Congress or the Supreme Court of the United States pursuant to titles 11, 18, and 28, United States Code, shall apply to the District Court for the Northern Mariana Islands and appeals therefrom; except that the terms ‘Attorney for the government’ and ‘United States attorney’, as used in the Federal Rules of Criminal Procedure, shall, when applicable to cases arising under the laws of the Northern Mariana Islands, include the Attorney General of the Northern Mariana Islands or such other person or persons as may be authorized by the laws of the Northern Mariana Islands to act therein.”.

Sec. 902. Section 2(a) of the Act of November 8, 1977 (91 Stat. 1266; 48 U.S.C. 1694a(a)), is amended to read as follows: “(a) The District Court for the Northern Mariana Islands shall have the jurisdiction of a District Court of the United States, including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28, United States Code, and that of a bankruptcy court of the United States.”.

Sec. 903. Section 3 of the Act of November 8, 1977 (91 Stat. 1266; 48 U.S.C. 1694b) is amended to read as follows: “Sec. 3. (a) Prior to the establishment of an appellate court for the Northern Mariana Islands the district court shall have such appellate jurisdiction over the courts established by the Constitution or laws of the Northern Mariana Islands as the Constitution and laws of the Northern Mariana Islands provide, except that such Constitution and laws may not preclude the review of any judgment or order which involves the Constitution, treaties, or laws of the United States, including the Constitution to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263) (hereinafter referred to as ‘Covenant’), or any authority exercised thereunder by an officer or agency of the Government of the United States, or the conformity of any law enacted by the legislature of the Northern Mariana Islands or of any orders or regulations issued or actions taken by the executive branch of the government of the Northern Mariana Islands with the Constitution, treaties, or laws of the United States, including the
Covenant or with any authority exercised thereunder by an officer or agency of the United States.

"(b) Appeals to the district court shall be heard and determined by an appellate division of the court consisting of three judges, of whom two shall constitute a quorum. The judge appointed for the court by the President shall be the presiding judge of the appellate division and shall preside therein unless disqualified or otherwise unable to act. The other judges who are to sit in the appellate division at any session shall be designated by the presiding judge from among the judges assigned to the court from time to time pursuant to section 1(b)(2) of this Act: Provided, That no more than one of them may be a judge of a court of record of the Northern Mariana Islands. The concurrence of two judges shall be necessary to any decision by the appellate division of the district court on the merits of an appeal but the presiding judge alone may make any appropriate orders with respect to an appeal prior to the hearing and determination thereof on the merits and may dismiss an appeal for want of jurisdiction or failure to take or prosecute it in accordance with the applicable law or rules of procedure.

"(c) The United States Court of Appeals for the Ninth Circuit shall have jurisdiction of appeals from all final decisions of the appellate division of the district court. The United States Court of Appeals for the Ninth Circuit shall have jurisdiction to promulgate rules necessary to carry out the provisions of this subsection."

Sec. 904. Section 4 of the Act of November 8, 1977 (91 Stat. 1266; 48 U.S.C. 1694c) is amended by inserting the words, “including the Supreme Court of the United States,” between the words “courts of the United States” and “and”.

TITLE X

GENERAL PROVISIONS

Sec. 1001. Sections 335, 336 and 402(e) of the Act of November 6, 1978 (92 Stat. 2680, 2682) are repealed.

Sec. 1002. (a) Any judge or former judge who is receiving, or will upon attaining the age of sixty-five years be entitled to receive, payments pursuant to section 373 of title 28, United States Code may elect to become a senior judge of the court on which he served while on active duty.

(b) The chief judge of a judicial circuit may recall any such senior judge of his circuit, with the judge’s consent, to perform in the District Court of Guam, the District Court of the Virgin Islands, or the District Court for the Northern Mariana Islands such judicial duties and for such periods of time as the chief judge may specify.

(c) Any act or failure to act by a senior judge performing judicial duties pursuant to this section shall have the same force and effect as if it were the act or failure to act of a judge on active duty; but such senior judge shall not be counted as a judge of the court on which he is serving for purposes of the number of judgeships authorized for that court.

(d) Any senior judge shall be paid, while performing duties pursuant to this section, the same compensation (in lieu of payments pursuant to section 373 of title 28, United States Code) and the same allowances for travel and other expenses as a judge in active service.

(e) Senior judges under subsection (a) of this section shall at all times be governed by the code of judicial conduct for the United States.
Law enforcement

States judges, approved by the Judicial Conference of the United States.

(f) Any person who has elected to be a senior judge under subsection (a) of this section and who thereafter—

(1) accepts civil office or employment under the Government of the United States (other than the performance of judicial duties pursuant to subsection (b) of this section);

(2) engages in the practice of law; or

(3) materially violated the code of judicial conduct for the United States judges,

shall cease to be a senior judge and to be eligible for recall pursuant to subsection (b) of this section.

Sec. 1003. The prosecution in a territory or Commonwealth is authorized—unless precluded by local law—to seek review or other suitable relief in the appropriate local or Federal appellate court, or, where applicable, in the Supreme Court of the United States from—

(a) a decision, judgment, or order of a trial court dismissing an indictment or information as to any one or more counts, except that no review shall lie where the constitutional prohibition against double jeopardy would further prosecution;

(b) a decision or order of a trial court suppressing or excluding evidence or requiring the return of seized property in a criminal proceeding, not made after the defendant has been put in jeopardy and before the verdict or finding on an indictment or information, if the prosecution certifies to the trial court that the appeal is not taken for purpose of delay and that the evidence is a substantial proof of a fact material in the proceeding; and

(c) an adverse decision, judgment, or order of an appellate court.

Sec. 1004. The provisions of sections 706(a), 802(a), and 901(a) of this Act extending the terms of district court judges of the Virgin Islands, Guam, and the Northern Mariana Islands, respectfully, from eight to ten years shall be applicable to the judges of those courts holding office on the effective date of this Act.

Sec. 1005. Titles VII, VIII, IX, and X of this Act shall become effective on the ninetieth day following their enactment.


LEGISLATIVE HISTORY—H.R. 5561:

HOUSE REPORT No. 98-784 (Comm. on Interior and Insular Affairs).

June 28, considered and passed House.
Aug. 10, considered and passed Senate, amended.
Sept. 14, House concurred in Senate amendment with amendments.
Sept. 21, Senate concurred in House amendments.
To amend the Act authorizing the establishment of the Congaree Swamp National Monument to provide that at such time as the principal visitor center is established, such center shall be designated as the "Harry R. E. Hampton Visitor Center", and for other purposes.

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

SECTION 1. Section 3 of the Act approved October 18, 1976 (90 Stat. 2517), is amended by adding at the end the following new subsection:

"(c) At such time as the principal visitor center at such monument is established, such center shall be designated as the 'Harry R. E. Hampton Visitor Center'."

SEC. 2. Section 5 of the Act of July 15, 1968 (82 Stat. 354), is amended by redesignating subsection (c) as subsection (d) and by inserting the following new subsection (c) after subsection (b):

"(c) In order to protect the air, land, water, and natural and cultural values of the National Park System and the property of the United States therein, no solid waste disposal site (including any site for the disposal of domestic or industrial solid wastes) may be operated within the boundary of any unit of the National Park System, other than—

"(1) a site which was operating as of September 1, 1984, or

"(2) a site used only for disposal of wastes generated within that unit of the park system so long as such site will not degrade any of the natural or cultural resources of such park unit.

The Secretary of the Interior shall promulgate regulations to carry out the provisions of this subsection, including reasonable regulations to mitigate the adverse effects of solid waste disposal sites in operation as of September 1, 1984, upon property of the United States."


LEGISLATIVE HISTORY—S. 1889:

HOUSE REPORT No. 98-1069 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-563 (Comm. on Energy and Natural Resources).
Aug. 9, considered and passed Senate.
Sept. 24, considered and passed House, amended.
Oct. 5, Senate concurred in House amendments.
An Act

To provide for a plan to reimburse the Okefenoke Rural Electric Membership Corporation for the costs incurred in installing electrical service to the Cumberland Island National Seashore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, the Secretary of the Interior shall reimburse the Okefenoke Rural Electric Membership Corporation for the cost incurred by such corporation in installing transmission lines, transformers, and electric meters which serve the administrative needs of the Federal Government within Cumberland Island National Seashore in the State of Georgia. No such payment shall be made unless—

(1) the Corporation has entered into a written agreement with the Secretary which provides for—

(A) the continued adequate provision of electrical service by the Corporation at reasonable rates to satisfy the administrative needs of the seashore, as determined by the Secretary, and

(B) the prompt repayment of the Secretary of any amounts paid by the Secretary under this Act, plus interest, in the event of the Corporation's future failure to provide electrical service under terms provided pursuant to paragraph (A); and

(2) the Secretary has performed an audit of the Corporation's records to determine the amount appropriately due the Corporation under the terms of this Act, which amount so determined by the Secretary shall constitute the maximum amount to be paid.

The amount so determined by the Secretary shall be reduced by an amount equal to the sum of all reimbursement for such facilities
paid to the Corporation by any governmental or nongovernmental source before the date on which payment is made by the Secretary under this Act.

(b) There is authorized to be appropriated to carry out the provisions of subsection (a) not more than $338,000.

Approved September 25, 1984.
An Act

To amend the boundaries of the Cumberland Island National Seashore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of October 23, 1972 (86 Stat. 1066), as amended by the Act of November 10, 1978 (92 Stat. 3489), is further amended by striking out "numbered CUIS 40,000D" and substituting "numbered CUIS 40,000E".

Approved November 29, 1983.
An Act

To modify Federal land acquisition and disposal policies carried out with respect to Fire Island National Seashore, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fire Island National Seashore Amendments Act of 1984".

SEC. 2. Section 2 of the Act entitled "An Act to establish the Fire Island National Seashore, and for other purposes", approved September 11, 1964 (16 U.S.C. 459e-1), is amended by adding at the end thereof the following new subsections:

"(h)(1)(A) The Secretary shall sell any property described in subparagraph (B) of this paragraph acquired by condemnation under this Act to the highest bidder; except that—

"(i) no property shall be sold at less than its fair market value; and

"(ii) no property shall be sold unless it is sold subject to covenants or other restrictions that will ensure that the use of such property conforms—

"(I) to the standards specified in regulations issued under section 3(a) of this Act which are in effect at the time of such sale, and

"(II) to any approved zoning ordinance or amendment thereof to which such property is subject.

"(B) The property referred to in subparagraph (A) of this paragraph is any property within the boundaries of the national seashore as delineated on the map mentioned in section 1 except—

"(i) property within the Dune district referred to in subsection (g) of this section;

"(ii) beach or waters and adjoining land within the exempt communities referred to in the first sentence of subsection (e) of this section; and

"(iii) property within the eight-mile area described in the second sentence of subsection (e) of this section; and

"(iv) any property acquired prior to October 1, 1982, that the Secretary determines should be retained to further the purpose of this Act.

"(2) Notwithstanding any other provision of law, all moneys received from sales under paragraph (1) of this subsection may be retained and shall be available to the Secretary, without further appropriation, only for purposes of acquiring property under this Act.

"(i)1 Upon or after the commencement of any action for condemnation with respect to any property under this Act, the Secretary, through the Attorney General of the United States, may apply to the United States District Court for the Eastern District of New York for a temporary restraining order or injunction to prevent any use of, or construction upon, such property that—
“(A) fails, or would result in a failure of such property, to conform to the standards specified in regulations issued under section 3(a) of this Act in effect at the time such use or construction began; or

“(B) in the case of undeveloped tracts in the Dune district referred to in subsection (g) of this section, would result in such undeveloped property not being maintained in its natural state.

“(2) Any temporary restraining order or injunction issued pursuant to such an application shall terminate in accordance with the provisions of section 3(g) of this Act.”.

