

UNITED STATES DEPARTMENT OF THE INTERIOR  
KENNETH L. SALAZAR, *Secretary*

NATIONAL PARK SERVICE  
JONATHAN B. JARVIS, *Director*

## **LAWS RELATING TO THE NATIONAL PARK SERVICE**

**SUPPLEMENT IX**  
106th and 107th Congresses  
January 1999 to December 2002

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## FOREWORD

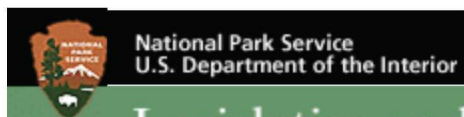
This is the ninth supplement to the publication, *Laws Relating to the National Park Service*, first printed in 1933 and supplemented in 1944, 1963, 1972, 1978, 2000, 2001 and 2009.

This volume contains laws relating to the National Park Service enacted by the 106th and 107th Congresses between January 1999 and December 2002. Similar to the last four volumes covering the 95th–105th Congresses, the text of each public law is the same version used in the *United States Statutes at Large* (*Statutes at Large*).

In compiling this volume, a line of stars in the text denotes omitted material. We have made every effort to have as complete and accurate a text as possible. We encourage you to recheck the *Statutes at Large* if you have any doubt about the official text of any law.

We express our sincere thanks to LaTonya Ward for her sustained, excellent work in completing this project and to the staff of the Office of Legislative and Congressional Affairs for their editorial assistance. We also thank Donna Krause at the Government Printing Office for formatting this publication and digitizing the volume for Internet accessibility.

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## Legislative and Congressional Affairs

### National Park Service Laws, Supplement IX 106th - 107th Congresses January 1999 - December 2002

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## I. GENERAL LEGISLATION

### 1. American Battlefield Protection Act of 1996

PUBLIC LAW 107–359—DEC. 17, 2002

116 STAT. 3016

Public Law 107–359  
107th Congress

#### An Act

To amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

Dec. 17, 2002  
[H.R. 5125]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Civil War Battlefield Preservation Act of 2002”.

Civil War  
Battlefield  
Preservation Act  
of 2002.  
16 USC 469k  
note.

#### SEC. 2. FINDINGS AND PURPOSES.

16 USC 469k  
note.

(a) FINDINGS.—Congress finds the following:

(1) Civil War battlefields provide a means for the people of the United States to understand a tragic period in the history of the United States.

(2) According to the Report on the Nation’s Civil War Battlefields, prepared by the Civil War Sites Advisory Commission, and dated July 1993, of the 384 principal Civil War battlefields—

(A) almost 20 percent are lost or fragmented;

(B) 17 percent are in poor condition; and

(C) 60 percent have been lost or are in imminent danger of being fragmented by development and lost as coherent historic sites.

(b) PURPOSES.—The purposes of this Act are—

(1) to act quickly and proactively to preserve and protect nationally significant Civil War battlefields through conservation easements and fee-simple purchases of those battlefields from willing sellers; and

(2) to create partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance nationally significant Civil War battlefields.

#### SEC. 3. BATTLEFIELD ACQUISITION GRANT PROGRAM.

The American Battlefield Protection Act of 1996 (16 U.S.C. 469k) is amended—

(1) by redesignating subsection (d) as paragraph (3) of subsection (c), and indenting appropriately;

(2) in paragraph (3) of subsection (c) (as redesignated by paragraph (1))—

(A) by striking “APPROPRIATIONS” and inserting “APPROPRIATIONS”; and

(B) by striking “section” and inserting “subsection”;

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

116 STAT. 3017

PUBLIC LAW 107-359—DEC. 17, 2002

## “(d) BATTLEFIELD ACQUISITION GRANT PROGRAM.—

## “(1) DEFINITIONS.—In this subsection:

“(A) BATTLEFIELD REPORT.—The term ‘Battlefield Report’ means the document entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993.

“(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government.

“(C) ELIGIBLE SITE.—The term ‘eligible site’ means a site—

“(i) that is not within the exterior boundaries of a unit of the National Park System; and

“(ii) that is identified in the Battlefield Report.