Sec. 3. Section 3(e) of the Act entitled “An Act to establish the Fire Island National Seashore, and for other purposes”, approved September 11, 1964 (16 U.S.C. 459e-2(e)), is amended to read as follows:

“(e) In the case of any property, including improved property but excluding undeveloped property in the Dune district referred to in section 2(g) of this Act, with respect to which the Secretary’s authority to acquire by condemnation has been suspended under this Act if—

“(1) such property is, after the date of the enactment of the Fire Island National Seashore Amendments Act of 1984, made the subject of a variance under, or becomes for any reason an exception to, any applicable zoning ordinance approved under this section; and

“(2) such variance or exception results, or will result, in such property being used in a manner that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time such variance or exception took effect;

then the suspension of the Secretary’s authority to acquire such property by condemnation shall automatically cease.”.

Sec. 4. Subsection (b) of section 3 of the Act entitled “An Act to establish the Fire Island National Seashore, and for other purposes”, approved September 11, 1964 (16 U.S.C. 459e-2(b)) is amended by striking out “by means of acreage, frontage, and setback requirements.” and inserting “by means of limitations or restrictions on the size, location or use of any commercial, residential, and other structures. In accomplishing these objectives, such standards shall seek to reconcile the population density of the seashore at the time of enactment of the Fire Island National Seashore Amendments Act of 1984 with the protection of the natural resources of the Seashore consistent with the purposes for which it has been established as provided by this Act.”.

Sec. 5. Section 3 of the Act entitled “An Act to establish the Fire Island National Seashore, and for other purposes”, approved September 11, 1984 (16 U.S.C 459e-2) is amended by adding the following new subsection (g) after subsection (f):

“(g) Notwithstanding any other provision of this Act, the Secretary of the Interior, acting through the Attorney General of the United States, may apply to the United States District Court for the Eastern District of New York for a temporary restraining order or injunction to prohibit the use of, including construction upon, any property within the seashore in a manner that—

“(1) will cause or is likely to cause significant harm to the natural resources of the seashore, or

“(2) is inconsistent with the purposes for which the seashore was established.
Except to the extent the Court may deem necessary in extraordinary circumstances, no such order or injunction shall continue in effect for more than one hundred and eighty days. During the period of such order or injunction, the Secretary shall diligently and in good faith negotiate with the owner of the property to assure that following termination of the order or injunction, the inconsistent use is abated or the significant harm to the natural resources is mitigated.”.

Approved October 17, 1984.
DEFCIT REDUCTION ACT OF 1984
DISPOSAL OF CERTAIN LANDS AT MONTAUK AIR FORCE BASE

SEC. 2902. (a) The Congress finds that—
(1) the highest and best use of the lands described in subsection (b)(1) of this section is use as a park or recreational area;
(2) the State of New York has indicated a willingness to convey by donation to the United States the fee interest to the lands described in subsection (b)(2);
(3) therefore the Administrator of General Services should assign to the Secretary of the Interior the lands described in subsection (b)(1) for use as a public park or recreational area; and
(4) the Secretary of the Interior should, simultaneous with acceptance of the lands described in subsection (b)(2), convey the property described in subsection (b)(1) to the State of New York for use as a public park or recreational area through a public discount conveyance under section 203(k)(2) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)(2)).

(b)(1) The lands described in this subsection are those portions of the Montauk Air Force Station in East Hampton Township, Suffolk County, New York, totaling approximately 278 acres, that were declared surplus to the needs of the United States Government on December 21, 1981.

(2) The lands described in this subsection are approximately 125 acres of real property owned by the State of New York within the boundaries of the Fire Island National Seashore.

Approved July 18, 1984.
Public Law 98-28
98th Congress

An Act

To dedicate the Golden Gate National Recreation Area to Congressman Phillip Burton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Golden Gate National Recreation Area, California, is hereby dedicated to Congressman Phillip Burton in recognition of his leadership in establishing the Golden Gate National Recreation Area, his outstanding contributions to the National Park System, the Wilderness Preservation System, and to the protection and preservation of our great natural and cultural resources for the benefit of the people of the United States for all time.

SEC. 2. In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such identification by signs, including, but not limited to changes in existing signs, materials, maps, markers, interpretive programs or other means as will adequately inform the public of the contributions of Phillip Burton.

SEC. 3. The Secretary of the Interior is further authorized and directed to cause to be erected and maintained, within the boundaries of the Fort Mason unit the Golden Gate National Recreation Area, an appropriate memorial to Phillip Burton. Such memorial shall include but not be limited to an appropriate permanent marker describing the contributions of Phillip Burton to the Nation.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved May 10, 1983.

LEGISLATIVE HISTORY—H.R. 2600:
HOUSE REPORT No. 98-72 (Comm. on Interior and Insular Affairs).
Apr. 23, considered and passed House.
Apr. 28, considered and passed Senate.
Public Law 98–32
98th Congress

An Act

To establish the Harry S Truman National Historic Site in the State of Missouri, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the inspiration and benefit of present and future generations the former home of Harry S Truman, thirty-third President of the United States, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from another Federal agency, or otherwise, the residence and real property known as 219 North Delaware Street in the city of Independence, Missouri, as passed to Bess Wallace Truman upon the death of her husband. The Secretary may also acquire, by any of the above means, fixtures, and personal property for use in connection with the residence.

SEC. 2. The property acquired pursuant to subsection (a) is designated as the Harry S Truman National Historic Site and shall be administered by the Secretary in accordance with the provisions of law generally applicable to units of the national park system, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). The Secretary is further authorized, in the administration of the site, to make available certain portions thereof for the use of Margaret Truman Daniel subject to reasonable terms and conditions which he may impose.

SEC. 3. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved May 23, 1983.
Public Law 98–398
98th Congress

An Act

To establish the Illinois and Michigan Canal National Heritage Corridor in the State of Illinois, and for other purposes.

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

TITLE I

SHORT TITLE

Sec. 101. This title may be cited as the “Illinois and Michigan Canal National Heritage Corridor Act of 1984”.

FINDINGS; PURPOSE

Sec. 102. (a) FINDINGS.—The Congress makes the following findings:

(1) An abundance of sites and structures within the corridor defined by the Illinois and Michigan Canal from Chicago, Illinois, to LaSalle-Peru, Illinois, symbolize in physical form the cultural evolution from prehistoric aboriginal tribes living in naturally formed ecosystems through European exploration, nineteenth century settlement, commerce, and industry right up to present-day social patterns and industrial technology.

(2) The corridor has become one of the most heavily industrialized regions of the Nation and has potential for further economic expansion and modernization. The area in which the corridor is located is currently experiencing high rates of unemployment and industrial migration. Establishment of the corridor as provided in this Act may provide the stimulus required to retain existing industry and to provide further industrial growth and commercial revitalization.

(3) Despite efforts by the State, political subdivisions of the State, volunteer associations, and private business, the cultural, historical, natural, and recreational resources of the corridor have not realized full potential social value and may be lost without assistance from the Federal Government.

(b) PURPOSE.—It is the purpose of this title to retain, enhance, and interpret, for the benefit and inspiration of present and future generations, the cultural, historical, natural, recreational, and economic resources of the corridor, where feasible, consistent with industrial and economic growth.

DEFINITIONS

Sec. 103. For purposes of this title—

(1) the term “canal” means the Illinois and Michigan Canal, as depicted on the map referred to in section 104(b);
(2) the term "Commission" means the Illinois and Michigan Canal National Heritage Corridor Commission established in section 105;
(3) the term "corridor" means the Illinois and Michigan Canal National Heritage Corridor established in section 104(a);
(4) the term "Governor" means the Governor of the State of Illinois;
(5) the term "National Park Service report" means the report of the National Park Service, dated November 1981, which contains a conceptual plan and implementation strategies for the corridor;
(6) the term "plan" means the goals, objectives, and action statements of the conceptual plan which—
A) is contained in the National Park Service report; and
B) may be modified by the Commission under section 108(h);
(7) the term "political subdivision of the State" means any political subdivision of the State of Illinois, any part of which is located in or adjacent to the corridor, including counties, townships, cities, towns, villages, park districts, and forest preserve districts;
(8) the term "Secretary" means the Secretary of the Interior; and
(9) the term "State" means the State of Illinois.

ESTABLISHMENT, BOUNDARIES, AND ADMINISTRATION OF CORRIDOR

SEC. 104. (a) ESTABLISHMENT.—To carry out the purpose of this title, there is established the Illinois and Michigan Canal National Heritage Corridor.

(b) BOUNDARIES.—(1) The corridor shall consist of the areas depicted on the map dated May 1983, and numbered IMC-80,000, entitled "Illinois and Michigan Canal National Heritage Corridor". Such map shall be on file and available for public inspection in the offices of the Commission and in the offices of the National Park Service.

(2) Upon a request of the Commission signed by not less than twelve members of the Commission, the Secretary may make minor revisions in the boundaries of the corridor. Any such revision shall take effect upon publication by the Secretary in the Federal Register of a revised boundary map.

(c) ADMINISTRATION.—The corridor shall be administered in accordance with this Act.

ESTABLISHMENT OF ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR COMMISSION

SEC. 105. There is established a commission to be known as the Illinois and Michigan Canal National Heritage Corridor Commission which shall carry out the duties specified in section 109.

ORGANIZATION OF COMMISSION

SEC. 106. (a) MEMBERSHIP.—The Commission shall be composed of nineteen members as follows:

1) The Director of the National Park Service, ex officio, or a delegate.
(2) Three individuals, nominated by the Governor and appointed by the Secretary, who will represent the interests of State and local government.

(3) One member of the board of a forest preserve district, any part of which is located in or adjacent to the corridor, who shall be nominated by the Governor and appointed by the Secretary. Appointments made under this paragraph shall rotate among the three forest preserve districts, parts of which are located in the corridor, in a manner which will ensure fairly equal representation on the Commission for each such district.

(4) One member of the county board of each county, any part of which is located in the corridor (other than the county which is represented on the Commission by the member appointed under paragraph (5)), who shall be nominated by the Governor and appointed by the Secretary.

(5) Five individuals, nominated by the Governor and appointed by the Secretary, who will represent the interests of history, archaeology, and historic preservation; of recreation; and of conservation.

(6) Five individuals, nominated by the Governor and appointed by the Secretary, who will represent the interests of business and industry.

The Secretary may request that additional names be submitted for members appointed pursuant to paragraphs (2) through (6). Members appointed under paragraphs (5) and (6) shall be selected with due consideration to equitable geographic distribution. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(b) TERMS.—(1) Except as provided in paragraphs (2) and (3), members of the Commission shall be appointed for terms of three years.

(2) Of the members of the Commission first appointed under paragraphs (2), (3), (4), (5), and (6) of subsection (a)—
(A) six shall be appointed for terms of one year;
(B) six shall be appointed for terms of two years; and
(C) six shall be appointed for terms of three years, as designated by the Governor at the time of nomination.

(3) Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member of the Commission may serve after the expiration of his term until his successor has taken office.

(c) COMPENSATION.—Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

(d) CHAIRPERSON.—(1) The chairperson of the Commission shall be elected by the members of the Commission from among members appointed under paragraphs (5) and (6) of subsection (a).

(2)(A) Except as provided in subparagraph (B), the term of the chairperson shall be two years.

(B) If a member is appointed to a term on the Commission which is less than two years and is elected chairperson of the Commission,
then such member's term as chairperson shall expire at the end of such member's term on the Commission.

(e) QUORUM.—(1) Ten members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(2) Any member of the Commission may vote by means of a signed proxy exercised by another member of the Commission, but any member so voting shall not be considered present for purposes of establishing a quorum.

(3) The affirmative vote of not less than ten members of the Commission shall be required to approve the budget of the Commission.

(f) MEETINGS.—The Commission shall meet at least quarterly at the call of the chairperson or ten of its members. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

STAFF OF COMMISSION

SEC. 107. (a) DIRECTOR AND STAFF.—(1) The Commission shall have a Director who shall be appointed by the Commission and who shall be paid at a rate not to exceed the minimum rate of basic pay payable for level GS-15 of the General Schedule.

(2) The Commission may appoint such additional staff personnel as the Commission considers appropriate and may pay such staff at rates not to exceed the minimum rate of basic pay payable for level GS-15 of the General Schedule. Such staff may include specialists in areas such as interpretation, historic preservation, recreation, conservation, commercial and industrial development and revitalization, financing, and fundraising.

(3) Except as otherwise provided in this subsection, such Director and staff—

(A) shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(B) shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) EXPERTS AND CONSULTANTS.—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, but at rates determined by the Commission to be reasonable.

(c) STAFF OF OTHER AGENCIES.—(1) Upon request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out the Commission's duties under section 109.

(2) The Commission may accept the services of personnel detailed from the State or any political subdivision of the State and may reimburse the State or such political subdivision for such services.

POWERS OF COMMISSION

SEC. 108. (a) HEARINGS.—(1) The Commission may, for the purpose of carrying out this title, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate.
(2) The Commission may not issue subpenas or exercise any subpena authority.

(b) Powers of Members and Agents.—Any member or agent of the Commission, if so authorized by the Commission, may take any action which the Commission is authorized to take by this title.

(c) Administrative Support Services.—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(d) Mails.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) Use of Appropriated Amounts To Obtain Federal Funding.—Notwithstanding any other provision of law, for purposes of any law conditioning the receipt of Federal funding on a non-Federal contribution, any portion of the amounts appropriated pursuant to section 116 of this title may, at the election of the Commission, be used as such non-Federal contribution.

(f) Gifts.—(1) Except as provided in subsection (g)(2)(B), the Commission may, for purposes of carrying out its duties, seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services, received from any source.

(2) For purposes of section 170(c) of the Internal Revenue Code of 1954, any gift to the Commission shall be deemed to be a gift to the United States.

(g) Acquisition of Real Property.—(1) Except as provided in paragraph (2) and except with respect to any leasing of facilities under subsection (c) of this section, the Commission may not acquire any real property or interest in real property.

(2) Subject to paragraph (3) of this subsection, the Commission may acquire real property, or interests in real property, in the corridor—

(A) by gift or devise; or
(B) by purchase from a willing seller.

(3) Any real property or interest in real property acquired by the Commission under paragraph (2) shall be conveyed by the Commission to an appropriate public or private land managing agency with the consent of such agency, as determined by the Commission. Any such conveyance shall be made—

(A) as soon as practicable after such acquisition;
(B) without consideration; and
(C) on the condition that the real property or interest in real property so conveyed is used for public purposes, consistent with the plan.

(h) Modification of Plan.—The Commission may modify the plan if the Commission determines that such modification is necessary to carry out the purpose of this Act. No such modification shall take effect until—

(1) the State and any political subdivision of the State which would be affected by such modification receives notice of such modification; and
(2) if such modification is significant (as determined by the Commission) the Commission—

(A) provides adequate notice (as determined by the Commission) of such modification by publication in the area of the corridor; and
(B) conducts a public hearing with respect to such modification.

(i) **COOPERATIVE AGREEMENTS.**—For purposes of carrying out the plan, the Commission may enter into cooperative agreements with the State, with any political subdivision of the State, or with any person. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Commission of any action proposed by the State, such political subdivision, or such person which may affect the implementation of the plan.

(j) **ADVISORY GROUPS.**—The Commission may establish such advisory groups as the Commission deems necessary to ensure open communication with, and assistance from, the State, political subdivisions of the State, and interested persons.

**DUTIES OF COMMISSION**

**SEc. 109. (a) IMPLEMENTATION OF PLAN.**—The Commission shall implement and support the plan as follows:

1. **(A)** The Commission shall assist the State, any political subdivision of the State, or any nonprofit organization in the appropriate preservation treatment and renovation (in accordance with the plan) of structures of the canal.

   (B) In providing such assistance, the Commission shall in no way infringe upon the authorities and policies of the State or of any political subdivision of the State concerning the management of canal property.

   (C) In providing such assistance or in carrying out any other provision of this Act, the Commission shall not be required to adopt the specifics recommended in the Historic American Engineering Record study published in April 1981.

2. **(A)** The Commission shall assist the State or any political subdivision of the State in establishing and maintaining intermittent recreational trails which are compatible with economic development interests in the corridor.

   (B) In providing such assistance, the Commission shall in no way infringe upon the authorities and policies of the State or of any political subdivision of the State.

3. The Commission shall encourage private owners of property which is located in or adjacent to the corridor to retain voluntarily, as a good neighbor policy, a strip of natural vegetation as a visual screen and natural barrier between recreational trails established under paragraph (2) and development in the corridor.

4. The Commission shall assist in the preservation and enhancement of Natural Areas Inventory, prepared by the Illinois Department of Conservation—

   (A) by encouraging private owners of such natural areas to adopt voluntary measures for the preservation of such natural areas; or

   (B) by cooperating with the State or any political subdivision of the State in acquiring, on a willing seller basis, any such natural area.

In providing such assistance, the Commission shall in no way infringe upon the authorities and policies of the State or of any political subdivision of the State.

5. The Commission shall assist in the enhancement of public awareness of, and appreciation for, the historical, architectural,
and engineering structures in the corridor and the archaeological and geological resources and sites in the corridor—

(A) by consulting with the Secretary with respect to inventories to be completed by the Secretary under section 112(1);

(B) by encouraging private owners of structures, sites, and resources identified in such inventories to adopt voluntary measures for the preservation of such structures, sites, and resources; or

(C) by cooperating with the State or any political subdivision of the State in acquiring, on a willing seller basis, any structure, site, or resource so identified.

(6) The Commission may assist the State, any political subdivision of the State, or any nonprofit organization in the restoration of any historic building in the corridor. Such assistance may include providing technical staff assistance for historic preservation and revitalization efforts.

(7) The Commission shall assist in the interpretation of the cultural and natural resources of the corridor—

(A) by consulting with the Secretary with respect to the implementation of the Secretary’s duties under section 112(2);

(B) by establishing visitor orientation centers in the corridor;

(C) by encouraging voluntary cooperation and coordination between the Federal Government, the State, political subdivisions of the State, and nonprofit organizations with respect to ongoing interpretative services in the corridor; and

(D) by encouraging the State, political subdivisions of the State, and nonprofit organizations to undertake new interpretative initiatives with respect to the corridor.

(8) The Commission shall assist in establishing recognition for the corridor by actively promoting the cultural, historical, natural, and recreational resources of the corridor on a community, regional, statewide, national, and international basis.

(b) ENCOURAGEMENT OF ECONOMIC AND INDUSTRIAL DEVELOPMENT.—The Commission shall encourage, by appropriate means, enhanced economic and industrial development in the corridor consistent with the goals of the plan.

(c) ACCESS ROUTES AND TRAFFIC.—The Commission shall take appropriate action to ensure that—

(1) access routes to the canal and related sites are clearly identified; and

(2) traffic in the corridor is routed away from industrial access routes and sites.

(d) PROTECTIVE FEATURES.—(1) The Commission may finance the installation of a fence, warning sign, or other protective feature in the corridor by the State, by any political subdivision of the State, or by any person if such fence, sign, or other feature is approved by the Commission, any affected governmental body, and the owner and any user of property located adjacent to the property on which such fence, sign, or other feature is to be installed.

(2) The Commission shall not require the installation of any fence, warning sign, or other protective feature.

(e) REDUCING EXCESSIVE LIABILITY.—The Commission shall encourage the State to take appropriate action to ensure that owners and
users of property located in or adjacent to the corridor will not be subject to excessive liability with respect to activities which are carried out by such owners and users on such property and which affect persons and property in the corridor.

(f) **ANNUAL REPORTS.**—Not later than May 15 of each year (other than the year in which this Act is enacted) the Commission shall publish and submit an annual report concerning the Commission's activities to the Governor and to the Secretary.

**RESTRICTIONS ON COMMISSION**

**SEC. 110.** (a) **RESTRICTIONS ON COMMISSION’S DEVELOPMENT.**—(1) The Commission may not develop any site or structure in any area described in paragraph (2) unless such development involves the restoration, rehabilitation, or preservation of a facility existing on the date of the enactment of this Act.

(2) The areas referred to in paragraph (1) are the following areas:

(A) Any area in the corridor designated by the political subdivision of the State which has primary responsibility for regulating land use in such areas (as determined by the Commission) as suitable for industrial development. Areas so designated may include any area adjacent to the Illinois and Michigan Canal State Park, a conservation site, a historical site, or other visitor area.

(B) The area of the corridor in Grundy County, Illinois, extending from Morris, Illinois, to the eastern boundary of section 22, Aux Sable Township, but not including—

(i) lock eight and lock tender’s house (identified as sites 1 and 2, respectively, on the map described in section 104(b));

(ii) Rutherford tavern, the old mule barn, and the historic cemetery (identified as sites 3, 4, and 5, respectively, on such map); and

(iii) any trail in such area which follows the historic towpath of the canal.

(C) The area of the corridor in Will County, Illinois, which extends from a line created from Interstate 55 to the center of the sailing line in the Des Plaines River, west on center line of sailing line to the intersection of the line formed by the eastern edge of sections 30 and 31 of Channahon Township east through Brandon Pool, but not including the trail in such area which follows the historic towpath of the canal.

(D) The area of the corridor in Will County, Illinois, which extends from the southern boundary of section 14, Lockport Township, to the eastern boundary of section 25, DuPage Township.

(b) **RESTRICTIONS ON DEVELOPMENT OF TRAILS.**—The Commission may not develop any new trail along the canal or historic towpath of the canal through industrial sites or railroad rights of way without concurrence of the owner, which—

(1) are located north of the city of Joliet, Illinois; and

(2) existed on the date of the enactment of this Act.

**TERMINATION OF COMMISSION**

**SEC. 111.** (a) **TERMINATION.**—Except as provided in subsection (b), the Commission shall terminate on the day occurring ten years after the date of the enactment of this Act.
(b) Extension.—The Commission may extend the life of the Commission for a period of not more than five years beginning on the day referred to in subsection (a) if, not later than one hundred and eighty days before such day—

(1) the Commission determines such extension is necessary in order for the Commission to carry out the purpose of this title;

(2) the Commission submits such proposed extension to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate; and

(3) the Governor and the Secretary each approve such extension.

DUTIES OF THE SECRETARY

Sec. 112. To carry out the purpose of this Act, the Secretary shall have the following duties:

(1) Not later than September 30, 1985, and in consultation with the Commission, the Secretary shall complete—

(A) an inventory of sites and structures of historical, architectural, or engineering significance in the corridor; and

(B) an inventory of sites and resources of archaeological or geological significance in the corridor.

(2) Not later than September 30, 1986, in consultation with the Commission and in accordance with the plan, the Secretary shall—

(A) develop a thematic structure for the interpretation of the heritage story of the corridor; and

(B) design and fabricate interpretative materials based on such thematic structure, including—

(i) trail guide brochures for exploring such heritage story via private auto, bus, bike, boat, or foot, including brochures for exploring such heritage story in towns along the canal;

(ii) visitor orientation displays (including video presentations) at eight locations which are fairly distributed along the corridor;

(iii) a curriculum element for local schools; and

(iv) an appropriate mobile display depicting such heritage story.

(3) The Secretary shall, upon request of the Commission, provide technical assistance to the Commission in carrying out the provisions of section 109(a)(6). Such assistance may include recommendations concerning appropriate preservation treatment, adaptive reuse potential, strategies for finding private investors, and tax advantages available with respect to such rehabilitation.

(4) The Secretary shall make available to interested persons information which explains tax advantages available with respect to the rehabilitation of historical structures in the corridor.