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the American Battlefield Protection Program.

“(2) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to eligible entities to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

“(3) NONPROFIT PARTNERS.—An eligible entity may acquire an interest in an eligible site using a grant under this subsection in partnership with a nonprofit organization.

“(4) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this subsection shall be not less than 50 percent.

“(5) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this subsection shall be subject to section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8(f)(3)).

Deadlines.

## “(6) REPORTS.—

“(A) IN GENERAL.—Not later than 5 years after the date of the enactment of this subparagraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection.

“(B) UPDATE OF BATTLEFIELD REPORT.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report that updates the Battlefield Report to reflect—

“(i) preservation activities carried out at the 384 battlefields during the period between publication of the Battlefield Report and the update;

“(ii) changes in the condition of the battlefields during that period; and

“(iii) any other relevant developments relating to the battlefields during that period.

## “(7) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated to the Secretary from the Land and Water Conservation Fund to provide grants under this subsection \$10,000,000 for each of fiscal years 2004 through 2008.

“(B) UPDATE OF BATTLEFIELD REPORT.—There are authorized to be appropriated to the Secretary to carry out paragraph (6)(B), \$500,000.”; and

(4) in subsection (e)—

PUBLIC LAW 107–359—DEC. 17, 2002

116 STAT. 3018

(A) in paragraph (1), by striking “as of” and all that follows through the period and inserting “on September 30, 2008.”; and

(B) in paragraph (2), by inserting “and provide battle-field acquisition grants” after “studies”.

Approved December 17, 2002.

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LEGISLATIVE HISTORY—H.R. 5125:

HOUSE REPORTS: No. 107–710 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Oct. 1, considered and passed House.

Nov. 20, considered and passed Senate.





## 2. Animal Health Protection

116 STAT. 134

PUBLIC LAW 107–171—MAY 13, 2002

Public Law 107–171  
107th Congress

### An Act

May 13, 2002  
[H.R. 2646]

To provide for the continuation of agricultural programs through fiscal year 2007,  
and for other purposes.

Farm Security  
and Rural  
Investment Act  
of 2002.  
7 USC 7901 note.

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Farm Security  
and Rural Investment Act of 2002”.

\* \* \* \* \*

116 STAT. 486

#### TITLE X—MISCELLANEOUS

\* \* \* \* \*

116 STAT. 494  
Animal Health  
Protection Act.  
7 USC 8301 note.

#### Subtitle E—Animal Health Protection

#### SEC. 10401. SHORT TITLE.

This subtitle may be cited as the “Animal Health Protection  
Act”.

7 USC 8301.

#### SEC. 10402. FINDINGS.

Congress finds that—

(1) the prevention, detection, control, and eradication of  
diseases and pests of animals are essential to protect—

(A) animal health;

(B) the health and welfare of the people of the United  
States;

(C) the economic interests of the livestock and related  
industries of the United States;

(D) the environment of the United States; and

(E) interstate commerce and foreign commerce of the  
United States in animals and other articles;

(2) animal diseases and pests are primarily transmitted  
by animals and articles regulated under this subtitle;

(3) the health of animals is affected by the methods by  
which animals and articles are transported in interstate com-  
merce and foreign commerce;

(4) the Secretary must continue to conduct research on  
animal diseases and pests that constitute a threat to the live-  
stock of the United States; and

(5)(A) all animals and articles regulated under this subtitle  
are in or affect interstate commerce or foreign commerce; and

(B) regulation by the Secretary and cooperation by the  
Secretary with foreign countries, States or other jurisdictions,  
or persons are necessary—

(i) to prevent and eliminate burdens on interstate com-  
merce and foreign commerce;

(ii) to regulate effectively interstate commerce and for-  
eign commerce; and

(iii) to protect the agriculture, environment, economy,  
and health and welfare of the people of the United States.

## PUBLIC LAW 107-171—MAY 13, 2002

116 STAT. 494

## SEC. 10403. DEFINITIONS.

7 USC 8302.

In this subtitle:

(1) ANIMAL.—The term “animal” means any member of the animal kingdom (except a human). 116 STAT. 495

(2) ARTICLE.—The term “article” means any pest or disease or any material or tangible object that could harbor a pest or disease.