(5) For each fiscal year during the life of the Commission, the Secretary shall make available to interested persons brochures which explain tax advantages available with respect to the rehabilitation of historical structures in the corridor.
(6) For each fiscal year during the life of the Commission, the
Secretary shall detail to the Commission, on a nonreimbursable
basis, two employees of the Department of the Interior to enable
the Commission to carry out the Commission's duties under
section 109.

DUTIES OF OTHER FEDERAL ENTITIES

Sec. 113. Any Federal entity conducting or supporting significant
activities directly affecting the corridor shall—
(1) consult with the Secretary and the Commission with re­
spect to such activities;
(2) cooperate with the Secretary and the Commission in carry­
ing out their duties under this Act and, to the maximum extent
practicable, coordinate such activities with the carrying out of
such duties; and
(3) to the maximum extent practicable, conduct or support
such activities in a manner which the Commission determines
will not have an adverse effect on the resources cited in the
National Park Service report.

CONVEYANCE OF CANAL TITLE BY UNITED STATES

Sec. 114. (a) CONVEYANCE TO STATE.—(1) Except as provided in
subsection (b), the United States shall convey to the State by quit­
claim deed any right, title, or interest of the United States to the
real property described in the Act entitled "An Act relinquishing to
the State of Illinois certain right, title, or interest of the United
States of America, and for other purposes", approved July 1, 1947
(61 Stat. 237), comprising approximately two thousand six hundred
acres. The instrument of conveyance shall require that, except as
provided in paragraph (2) such real property be used and occupied
only for highway, park, recreational, or other public purposes,
including those provided for under this Act. Such real property may
be leased for utility or transmission purposes (or may be transferred
or leased for park, recreation, or other public purposes consistent
with the plan) if the revenue from any such lease or transfer is used
for park and recreational purposes within the corridor.

(2) The State, or its successors or assigns, may continue to lease for
any purpose any portion of the real property described in subsection
(a) which was leased on or before February 9, 1984, so long as the
revenue from such lease is used for park or recreational purposes
within the corridor. Any private person occupying any portion of the
real property described in subsection (a) may continue to occupy
such real property with the written permission of the State (or of
any successor or assign of the State in the case of any property
which has been transferred to a successor or assign).

(3) Except as provided in paragraph (2), if any real property
conveyed to the State under this section ceases to be used and
occupied as provided in paragraph (1), then any right, title, or
interest in the real property not so used and occupied shall revert to
the United States. The conveyance by the United States under this
subsection shall be subject to the condition that the State of Illinois,
its successors, and assigns agree to hold the United States harmless
from claims arising from or through the operations of the lands
conveyed by the United States due to conditions existing at the time
of this conveyance.

16 USC 461 note.
CONSENT OF SECRETARY OF ARMY.—The interests in the canal prism and towpath lands (including reserved lands) in township 37 north, range 11 east, section 14; township 35 north, range 10 east, sections 9 and 16; township 35 north, range 10 east, sections 16, 20, and 21; township 34 north, range 9 east, section 31; and township 34 north, range 8 east, sections 22, 23, 25, 26, and 36, necessary for the operation and maintenance of the Illinois Waterway navigation project may be conveyed under subsection (a) only with the concur­rence of the Secretary of the Army with such conditions as neces­sary to protect the navigation project.

EFFECT ON ENVIRONMENTAL AND OTHER STANDARDS; RESTRICTIONS; SAVINGS PROVISIONS

SEC. 115. (a) EFFECT ON ENVIRONMENTAL AND OTHER STANDARDS.—
(1) Nothing in this Act shall be deemed to impose any environmen­tal, occupational, safety, or other rule, regulation, standard, or permit process which is different from those presently applicable, or which would be applicable, had the corridor not been established.

(2) The establishment of the corridor shall not impose any change in Federal environmental quality standards. No portion of the corridor which is subject to part C of title I of the Clean Air Act (42 U.S.C. 7470 et seq.), as amended by the Clean Air Act Amendments of 1977, may be designated as class 1 for purposes of such part C solely by reason of the establishment of the corridor.

(3) No State or Federal agency shall impose more restrictive water use designations or water quality standards upon uses of, or dis­charges to, waters of the State or waters of the United States, within or adjacent to the corridor solely by reason of the establishment of the corridor.

(4) Nothing in the establishment of the corridor shall abridge, restrict, or alter any applicable rule, regulation, standard or review procedure for permitting of facilities within or adjacent to the corridor.

(5) Nothing in the establishment of the corridor shall affect the continuing use and operation, as presently located, of all public utilities and common carriers.

(6) Actions taken under this title to achieve the purposes described in section 102(b) shall emphasize voluntary cooperation.

(b) RESTRICTIONS ON COMMISSION AND SECRETARY.—Nothing in this title shall be construed to vest in the Commission or the Secretary any authority—

(1) to require the State, any political subdivision of the State, or any private person to participate in any project or program carried out by the Commission or the Secretary under this title;

(2) to intervene as a party in any administrative or judicial proceeding concerning the application or enforcement of any regulatory authority of the State or any political subdivision of the State, including any authority relating to land use regula­tion, environmental quality, licensing, permitting, easements, private land development, or other occupational or access issues;

(3) to establish or modify any regulatory authority of the State or of any political subdivision of the State, including any authority relating to land use regulation, environmental qual­ity, or pipeline or utility crossings;
(4) to modify any policy of the State or of any political subdivision of the State; or
(5) to establish or modify any authority of the State or of any political subdivision of the State with respect to the acquisition of lands or interests in lands.

c(c) SAVINGS PROVISION.—Nothing in this title shall diminish, enlarge, or modify any right of the State or of any political subdivision of the State—
(1) to exercise civil and criminal jurisdiction within the corridor; or
(2) to tax persons, corporations, franchises, or property, including minerals and other interests in or on lands or waters within the corridor.

AUTHORIZATION OF APPROPRIATIONS; ALLOCATION OF AMOUNTS FOR CERTAIN PURPOSES

SEC. 116. (a) AUTHORIZATION OF APPROPRIATIONS.—(1) For each fiscal year which commences after September 30, 1984, there is authorized to be appropriated—
(A) to the Commission a sum not to exceed $250,000 to carry out the Commission's duties under this title; and
(B) to the Secretary such sums as may be necessary to carry out the Secretary's duties under this title.
(2) Any sum appropriated under paragraph (1) shall remain available until expended.

(b) ALLOCATION OF AMOUNTS FOR CERTAIN PURPOSES.—Not less than 5 per centum of the aggregate amount available to the Commission from all sources for a fiscal year shall be used for carrying out each of the duties of the Commission specified in subsections (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), and (b) of section 109.

COMPLIANCE WITH BUDGET ACT

SEC. 117. Any new spending authority described in subsection (c)(2)(A) of section 401 of the Congressional Budget Act of 1974 which is provided under this title shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

TITLE II

SEC. 201. (a) The Act of May 17, 1954 entitled "An Act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes" (68 Stat. 98; 16 U.S.C. 450jj), is amended by inserting after section 3 the following new sections:
"Sec. 4. (a) The Secretary of the Interior is further authorized to designate for addition to the Jefferson National Expansion Memorial (hereinafter in this Act referred to as the 'Memorial') not more than one hundred acres in the city of East Saint Louis, Illinois, contiguous with the Mississippi River and between the Eads Bridge and the Poplar Street Bridge, as generally depicted on the map entitled 'Boundary Map, Jefferson National Expansion Memorial',

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numbered MWR-366/80,004, and dated February 9, 1984, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The additional acreage authorized by this section is in recognition of the historical significance of the Memorial site to the westward expansion of the United States and the historical linkage of this site on the Mississippi in both Missouri and Illinois to such expansion, the international recognition of the Gateway Arch, designed by Eero Saarinen, as one of the world’s great sculptural and architectural achievements, and the increasing use of the Memorial site by millions of people from all over the United States and the world.

“(b) Within the area designated in accordance with this section, the Secretary of the Interior may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange, except that lands owned by the State of Illinois or any political subdivision thereof may be acquired only by donation.

“Sec. 5. Where appropriate in the discretion of the Secretary of the Interior, he may transfer by lease or otherwise, to any appropriate person or governmental entity, land owned by the United States (or any interest therein) which has been acquired by the Secretary under section 4. Any such transfer shall be consistent with the management plan for the area and with the requirements of section 5 of the Act of July 15, 1968 (82 Stat. 356; 16 U.S.C. 460i-22) and shall be subject to such conditions and restrictions as the Secretary deems necessary to carry out the purposes of this Act, including terms and conditions which provide for—

“(1) the continuation of existing uses of the land which are compatible with the Memorial,

“(2) the protection of the important historical resources of the leased area, and

“(3) the retention by the Secretary of such access and development rights as the Secretary deems necessary to provide for appropriate visitor use and resource management.

In transferring any lands or interest in lands under this section, the Secretary shall take into account the views of the Commission established under section 8.

“Sec. 6. Lands and interests in lands acquired pursuant to section 4 shall, upon acquisition, be a part of the Memorial. The Secretary of the Interior shall administer the Memorial in accordance with this Act and the provisions of law generally applicable to units of the national park system, including the Act entitled ‘An Act to establish a National Park Service, and for other purposes’, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the development, management, and operation of that portion of the Memorial which is added to the Memorial under section 4, the Secretary shall, to the maximum extent feasible, utilize the assistance of State and local government agencies and the private sector. For such purposes, the Secretary may, consistent with the management plan for the area, enter into cooperative agreements with the State, with any political subdivision of the State, or with any person. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Secretary of any action proposed by the State, such political subdivision, or such person, which may affect the area.
"Sec. 7. (a) There is hereby established the Jefferson National Expansion Memorial Commission (hereinafter in this Act referred to as the 'Commission').

(b) The Commission shall be composed of twenty members as follows:

(1) The county executive of Saint Louis County, Missouri, ex officio, or a delegate.
(2) The chairman of the Saint Clair County Board of Supervisors, Illinois, ex officio, or a delegate.
(3)(A) The executive director of the Bi-State Development Agency, Saint Louis, Missouri, ex officio, or a delegate.
(B) A member of the Bi-State Development Agency, Saint Louis, Missouri, who is not a resident of the same State as the executive director of such agency, appointed by a majority of the members of such agency, or a delegate.
(4) The mayor of the city of East Saint Louis, Illinois, ex officio, or a delegate.
(5) The mayor of Saint Louis, Missouri, ex officio, or a delegate.
(6) The Governor of the State of Illinois, ex officio, or a delegate.
(7) The Governor of the State of Missouri, ex officio, or a delegate.
(8) The Secretary of the Interior, ex officio, or a delegate.
(9) The Secretary of Housing and Urban Development, ex officio, or a delegate.
(10) The Secretary of Transportation, ex officio, or a delegate.
(11) The Secretary of the Treasury, ex officio, or a delegate.
(12) The Secretary of Commerce, ex officio, or a delegate.
(13) The Secretary of the Smithsonian Institution, ex officio, or a delegate.
(14) Three individuals appointed by the Secretary of the Interior from a list of individuals nominated by the mayor of East Saint Louis, Illinois, and the Governor of the State of Illinois.
(15) Three individuals appointed by the Secretary of the Interior from a list of individuals nominated by the mayor of Saint Louis, Missouri, and the Governor of the State of Missouri.

Individuals nominated for appointment under paragraphs (14) and (15) shall be individuals who have knowledge and experience in one or more of the fields of parks and recreation, environmental protection, historic preservation, cultural affairs, tourism, economic development, city planning and management, finance, or public administration. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c)(1) Except as provided in paragraphs (2) and (3), members of the Commission shall be appointed for terms of three years.
(2) Of the members of the Commission first appointed under paragraphs (14) and (15) of subsection (c)—
(A) two shall be appointed for terms of one year;
(B) two shall be appointed for terms of two years; and
(C) two shall be appointed for terms of three years;
as designated by the Secretary of the Interior at the time of appointment.
"(3) Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member of the Commission may serve after the expiration of his term until his successor has taken office.

"(d) Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

"(e) The chairperson of the Commission shall be elected by the members of the Commission.

"(f) Upon request of the Commission, the head of any Federal agency represented by members on the Commission may detail any of the personnel or such agency, or provide administrative services to the Commission to assist the Commission in carrying out the Commission's duties under section 8.

"(g) The Commission may, for the purposes of carrying out the Commission's duties under section 8, seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services, received from any source.

"(h)(1) Except as provided in paragraph (2), the Commission shall terminate on the day occurring ten years after the date of enactment of this section.

"(2) The Secretary of the Interior may extend the life of the Commission for a period of not more than five years beginning on the day referred to in paragraph (1) if the Commission determines that such extension is necessary in order for the Commission to carry out this Act.

"Sec. 8. (a) Within two years from the enactment of this section, the Commission shall develop and transmit to the Secretary a development and management plan for the East Saint Louis, Illinois, portion of the Memorial. The plan shall include—

"(1) measures for the preservation of the area's resources;

"(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems, and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and cost estimates;

"(3) identification of any implementation commitments for visitor carrying capacities for all areas of the area;

"(4) indications of potential modifications to the external boundaries of the area, the reasons therefore, and cost estimates;

"(5) measures and commitments for insuring that the development, management, and operation of the area in the State of Illinois are compatible with the portion of the Memorial in the State of Missouri;

"(6) opportunities and commitments for cooperative activities in the development, management, and operation of the East Saint Louis portion of the Memorial with other Federal, State, and local agencies, and the private sector; and

"(7) effective and appropriate ways to increase local participation in the management of the East Saint Louis portion of the..."
Memorial to help reduce the day-to-day operational and management responsibilities of the National Park Service and to increase opportunities for local employment.

"(b) The plan shall also identify and include—

"(1) needs, opportunities, and commitments for the aesthetic and economic rehabilitation of the entire East Saint Louis, Illinois, waterfront and adjacent areas, in a manner compatible with and complementary to, the Memorial, including the appropriate commitments and roles of the Federal, State, and local governments and the private sector; and

"(2) cost estimates and recommendations for Federal, State, and local administrative and legislative actions.

In carrying out its duties under this section, the Commission shall take into account Federal, State, and local plans and studies respecting the area, including the study by the National Park Service on the feasibility of a museum of American ethnic culture to be a part of any development plans for the Memorial.

"Sec. 9. (a) Upon completion of the plan, the Commission shall transmit the plan to the secretary for his review and approval of its adequacy and appropriateness. In order to approve the plan, the Secretary must be able to find affirmatively that:

"(1) The plan addresses all elements outlined in section 8 above;

"(2) The plan is consistent with the Saint Louis, Missouri, portion of the Memorial;

"(3) There are binding commitments to fund land acquisition and development, including visitor circulation and transportation systems and modes, in amounts sufficient to completely implement the plan as recommended by the Commission from sources other than funds authorized to be appropriated in this Act; and

"(4) There are binding commitments to fund or provide the equivalent of all costs in excess of $350,000 per annum for the continued management, operation, and protection of the East Saint Louis, Illinois, portion of the Memorial.

"(b) The Secretary shall transmit in writing a notice of his approval and his certification as to the existence and nature of funding commitments contained in the approved plan to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate.

"Sec. 10. Pending submission of the Commission's plan, any Federal entity conducting or supporting significant activities directly affecting East Saint Louis, Illinois, generally and the site specifically referred to in section 4 shall—

"(1) consult with the Secretary of the Interior and the Commission with respect to such activities;

"(2) cooperate with the Secretary of the Interior and the Commission in carrying out their duties under this Act, and to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

"(3) to the maximum extent practicable, conduct or support such activities in a manner which the Secretary determines will not have an adverse effect on the Memorial.

(b) The Act of May 17, 1954 entitled "An Act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan
approved by the United States Territorial Expansion Memorial Commission, and for other purposes” (68 Stat. 98; 16 U.S.C. 450jj) is amended by—

(1) redesignating “Sec. 4.” (as so designated prior to the amendments made in subsection (a) of this section) as “Sec. 11. (a)”; and

(2) adding at the end thereof the following new subsections:

“(b) For the purposes of the East Saint Louis portion of the Memorial, there is hereby authorized to be appropriated not to exceed $1,000,000 for land acquisition and not to exceed $1,250,000 for development, of which not to exceed $500,000 shall be available only for landscaping and only for expenditure in the ratio of one dollar of Federal funds to one dollar of non-Federal funds: Provided, That no funds authorized to be appropriated hereunder may be appropriated prior to the approval by the Secretary of the plan developed by the Commission.

“(c) Funds appropriated under subsection (b) of this section shall remain available until expended.

“(d) Authority to enter into contracts or make payments under this Act shall be effective for any fiscal year only to the extent that appropriations are available for that purpose.”.

SEC. 202. Any provision of this title (or any amendment made by this title) which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1988.

SEC. 203. This title may be cited as the “Jefferson National Expansion Memorial Amendments Act of 1984”.

Approved August 24, 1984.
An Act

To amend the Wild and Scenic Rivers Act by designating a segment of the Illinois River in Oregon and the Owyhee River in Oregon as components of the National Wild and Scenic Rivers System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wild and Scenic Rivers Act (82 Stat. 906 as amended; 16 U.S.C. 1271-1287), is further amended as follows:

In section 3(a) after the last paragraph insert the following new paragraphs:

“(52) Illinois, Oregon: The segment from the boundary of the Siskiyou National Forest downstream to its confluence with the Rogue River as generally depicted on a map entitled 'Illinois River Study' and is also part of a report entitled 'A Proposal: Illinois Wild and Scenic River'; to be administered by the Secretary of Agriculture. After consultation with State and local governments and the interested public, the Secretary shall take such action as is required under subsection (b) of this section within one year from the date of enactment of this paragraph. For the purposes of this Act with respect to the river designated by this paragraph, effective October 1, 1984, there are authorized to be appropriated such sums as necessary for the acquisition of lands or interests in lands, and such sums as necessary for development.

“(53) Owyhee, Oregon: The South Fork from the Idaho-Oregon State line downstream to Three Forks; the Owyhee River from Three Forks downstream to China Gulch; and the Owyhee River downstream from Crooked Creek to the Owyhee Reservoir as generally depicted on a map entitled 'Owyhee, Oregon' dated April 1984; all three segments to be administered as a wild river by the Secretary of the Interior. After consultation with State and local governments and the interested public, the Secretary shall take such appropriate action as is required under subsection (b) of this section within one year from the date of enactment of this paragraph. For the purposes of this Act with respect to the river designated by this paragraph, effective October 1, 1984, there are authorized to be appropriated such sums as necessary for the acquisition of lands or interests and such sums as necessary for development.”.

SEC. 2. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

“(90) The North Umpqua, Oregon: The segment from the Soda Springs Powerhouse to the confluence of Rock Creek. The provisions of section 7(a) shall apply to tributary Steamboat Creek in the same
manner as such provisions apply to the rivers referred to in such section 7(a). The Secretary of Agriculture shall, in the Umpqua National Forest plan, provide that management practices for Steamboat Creek and its immediate environment conserve, protect, and enhance the anadromous fish habitat and population.

Public Law 98-323
98th Congress

An Act

To establish wilderness areas in New Hampshire, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "New Hampshire Wilderness Act of 1984".

TITLE I—NEW WILDERNESS AREAS

DESIGNATION OF WILDERNESS AREAS

SEC. 101. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

1. certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately forty-five thousand acres, as generally depicted on a map entitled "Pemigewasset Wilderness—Proposed", dated July 1983, and which shall be known as the Pemigewasset Wilderness Area;

2. certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately twenty-five thousand acres, as generally depicted on a map entitled "Sandwich Range Wilderness—Proposed", dated July 1983, and which shall be known as the Sandwich Range Wilderness; and

3. certain lands in the White Mountain National Forest, New Hampshire, which comprise approximately seven thousand acres, as generally depicted on a map entitled "Presidential Range-Dry River Wilderness Additions—Proposed", dated July 1983, and which are hereby incorporated in and shall be deemed to be a part of the Presidential Range-Dry River Wilderness as designated by Public Law 93-622.

MAPS AND DESCRIPTIONS

SEC. 102. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.
ADMINISTRATION OF WILDERNESS

SEC. 103. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

EFFECT OF RARE II

SEC. 104. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of New Hampshire and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than New Hampshire, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of New Hampshire;

(2) with respect to the National Forest System lands in the State of New Hampshire which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of New Hampshire reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976; Provided, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans; and

(4) in the event that revised land management plans in the State of New Hampshire are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management
Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to—

(1) those National Forest System roadless lands in the State of New Hampshire which were evaluated in the Kancamagus, Waterville Valley, and Presidential unit plans; and

(2) National Forest System roadless lands in the State of New Hampshire which are less than five thousand acres in size.

(e) The Kilkenny Unit Plan Area, as depicted on a map entitled "Kilkenny Unit Plan Area", dated October 1983, shall be considered for all uses, including wilderness, during preparation of a forest plan for the White Mountain National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976.

(f) The provisions of this section shall not apply to any lands in the White Mountain National Forest located within the State of Maine.

TITLE II—WILD AND SCENIC RIVER STUDY

WILDCAT BROOK WILD AND SCENIC RIVER STUDY

Sec. 201. Section 5(a) of the Wild and Scenic Rivers Act (Public Law 90-542; 82 Stat. 906, as amended) is further amended by adding at the end thereof the following new paragraph:

"(89) Wildcat Brook, New Hampshire: The segment from its headwaters including the principal tributaries to its confluence with the Ellis River. The study authorized in this paragraph shall be completed no later than six years from the date of enactment of this paragraph and an interim report shall be prepared and submitted to the Congress no later than three years from the date of enactment of this paragraph."

TITLE III—NATIONAL FOREST BOUNDARY EXPANSION

PURCHASE OF PILOT RANGE TRACTS

Sec. 301. In order to develop and preserve recreational opportunities, maintain long-term public access, and provide the watershed protection and controlled timber harvesting associated with National Forest System ownership, the Secretary of Agriculture is authorized to purchase, under the provisions of the Weeks Act of March 1, 1911 (16 U.S.C. 480 et seq.), certain lands contiguous to the White Mountain National Forest, New Hampshire, comprising approximately four thousand acres, as generally depicted on the map entitled "Pilot Range Tracts", dated 1984. The maps and legal description of the boundary of such lands shall be on file and
available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture, and appropriate field offices of the Forest Service.

ADDITION TO THE WHITE MOUNTAIN NATIONAL FOREST

Sec. 302. All lands purchased pursuant to section 301 of this title are hereby added to the White Mountain National Forest, and shall be administered in accordance with the laws, rules, and regulations applicable with respect to lands in the National Forest System.

LAND AND WATER CONSERVATION FUND

Sec. 303. For the purpose of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundary of the White Mountain National Forest, as modified by this title, shall be treated as if it were the boundary of that forest as of January 1, 1965.

AUTHORIZATION FOR APPROPRIATIONS

Sec. 304. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this title.

Approved June 19, 1984.

LEGISLATIVE HISTORY—H.R. 3921:

HOUSE REPORT No. 98-545, Pt. 1 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-414 (Comm. on Agriculture, Nutrition, and Forestry).
CONGRESSIONAL RECORD:
June 6, House concurred in Senate amendments.
June 19, Presidential statement.