(3) DISEASE.—The term “disease” has the meaning given the term by the Secretary.

(4) ENTER.—The term “enter” means to move into the commerce of the United States.

(5) EXPORT.—The term “export” means to move from a place within the territorial limits of the United States to a place outside the territorial limits of the United States.

(6) FACILITY.—The term “facility” means any structure.

(7) IMPORT.—The term “import” means to move from a place outside the territorial limits of the United States to a place within the territorial limits of the United States.

(8) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) INTERSTATE COMMERCE.—The term “interstate commerce” means trade, traffic, or other commerce—

(A) between a place in a State and a place in another State, or between places within the same State but through any place outside that State; or

(B) within the District of Columbia or any territory or possession of the United States.

(10) LIVESTOCK.—The term “livestock” means all farm-raised animals.

(11) MEANS OF CONVEYANCE.—The term “means of conveyance” means any personal property used for or intended for use for the movement of any other personal property.

(12) MOVE.—The term “move” means—

(A) to carry, enter, import, mail, ship, or transport;

(B) to aid, abet, cause, or induce carrying, entering, importing, mailing, shipping, or transporting;

(C) to offer to carry, enter, import, mail, ship, or transport;

(D) to receive in order to carry, enter, import, mail, ship, or transport;

(E) to release into the environment; or

(F) to allow any of the activities described in this paragraph.

(13) PEST.—The term “pest” means any of the following that can directly or indirectly injure, cause damage to, or cause disease in livestock:

(A) A protozoan.

(B) A plant.

(C) A bacteria.

(D) A fungus.

(E) A virus or viroid.

(F) An infectious agent or other pathogen.

(G) An arthropod.

(H) A parasite.

(I) A prion.

(J) A vector.

116 STAT. 495

## PUBLIC LAW 107-171—MAY 13, 2002

(K) Any organism similar to or allied with any of the organisms described in this paragraph.

116 STAT. 496

(14) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(15) STATE.—The term “State” means any of the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, or any territory or possession of the United States.

(16) THIS SUBTITLE.—Except when used in this section, the term “this subtitle” includes any regulation or order issued by the Secretary under the authority of this subtitle.

(17) UNITED STATES.—The term “United States” means all of the States.

7 USC 8303.

**SEC. 10404. RESTRICTION ON IMPORTATION OR ENTRY.**

(a) IN GENERAL.—With notice to the Secretary of the Treasury and public notice as soon as practicable, the Secretary may prohibit or restrict—

(1) the importation or entry of any animal, article, or means of conveyance, or use of any means of conveyance or facility, if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction into or dissemination within the United States of any pest or disease of livestock;

(2) the further movement of any animal that has strayed into the United States if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction into or dissemination within the United States of any pest or disease of livestock; and

(3) the use of any means of conveyance in connection with the importation or entry of livestock if the Secretary determines that the prohibition or restriction is necessary because the means of conveyance has not been maintained in a clean and sanitary condition or does not have accommodations for the safe and proper movement of livestock.

(b) REGULATIONS.—

(1) RESTRICTIONS ON IMPORT AND ENTRY.—The Secretary may issue such orders and promulgate such regulations as are necessary to carry out subsection (a).

(2) POST IMPORTATION QUARANTINE.—The Secretary may promulgate regulations requiring that any animal imported or entered be raised or handled under post-importation quarantine conditions by or under the supervision of the Secretary for the purpose of determining whether the animal is or may be affected by any pest or disease of livestock.

(c) DESTRUCTION OR REMOVAL.—

(1) IN GENERAL.—The Secretary may order the destruction or removal from the United States of—

(A) any animal, article, or means of conveyance that has been imported but has not entered the United States if the Secretary determines that destruction or removal from the United States is necessary to prevent the introduction into or dissemination within the United States of any pest or disease of livestock;

## PUBLIC LAW 107-171—MAY 13, 2002

116 STAT. 496

(B) any animal or progeny of any animal, article, or means of conveyance that has been imported or entered in violation of this subtitle; or

(C) any animal that has strayed into the United States if the Secretary determines that destruction or removal from the United States is necessary to prevent the introduction into or dissemination within the United States of any pest or disease of livestock. 116 STAT. 497

(2) REQUIREMENTS OF OWNERS.—

(A) ORDERS TO DISINFECT.—The Secretary may require the disinfection of—

(i) a means of conveyance used in connection with the importation of an animal;

(ii) an individual involved in the importation of an animal and personal articles of the individual; and

(iii) any article used in the importation of an animal.