113
Public Law 98-572
98th Congress

An Act

Oct. 30, 1984
[H.R. 8331]

To authorize the exchange of certain lands between the Bureau of Land Management and the city of Los Angeles for purposes of the Santa Monica Mountains National Recreation Area.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 507(c)(2) of the National Parks and Recreation Act of 1978 (92 Stat. 3501) is amended by—

(1) inserting "(A)" after "(2)";

(2) striking out "Any" in the third sentence thereof and substituting "Except as provided in subparagraph (B), any"; and

(3) adding the following new subparagraphs at the end thereof:

"(B) The Secretary shall negotiate, and carry out, an exchange with the city of Los Angeles (acting through its department of water and power) of certain federally owned lands managed by the Bureau of Land Management in the vicinity of the Haiwee Reservoir in Inyo County for certain lands owned by the city of Los Angeles which are associated with the Upper Franklin Reservoir in the city of Los Angeles. Lands acquired by the Secretary pursuant to such exchange shall be transferred without cost to the administrative jurisdiction of the National Park Service for inclusion within the recreation area. The Secretary shall include in such exchange a provision for an easement to be granted to the city of Los Angeles for the existing water pipeline associated with the Upper Franklin Reservoir and for the city of Los Angeles to provide for replacement water to maintain the water elevations of the Franklin Reservoir to the current levels. The values of lands exchanged under this provision shall be equal, or shall be equalized, in the same manner as provided in section 206 of the Federal Land Policy and Management Act of 1976.

Public lands.
43 USC 460kk.

43 USC 1716.
"(C) The city shall assume full responsibility for the protection of cultural resources and shall develop a cultural resource management program for the public lands to be transferred to the city in the vicinity of the Haiwee Reservoir. The program shall be developed in consultation with the Secretary of the Interior, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation."

Public Law 98-503
98th Congress

An Act

To amend the Act of October 18, 1972, to authorize additional authorization of appropriations for Sitka National Historical Park, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to authorize certain additions to the Sitka National Monument in the State of Alaska, and for other purposes", approved October 8, 1972 (86 Stat. 904), as amended by section 101, paragraph (23), of the Act of November 10, 1978 (92 Stat. 3472) is further amended by striking out "$1,571,000" and inserting in lieu thereof "such sums as may be necessary, but not to exceed $4,000,000".


LEGISLATIVE HISTORY—S. 1688:
SENATE REPORT No. 98-550 (Comm. on Energy and Natural Resources).
   Oct. 3, considered and passed Senate.
   Oct. 5, considered and passed House.

116
Public Law 98–505
98th Congress

An Act

To add $2,000,000 to the budget ceiling for new acquisitions at Sleeping Bear Dunes National Lakeshore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Act entitled “An Act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes”, approved October 21, 1970 (Public Law 91–479; 16 U.S.C. 460x–14), as amended, is further amended by striking out “$82,149,558” and inserting in lieu thereof “$84,149,558”.


LEGISLATIVE HISTORY—S. 1868:

HOUSE REPORT No. 98–1032 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98–419 (Comm. on Energy and Natural Resources).
    Aug. 9, considered and passed Senate.
    Oct. 2, considered and passed House.
Redesignating the Saint Croix Island National Monument in the State of Maine as the “Saint Croix Island International Historic Site”.

Whereas in the summer of 1604, a small French expedition led by Sieur de Monts established the first European settlement in the northern half of North America on what is now Saint Croix Island, on the Saint Croix River, in the State of Maine;

Whereas pursuant to the Act entitled “An Act to authorize the establishment of the Saint Croix Island National Monument in the State of Maine” (approved June 8, 1949), portions of Saint Croix Island of national historical importance were established as the Saint Croix Island National Monument, a unit of the National Park System;

Whereas the historic settlement on Saint Croix Island marked the beginning of European colonization of Canada, from which the French embarked to establish the settlement which became Quebec; and

Whereas Saint Croix Island is important to the history of the people of Canada as well as that of the people of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in recognition of its historic significance to the United States and Canada, the Saint Croix Island National Monument in the State of Maine is hereby redesignated as the “Saint Croix Island International Historic Site”.

(b) Any reference in a law, map, regulation, document, record, or other paper of the United States to such monument shall be deemed to be a reference to the “Saint Croix Island International Historic Site”.

Sept. 25, 1984
[S.J. Res. 25]
(c) Nothing in this joint resolution shall affect the status of the "Saint Croix Island International Historic Site" as a national monument and a unit of the National Park System.

Approved September 25, 1984.
An Act

To amend section 1601(d) of Public Law 96-607 to permit the Secretary of the Interior to acquire title in fee simple to McClintock House at 16 East Williams Street, Waterloo, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1601(c) of Public Law 96-607 (16 U.S.C. 410ll(c)) is amended by striking paragraph "(8)" and inserting the following:

“(8) McClintock House and related structures, 14 and 16 East Williams Street, Waterloo; and”.

(b) Section 1601(d) is amended by striking out the word “through” and inserting the word “and” in lieu thereof; and by adding at the end of the subsection the following: “Within two years of the acquisition of the property listed in subsection (c)(8) the Secretary shall have removed all structures from the property that are not relevant to the historic integrity of the McClintock House.”.

Approved August 28, 1984.
National Capital Region
Public Law 98–504
98th Congress

An Act

To authorize the Secretary of the Interior to enter into contracts or cooperative agreements with the Art Barn Association to assist in the preservation and interpretation of the Art Barn in Rock Creek Park in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve the Art Barn, located in Rock Creek Park in the District of Columbia, for the benefit and inspiration of the people of the United States, the Secretary of the Interior is authorized to enter into contracts or cooperative agreements with the Art Barn Association (a nonprofit corporation organized under the laws of the District of Columbia), or a successor organization, to assist in the preservation and interpretation of the Art Barn.

(b) Pursuant to contracts or cooperative agreements under subsection (a) and subject to such terms and conditions as the Secretary of the Interior may establish, funds available to the Secretary for operation and maintenance of the Art Barn may be made available to the Art Barn Association.

(c) The authority of the Secretary of the Interior to enter into contracts and cooperative agreements under subsection (a) shall expire on the date 5 years after the enactment of this Act.

(d) For purposes of complying with section 401 of the Congressional Budget Act of 1974, the authorization provided under this Act is subject to the availability of appropriations.

Public Law 98-340
98th Congress

An Act

To direct the Architect of the Capitol and the District of Columbia to enter into an agreement for the conveyance of certain real property, to direct the Secretary of the Interior to permit the District of Columbia and the Washington Metropolitan Area Transit Authority to construct, maintain, and operate certain transportation improvements on Federal property, and to direct the Architect of the Capitol to provide the Washington Metropolitan Area Transit Authority access to certain real property.

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

SECTION 1. (a) Within sixty days after the enactment of this Act, the Architect of the Capitol under the direction of the Joint Committee on the Library (hereinafter referred to as the "Architect") and the District of Columbia government (hereinafter referred to as the "District") shall enter into an agreement consistent with the provisions of this Act.

(b) Such agreement shall include the following provisions:

   (1) The Architect and the District shall determine a site of not less than twenty-five contiguous acres under the jurisdiction of the District upon which the facilities existing on the date of enactment of this Act which are operated and maintained by the United States Botanic Garden at the Poplar Point Greenhouse and Nursery described in section 3(a) shall be relocated.

   (2) The District shall convey without consideration to the Architect on behalf of the United States all right, title, and interest of the District in any real property determined pursuant to paragraph (1) as the replacement site.

   (3) The District shall convey without consideration to the Secretary of the Interior (hereinafter referred to as the "Secretary") on behalf of the United States all right, title, and interest of the District in the real property described in section 3(b), known as the Lanham Tree Nursery.

SEC. 2. (a) Within sixty days of the enactment of this Act the real property described in section 3(a), known as the Botanic Garden Greenhouse and Nursery at Poplar Point, shall come within the jurisdiction of the Secretary: Provided, That the Architect shall retain the right to continue the current use of the property until the replacement facilities of the Architect are completed.

(b) Within sixty days after the Secretary assumes jurisdiction for such real property under subsection (a), the Secretary shall enter into an agreement with the District and the Washington Metropolitan Area Transit Authority under which the District and the Washington Metropolitan Area Transit Authority will be authorized to construct, maintain, and operate certain facilities designed to improve transportation in the Washington metropolitan area.

(c) Upon the Secretary assuming jurisdiction for such real property under subsection (a), the Secretary and the District shall develop a land use plan for such portions of any real property described in section 3 as the Secretary and the District jointly
determine will not be necessary for transportation improvement purposes when green line service is extended to its ultimate terminus in Prince George's County.

(d) On the date of conveyance of such real property as described in section 1(b)(2), the United States Capitol Police shall have such jurisdiction over such real property as is provided under section 1826 of the Revised Statutes (40 U.S.C. 215).

(e) The Architect shall, not later than ten days after the enactment of this Act, provide to the Washington Metropolitan Area Transit Authority access to the real property described in section 3(a) for the purpose of conducting any and all necessary surveys, studies, evaluations, and tests, as determined by the Washington Metropolitan Area Transit Authority, and for the purposes of construction of the rail line tunnel in the area beginning at a point on the east line of the parcel, the point of beginning having Metro project coordinates north 376,664.236 and east 801,187.843, thence leaving said line and through said parcel the following seven courses:

(1) South 76 degrees 32 minutes 04.2 seconds west, 294.52 feet; thence
(2) south 16 degrees 25 minutes 29.4 seconds east, 9.80 feet; thence
(3) south 73 degrees 34 minutes 30.2 seconds west, 86.57 feet; thence
(4) north 16 degrees 24 minutes 31.2 seconds west, 9.80 feet; thence
(5) south 73 degrees 34 minutes 20.8 seconds west, 31.39 feet; thence
(6) south 0 degrees 01 minutes 36.3 seconds east, 109.22 feet; thence
(7) north 90 degrees 0 minutes 0 seconds west, 420.76 feet to a point on the west line of said parcel; thence along said line
(8) north 0 degrees 01 minutes 35.8 seconds west, 577.12 feet to the northwest corner of said parcel; thence along the northerly line of said parcel
(9) south 72 degrees 01 minutes 48.6 seconds east, 862.55 feet to the northeast corner of said parcel; thence along the east line of said parcel
(10) south 0 degrees 02 minutes 22.5 seconds east, 99.85 feet to the point of beginning, containing 300,235 square feet or 6.892 acres.

(f) When the facilities of the Architect have been relocated, pursuant to section 1, the Secretary shall provide the Washington Metropolitan Area Transit Authority right of access to construct, maintain, and operate all other transportation facilities described in section 3(a) designed to improve transportation in the Washington metropolitan area.

Sec. 3. (a) The real property referred to in section 1(b)(1) known as the Botanic Garden Greenhouse and Nursery which is in Anacostia Park is comprised of the following parcels of property:

(1) A parcel of approximately fourteen and seventy-five one-hundredths acres that was transferred from the Director of Public Buildings and Public Parks of the National Capital to the jurisdiction of the United States Botanic Garden for use as a tree nursery pursuant to the Act of June 26, 1926 (44 Stat. 774).

(2) A parcel of approximately seven and eighty-three one-hundredths acres that was acquired by the United States
Botanic Garden from the Secretary in 1935 in exchange for certain other property under the provisions of the Act of May 20, 1932 (47 Stat. 161).

(3) A parcel of approximately two and eight one-hundredths acres that is occupied by the Architect pursuant to a special use permit issued by the Secretary on March 10, 1977, to the chairman of the Joint Committee on the Library.

(b) The real property referred to in section 1(b)(3) known as the Lanham Tree Nursery which is in Anacostia Park consists of a parcel of approximately thirty-four and five-tenths acres that was transferred from the Director of Public Buildings and Public Parks of the National Capital to the jurisdiction of the District for use as a tree nursery.