(B) FAILURE TO COMPLY WITH ORDERS.—If an owner fails to comply with an order of the Secretary under this section, the Secretary may—

(i) take remedial action, destroy, or remove from the United States the animal or progeny of any animal, article, or means of conveyance as authorized under paragraph (1); and

(ii) recover from the owner the costs of any care, handling, disposal, or other action incurred by the Secretary in connection with the remedial action, destruction, or removal.

**SEC. 10405. EXPORTATION.**

7 USC 8304.

(a) IN GENERAL.—The Secretary may prohibit or restrict—

(1) the exportation of any animal, article, or means of conveyance if the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination from or within the United States of any pest or disease of livestock;

(2) the exportation of any livestock if the Secretary determines that the livestock is unfit to be moved;

(3) the use of any means of conveyance or facility in connection with the exportation of any animal or article if the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination from or within the United States of any pest or disease of livestock; or

(4) the use of any means of conveyance in connection with the exportation of livestock if the Secretary determines that the prohibition or restriction is necessary because the means of conveyance has not been maintained in a clean and sanitary condition or does not have accommodations for the safe and proper movement and humane treatment of livestock.

(b) REQUIREMENTS OF OWNERS.—

(1) ORDERS TO DISINFECT.—The Secretary may require the disinfection of—

(A) a means of conveyance used in connection with the exportation of an animal;

(B) an individual involved in the exportation of an animal and personal articles of the individual; and

(C) any article used in the exportation of an animal.

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(2) **FAILURE TO COMPLY WITH ORDERS.**—If an owner fails to comply with an order of the Secretary under this section, the Secretary may—

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(A) take remedial action with respect to the animal, article, or means of conveyance referred to in paragraph (1); and

(B) recover from the owner the costs of any care, handling, disposal, or other action incurred by the Secretary in connection with the remedial action.

(c) **CERTIFICATION.**—The Secretary may certify the classification, quality, quantity, condition, processing, handling, or storage of any animal or article intended for export.

7 USC 8305.

**SEC. 10406. INTERSTATE MOVEMENT.**

The Secretary may prohibit or restrict—

(1) the movement in interstate commerce of any animal, article, or means of conveyance if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction or dissemination of any pest or disease of livestock; and

(2) the use of any means of conveyance or facility in connection with the movement in interstate commerce of any animal or article if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction or dissemination of any pest or disease of livestock.

7 USC 8306.

**SEC. 10407. SEIZURE, QUARANTINE, AND DISPOSAL.**

(a) **IN GENERAL.**—The Secretary may hold, seize, quarantine, treat, destroy, dispose of, or take other remedial action with respect to—

(1) any animal or progeny of any animal, article, or means of conveyance that—

(A) is moving or has been moved in interstate commerce or has been imported and entered; and

(B) the Secretary has reason to believe may carry, may have carried, or may have been affected with or exposed to any pest or disease of livestock at the time of movement or that is otherwise in violation of this subtitle;

(2) any animal or progeny of any animal, article, or means of conveyance that is moving or is being handled, or has moved or has been handled, in interstate commerce in violation of this subtitle;

(3) any animal or progeny of any animal, article, or means of conveyance that has been imported, and is moving or is being handled or has moved or has been handled, in violation of this subtitle; or

(4) any animal or progeny of any animal, article, or means of conveyance that the Secretary finds is not being maintained, or has not been maintained, in accordance with any post-importation quarantine, post-importation condition, post-movement quarantine, or post-movement condition in accordance with this subtitle.