An Act

Entitled the "Gladys Noon Spellman Dedication".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that Gladys Noon Spellman, elected to four terms in the House of Representatives from the State of Maryland, should be afforded recognition not only for her personal efforts in upgrading one of the Capital region's most important transportation corridors, but more broadly for the dedication, commitment, and concern she expended on behalf of the people of Maryland. The quality of her service to the public exemplifies the high ideals and principles she held paramount.

SEC. 2. The parkway, under the jurisdiction of the Secretary of the Interior, in the State of Maryland known as the Baltimore-Washington Parkway, is hereby dedicated to Gladys Noon Spellman in recognition of her efforts to upgrade a most important transportation corridor in the Capital region and more broadly, to recognize her service to people of Maryland and the Nation as a Member of the House of Representatives of the Congress of the United States.

SEC. 3. In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such identification by signs, including, but not limited to existing signs, materials, maps, markers, interpretive programs, or other means as will appropriately inform the public of the contributions of Gladys Noon Spellman.

SEC. 4. The Secretary of the Interior is further authorized and directed to cause to be erected and maintained, at a suitable location adjacent to the Baltimore-Washington Parkway, an appropriate marker commemorating the contributions of Gladys Noon Spellman.
SEC. 5. Effective October 1, 1983, there are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Approved July 12, 1983.
Public Law 98-205
98th Congress

An Act

To designate the Federal building to be constructed in Savannah, Georgia, as the "Juliette Gordon Low Federal Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal building to be constructed at Telfair Square, Savannah, Georgia, shall hereafter be named and designated as the "Juliette Gordon Low Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the "Juliette Gordon Low Federal Building".

SEC. 2. (a) The Administrator of General Services (hereinafter referred to as the "Administrator") may accept and use contributions from individuals and private organizations for the design and construction of a memorial, to be located in or around the building referred to in the first section of this Act, commemorating the life and accomplishments of Juliette Gordon Low. The Administrator, in consultation with the chairman of the National Endowment for the Arts and the national president of the Girl Scouts of America, shall determine the appropriate form and location of such memorial, taking into account the cost of maintaining such memorial.

(b) The Administrator shall provide maintenance for such memorial.

SEC. 3. Notwithstanding any other provision of law, the Secretary of Transportation, in cooperation with the Commonwealth of Virginia and the District of Columbia, shall carry out a demonstration project on Interstate Highways 95 and 395 in Virginia and the District of Columbia for a period of not less than 12 months commencing within 30 days after the District of Columbia begins actual reconstruction of the George Mason Bridge. The Commonwealth of Virginia and the District of Columbia shall restrict the use of the express lanes on such highway to buses, emergency vehicles, and other vehicles carrying four or more persons during the hours of 6 o'clock ante meridiem to 9 o'clock ante meridiem on Monday through Friday, exclusive of holidays, on northbound lanes and during the hours of 3:30 o'clock post meridiem to 6 o'clock post meridiem on Monday through Friday, exclusive of holidays, on southbound lanes during the demonstration period. The Secretary of Transportation, in consultation with the Commonwealth of Virginia and the District of Columbia, may adjust such hours and refine the demonstration to enhance safety, minimize congestion, and maximize the use of the facility. During the demonstration period, the Secretary of Transportation, in cooperation with the Commonwealth of Virginia and the District of Columbia shall carry out an environmental assessment of the effects of the high occupancy vehicle restrictions, and shall, upon completion of such assessment, report to the Congress the results of the assessment and the demonstration project.
SEC. 4. Section 4 of the John F. Kennedy Center Act is amended by inserting "(a)" after "Sec. 4." and by adding at the end thereof the following new subsection:

"(b)(1) Except as provided in paragraph (2) of this subsection, the Board shall assure that after the date of enactment of this subsection, no additional memorials or plaques in the nature of memorials shall be designated or installed in the public areas of the John F. Kennedy Center for the Performing Arts.

"(2) Paragraph (1) of this subsection shall not apply to—

"(A) any plaque acknowledging a gift from a foreign country;

"(B) any plaque on a theater chair or a theater box acknowledging the gift of such chair or box; and

"(C) any inscription on the marble walls in the north or south galleries, the Hall of States, or the Hall of Nations acknowledging a major contribution;

which plaque or inscription is permitted under policies of the Board in effect on the date of enactment of this subsection.

"(3) For purposes of this subsection, testimonials and benefit performances shall not be construed to be memorials."

SEC. 5. Notwithstanding any other provisions of law and the Secretary of Transportation's decision on Interstate Highway 66, Fairfax and Arlington Counties, Virginia, dated January 5, 1977, the Secretary of Transportation, in cooperation with the Commonwealth of Virginia, shall carry out a demonstration project on Interstate Highway 66 in Fairfax and Arlington Counties, Virginia for a period not less than 12 months commencing within 60 days of the enactment of this section. The Commonwealth of Virginia shall restrict the use of such highway between I-495 and the District of Columbia to high occupancy vehicles carrying three or more passengers during the hours of 7 o'clock ante meridiem to 9 o'clock ante meridiem on Monday through Friday, exclusive of holidays, on eastbound lanes and during the hours of 4 o'clock post meridiem to 6 o'clock post meridiem on Monday through Friday, exclusive of holidays, on westbound lanes during the demonstration period. High occupancy vehicle requirements shall not apply to vehicles entering I-66 or the...
Theodore Roosevelt Bridge from Lynn Street or the George Washing­
ton Parkway in Arlington County, Virginia. During the demon­
stration period, the Secretary of Transportation, in cooperation with
the Commonwealth of Virginia, shall carry out an environmental
assessment of the effects of the high occupancy vehicle restrictions,
and shall, upon completion of such assessment, report to the Con­
gress the results of the assessment and the demonstration project.

Approved December 2, 1983.
Joint Resolution

Authorizing the Kahlil Gibran Centennial Foundation to establish a memorial in the District of Columbia or its environs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Kahlil Gibran Centennial Foundation is authorized to establish a memorial on Federal land in the District of Columbia or its environs to honor the Lebanese-American poet and artist, Kahlil Gibran.

(b) In carrying out subsection (a), the Foundation shall be responsible for preparation of the design and plans for the memorial, which shall be subject to the approval of the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission.

Sec. 2. The Secretary of the Interior—

(1) with the approval of the Commission of Fine Arts and the National Capital Planning Commission, shall select a site for the memorial;

(2) shall not permit construction of the memorial to begin unless the Secretary determines that sufficient amounts are available for completion of the memorial in accordance with the approved design and plans; and

(3) shall be responsible for maintenance of the memorial after completion of construction.

Sec. 3. The United States shall not pay any expense of the establishment of the memorial.

Sec. 4. The authority to establish the memorial under this resolution shall expire at the end of the five-year period beginning on the date of the enactment of this resolution, unless construction of the memorial begins during that period.


LEGISLATIVE HISTORY—H.J. Res. 580:

HOUSE REPORT No. 98-1051 (Comm. on House Administration).
SENATE REPORT No. 98-640 (Comm. on Rules and Administration).
Sept. 24, considered and passed House.
Oct. 4, considered and passed Senate.

Expiration date.

Oct. 19, 1984
[H.J. Res. 580]
Joint Resolution

Authorizing the Law Enforcement Officers Memorial Fund to establish a memorial in the District of Columbia or its environs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Law Enforcement Officers Memorial Fund is authorized to establish the National Law Enforcement Heroes Memorial on Federal land in the District of Columbia or its environs to honor law enforcement officers who die in the line of duty.

(b) In carrying out subsection (a), the Fund shall be responsible for preparation of the design and plans for the memorial, which shall be subject to the approval of the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission.

Sec. 2. The Secretary of the Interior—
(1) with the approval of the Commission of Fine Arts and the National Capital Planning Commission, shall select a site for the memorial;
(2) shall not permit construction of the memorial to begin unless the Secretary determines that sufficient amounts are available for completion of the memorial in accordance with the approved design and plans; and
(3) shall be responsible for maintenance of the memorial after completion of construction.

Sec. 3. The United States shall not pay any expense of the establishment of the memorial.

Sec. 4. The authority to establish the memorial under this resolution shall expire at the end of the five-year period beginning on the date of the enactment of this resolution, unless construction of the memorial begins during that period.


LEGISLATIVE HISTORY—H.J. Res. 482 (S.J. Res. 235):

HOUSE REPORT No. 98-1084 (Comm. on House Administration).
SENATE REPORT No. 98-528 accompanying S.J. Res. 235 (Comm. on the Judiciary).
Oct. 1, considered and passed House.
Oct. 5, considered and passed Senate.
An Act

To designate a "Nancy Hanks Center" and the "Old Post Office Building" in Washington, District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares—

(1) Nancy Hanks served as Chairman of the National Endowment for the Arts from 1969 to 1977 and during that period presided with distinction over a substantial increase in support for the arts in the United States;

(2) she provided wise leadership in defining a proper role for the Federal Government in the cultural life of the Nation, and safeguarding the creative integrity of artists and arts institutions against Government interference;

(3) her wide-ranging interests in the arts, including architecture, led her to promote initiatives to improve the quality of Federal buildings and to work tirelessly to secure the preservation and renovation of the Old Post Office Building as a headquarters for Federal cultural agencies and as a site for cultural and commercial activities that would enliven the building and its surroundings; and

(4) the renovation of the Old Post Office Building, its occupancy in this year 1983 by Federal cultural agencies and commercial enterprises and its impending use for public performances and exhibits are due in large measure to the foresightedness, persuasiveness, intellect, and vigor of Nancy Hanks.

SEC. 2. There is hereby designated the "Nancy Hanks Center" in Washington, District of Columbia, comprising the building located on the south side of Pennsylvania Avenue, Northwest, between Eleventh and Twelfth Streets which is known as and hereby designated the "Old Post Office Building", the plaza adjoining said building to the east and other immediately adjacent grounds, and the public use spaces within the Old Post Office Building, which include but are not limited to the commercial and performing areas known as the Pavilion and the clock-observation tower.

SEC. 3. (a) The Administrator of General Services, in consultation with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, shall erect at suitable locations at the Nancy Hanks Center appropriate markers or displays commemorating the accomplishments of Nancy Hanks in the fields of government and culture and describing her actions and those of others in Government and private life that led to the renovation and mixed-use development of the Old Post Office Building.

(b) The Administrator of General Services is authorized to expend for the purposes of subparagraph (a) of this section a sum not to exceed $50,000 available in any fiscal year out of revenues and collections deposited into the fund established pursuant to section...
 SEC. 4. The Administrator of General Services shall execute an agreement with the Secretary of the Interior providing for operation of the observation tower in the Old Post Office Building by the National Park Service and further providing, if necessary, for transfer to the National Park Service in fiscal year 1983 and each succeeding fiscal year, out of revenues and collections from the Old Post Office Building deposited into the fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended, such sums as may be necessary to operate the observation tower.

Approved February 15, 1983.
Public Lands Omnibus
An Act

To amend certain provisions of law relating to units of the national park system and other public lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Lands and National Parks Act of 1983".

Sec. 2. (a) The Secretary of the Interior is authorized to accept a conveyance of approximately four acres of land adjacent to the Effigy Mounds National Monument in the State of Iowa, and in exchange therefor to convey the grantor, without monetary consideration, approximately three acres of land within the monument, all as described in subsection (b) of this section. Effective upon consummation of the exchange, the land accepted by the Secretary shall become part of Effigy Mounds National Monument, subject to the laws and regulations applicable thereto, and the land conveyed by the Secretary shall cease to be part of the monument and the boundary of the monument is revised accordingly.

(b) The land referred to in subsection (a) which may be accepted by the Secretary is more particularly described as that portion of the southeast quarter of the southeast quarter of section 28 lying south and east of County Road Numbered 561, and the land referred to in subsection (a) which may be conveyed by the Secretary is more particularly described as that portion of the northeast quarter of the northeast quarter of section 33 lying north and west of County Road Numbered 561, all in township 96 north, range 3 west, fourth principal meridian, Allamakee County, Iowa.

Sec. 3. Section 9 of the Act entitled "An Act to provide for the establishment of Cape Cod National Seashore", approved August 7, 1961 (16 U.S.C. 459b-8), is amended by striking out "$33,500,000" and inserting in lieu thereof "$42,917,575".

Sec. 4. Section 8 of the Act entitled "An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes", approved March 10, 1966 (16 U.S.C. 459g-7), is amended by striking out "$7,903,000" and inserting in lieu thereof "$13,903,000".

Sec. 5. Section 15 of the Act entitled "An Act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes", approved October 21, 1970 (16 U.S.C. 460x-14), is amended by striking out "$66,153,000" and inserting in lieu thereof "$82,149,558".

Sec. 6. Section 5(a) of the Act of October 18, 1976, entitled "An Act to authorize the establishment of the Congaree Swamp National Monument in the State of South Carolina, and for other purposes" (Public Law 94-545; 90 Stat. 2517; 16 U.S.C. 481 note) is amended by striking out "$35,500,000" and substituting "$60,500,000"; and by striking out "$500,000" and inserting in lieu thereof "$2,000,000".
Sec. 7. (a) Section 4 of the Act of October 26, 1972 (86 Stat. 1181; 16 U.S.C. 433c note) is amended by striking the phrase “$9,327,000” and inserting in lieu thereof “$9,825,000”.

(b) Section 5 of the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433e), is hereby repealed.

Sec. 8. (a) The Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266, 40 U.S.C. 871) is amended as follows:

(1) by striking out in paragraph (10) of section 6, the figure “100,000,000” and inserting in lieu thereof “120,000,000”; and

(2) by adding at the end of section 17(a) the following: “There are further authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed $3,250,000, each, for the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988.”.

(b) Section 5(e) of the Pennsylvania Avenue Development Corporation Act of 1972 is amended by—

(1) inserting “(1)” after “(e)”;

(2) striking out “The Corporation” in the second sentence thereof and substituting:

“(2) The Corporation”; and

(3) adding the following new paragraph at the end thereof:

“(3) Any alteration, revision, or amendment of the plan and any other action taken by the Corporation which is not a substantial change in the plan within the meaning of paragraph (2) but—

“(A) which is a significant change in the plan, or which is another significant action taken by the Corporation, and

“(B) which relates to housing, any major structure, historic preservation, parks, office space, or retail uses, within the development area shall not take effect until thirty days after notice of such change or other action has been submitted to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate, unless prior to the expiration of such thirty-day period each of such committees notifies the Corporation in writing that the committee does not object to such change or other action. Such notice to the committees shall include an explanation of the reasons why the change or other action is proposed and a summary of any recommendations received by the Corporation from the Secretary of the Interior, the Mayor of the District of Columbia, or from any other interested agency, organization, or individual.”.

(c) Section 3(c) of the Pennsylvania Avenue Development Corporation Act of 1972 is amended by inserting “(7)” at the beginning of the unnumbered paragraph following paragraph (6).

(2) Section 5(a)(10) of such Act is amended by inserting “a” before “whole”.

(3) Section 5(b) of such Act is amended by striking out “Cooperation” and substituting “cooperation”.

(d) Section 11 of the Pennsylvania Avenue Development Corporation Act of 1972 is amended by inserting “(a)” after “Sec. 11.” and by adding the following new subsections at the end thereof:

“(b) Within six months after the date of the enactment of this subsection, the Corporation shall transmit to the Congress an estimate, for each fiscal year, of the additional funds which will be necessary for the Corporation to carry out the development plan through the fiscal year 1990. Such estimate shall include a detailed
statement of the projects and other expenditures for which such funds are proposed to be used, together with an estimate of the projected costs thereof.

"(c) The report submitted under subsection (a) shall include a detailed discussion of the actions the Corporation has taken within the reporting period to protect and enhance the significant historic and architectural values of structures within the boundaries of the Corporation's jurisdiction, and indicating similar actions it plans to take and issues it anticipates dealing with during the upcoming fiscal year related to historic and architectural preservation. Such report shall indicate the degree to which public concern has been considered and incorporated into decisions made by the Corporation relative to historic and architectural preservation."

SEC. 9. (a) With respect to the land described in subsection (c), the right of reverter and the reserved mineral interests held by the United States in such land are hereby conveyed, without warranty, to the State of Florida for the purpose of allowing the State of Florida to exchange such lands for privately owned lands, such conveyance to the State of Florida to be contingent and effective upon the conveyance to the United States of marketable title to the land described in subsection (d), in fee simple absolute, free and clear of all liens and encumbrances, except those acceptable to the Secretary of the Interior.

(b) Immediately upon receipt by the United States of title to the land described in subsection (d), the Secretary of the Interior shall convey, without warranty, the land described in subsection (d) to the State of Florida. The document of conveyance shall—

(1) reserve to the United States all mineral deposits found at any time in the land and the right to prospect for, mine, and remove the same; and

(2) provide that the land shall revert to the United States upon a finding by the Secretary of the Interior that for a period of five consecutive years such land has not been used by the State of Florida for park or recreational purposes, or that such land or any part thereof is being devoted to other uses.

(c) The land referred to in subsection (a) is approximately 0.69 of an acre of land, presently encroached upon by the adjoining landowners or occupants, within an area generally described as lot 2, southwest quarter southwest quarter section 15, township 4 south, range 15 west, Tallahassee meridian, Florida. Part of the tract was included in the land conveyed by the United States to the State of Florida on May 10, 1954, by patent numbered 1144377, and part was included in the land conveyed by the United States to the Florida Board of Forestry and Parks (presently named the Florida Department of Natural Resources) on July 26, 1948, by patent numbered 1123723.

(d) The land to be received in exchange for the land described in subsection (c) consists of approximately 1.10 acres of land located in a tract generally described as section 16, township 4 south, range 15 west, Tallahassee meridian, Florida, and more particularly described as follows: Begin at the intersection of the south right-of-way line of Thomas Drive (State Road Numbered 392) and the east line of section 16, township 4 south, range 15 west, Bay County, Florida. Thence south 0 degree 31 minutes 37 seconds west along the east line of said section 16 for 468.20 feet to the south line of said section 16; thence north 89 degrees 28 minutes 23 seconds west along said south line of section 16 for 205 feet; thence north 24 degrees 10
minutes 23 seconds east for 511.11 feet to the point of beginning, containing 1.10 acres more or less.

(e) The State of Florida shall pay promptly to the Secretary of the Interior, any and all costs, including administrative overhead, that may be incurred by the United States in connection with the transactions authorized under subsection (a).

Sec. 10. (a) For the purposes of this section only, the limitation provision of section 1 of the Act of December 22, 1928 (45 Stat. 1069; 43 U.S.C. 1068), popularly known as the Color-of-Title Act, that limits conveyances under that Act to not more than one hundred and sixty acres, shall not apply to any claim for a patent that may be filed under the Color-of-Title Act for a parcel of land described as section 39, township 5 south, range 4 east, Saint Helena Meridian, Louisiana.

(b) Except as provided in subsection (a) of this section, all provisions of the Color-of-Title Act shall apply to any claim for a patent under the Color-of-Title Act for the parcel of land described in subsection (a) of this section.

Sec. 11. (a) All right, title, and interest of the United States in certain lands within the boundaries of the Sequoia National Forest in Tulare County, California, and described in subsection (b) is hereby conveyed to those persons who submit a written application to the Secretary of Agriculture within five years after the date of enactment of this Act, with such proof of title as the Secretary may consider appropriate.

(b) The lands to be conveyed under subsection (a) are described as follows:

PARCEL B—MOUNT DIABLO MERIDIAN, CALIFORNIA

Township 14 South, Range 27 East

Section 14:

West half southwest quarter southwest quarter northwest quarter southwest quarter southeast quarter,

Northwest quarter northwest quarter northwest quarter southwest quarter southeast quarter.

Sec. 12. (a) To provide for consolidation of lands in the San Juan and San Isabel National Forests, lands administered by the Bureau of Land Management, Montrose District, and lands acquired by the Bureau of Reclamation as a part of the McPhee Dam and Reservoir, all in Colorado, and to provide for more efficient administration of those lands, the exterior boundaries of the San Juan and San Isabel National Forests in the State of Colorado are hereby modified as shown on United States Department of Agriculture, Forest Service maps entitled “Boundary Modification, San Juan National Forest”, and “Boundary Modification, San Isabel National Forest”, dated August 1981. The maps and legal description of the boundaries of such lands shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture; the Director of the Bureau of Land Management, and the Commissioner of the Bureau of Reclamation, Department of the Interior; and appropriate field offices of those agencies.

(b) All Bureau of Land Management-administered lands that, by reason of the boundary modification described in subsection (a), fall within the boundaries of the San Juan or San Isabel National Forests, comprising about twenty-five thousand five hundred and
fifty-nine acres and depicted as areas 1-8 on the maps referred to in subsection (a), are hereby added to the respective national forests and shall be administered in accordance with the laws, rules, and regulations applicable to the national forest system.

(c) All national forest system lands that, by reason of the boundary modification described in subsection (a), no longer fall within the boundaries of the San Juan National Forest, comprising about thirty-one thousand six hundred and seven acres and depicted as areas 9-11 on the maps referred to in such section, are hereby removed from the national forest system and transferred to the Secretary of the Interior to be administered in accordance with the laws, rules, and regulations applicable to the public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (90 Stat. 2746; 43 U.S.C. 1702(e)).

(d) Notwithstanding subsection (a) or any other law, the Secretary of the Interior shall retain jurisdiction over all lands administered by the Bureau of Reclamation that, by reason of the boundary modification described in the first section of this Act, fall within the boundary of the San Juan National Forest, until such time as the Secretary of the Interior, by agreement with the Secretary of Agriculture, transfers such jurisdiction to the Secretary of Agriculture. Upon such transfer, the land involved shall be added to the San Juan National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the national forest system.

(e) For the purpose of section 7 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 903, as amended; 16 U.S.C. 460l-9) the boundaries of the San Juan and San Isabel National Forests, as modified by subsection (a), shall be treated as if they were the boundaries of those forests on January 1, 1965.

(f) Nothing in this section shall affect valid existing rights, or interests in existing land use authorization, except that any such right or authorization shall be administered by the agency having jurisdiction over the land after the enactment of this Act in accordance with subsections (b) and (c) and other applicable law. Reissuance of any such authorization shall be in accordance with applicable law and the regulations of the agency having jurisdiction, except that the change of administrative jurisdiction shall not in itself constitute a ground to deny the renewal or reissuance of any such authorization.

(g) Those parts of the areas which on December 15, 1981, were designated as Bureau of Land Management Wilderness Study Areas (Needle Creek, CO-030-229B; West Needles contiguous, CO-030-229A; Whitehead Gulch, CO-030-230B; and Weminuche contiguous, CO-030-238B) contained within area 3 and that are made a part of the national forest system by this section shall be studied in conjunction with the West Needles Wilderness Study Area in accordance with the provisions of section 105 of the Colorado Wilderness Act of 1980, including the requirement that the Secretary of Agriculture review the suitability or unsuitability of such lands for inclusion in the National Wilderness Preservation System and report to Congress by December 31, 1983. All portions of such areas which are not included within the national forest system by this section shall be reviewed as to their suitability or nonsuitability for preservation as wilderness, and recommendations thereon shall be submitted to the Congress, in the same manner as with respect to those areas required to be reviewed pursuant to section 603 of the
Federal Land Policy and Management Act of 1976, and during the period of review and until Congress has determined otherwise, such portions shall be managed pursuant to section 603(c) of such Act.

(h) The provisions of this section shall take effect on the date of enactment of this Act.

SEC. 13. Any provision of this Act (or any amendment made by this Act) which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1983.

Approved October 31, 1983.