(b) **EXTRAORDINARY EMERGENCIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), if the Secretary determines that an extraordinary emergency exists because of the presence in the United States of a pest or disease of livestock and that the presence of the pest or disease



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threatens the livestock of the United States, the Secretary may—

(A) hold, seize, treat, apply other remedial actions to, destroy (including preventative slaughter), or otherwise dispose of, any animal, article, facility, or means of conveyance if the Secretary determines the action is necessary to prevent the dissemination of the pest or disease; and

(B) prohibit or restrict the movement or use within a State, or any portion of a State of any animal or article, means of conveyance, or facility if the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination of the pest or disease.

(2) STATE ACTION.—

(A) IN GENERAL.—The Secretary may take action in a State under this subsection only on finding that measures being taken by the State are inadequate to control or eradicate the pest or disease, after review and consultation with—

“(i) the Governor or an appropriate animal health official of the State; or

“(ii) in the case of any animal, article, facility, or means of conveyance under the jurisdiction of an Indian tribe, the head of the Indian tribe.

(B) NOTICE.—Subject to subparagraph (C), before any action is taken in a State under subparagraph (A), the Secretary shall—

(i) notify the Governor, an appropriate animal health official of the State, or head of the Indian tribe of the proposed action;

(ii) issue a public announcement of the proposed action; and

(iii) publish in the Federal Register—

(I) the findings of the Secretary;

(II) a description of the proposed action; and

(III) a statement of the reasons for the proposed action.

(C) NOTICE AFTER ACTION.—If it is not practicable to publish in the Federal Register the information required under subparagraph (B)(iii) before taking action under subparagraph (A), the Secretary shall publish the information as soon as practicable, but not later than 10 business days, after commencement of the action.

(c) QUARANTINE, DISPOSAL, OR OTHER REMEDIAL ACTION.—

(1) IN GENERAL.—The Secretary, in writing, may order the owner of any animal, article, facility, or means of conveyance referred to in subsection (a) or (b) to maintain in quarantine, dispose of, or take other remedial action with respect to the animal, article, facility, or means of conveyance, in a manner determined by the Secretary.

(2) FAILURE TO COMPLY WITH ORDERS.—If the owner fails to comply with the order of the Secretary, the Secretary may—

(A) seize, quarantine, dispose of, or take other remedial action with respect to the animal, article, facility, or means of conveyance under subsection (a) or (b); and

(B) recover from the owner the costs of any care, handling, disposal, or other remedial action incurred by the

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Secretary in connection with the seizure, quarantine, disposal, or other remedial action.

## (d) COMPENSATION.—

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(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary shall compensate the owner of any animal, article, facility, or means of conveyance that the Secretary requires to be destroyed under this section.

## (2) AMOUNT.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the compensation shall be based on the fair market value, as determined by the Secretary, of the destroyed animal, article, facility, or means of conveyance.

(B) LIMITATION.—Compensation paid any owner under this subsection shall not exceed the difference between—

(i) the fair market value of the destroyed animal, article, facility, or means of conveyance; and

(ii) any compensation received by the owner from a State or other source for the destroyed animal, article, facility, or means of conveyance.

(C) REVIEWABILITY.—The determination by the Secretary of the amount to be paid under this subsection shall be final and not subject to judicial review or review of longer than 60 days by any officer or employee of the Federal Government other than the Secretary or the designee of the Secretary.

(3) EXCEPTIONS.—No payment shall be made by the Secretary under this subsection for—

(A) any animal, article, facility, or means of conveyance that has been moved or handled by the owner in violation of an agreement for the control and eradication of diseases or pests or in violation of this subtitle;

(B) any progeny of any animal or article, which animal or article has been moved or handled by the owner of the animal or article in violation of this subtitle;

(C) any animal, article, or means of conveyance that is refused entry under this subtitle; or

(D) any animal, article, facility, or means of conveyance that becomes or has become affected with or exposed to any pest or disease of livestock because of a violation of an agreement for the control and eradication of diseases or pests or a violation of this subtitle by the owner.

7 USC 8307.

**SEC. 10408. INSPECTIONS, SEIZURES, AND WARRANTS.**

(a) GUIDELINES.—The activities authorized by this section shall be carried out consistent with guidelines approved by the Attorney General.

(b) WARRANTLESS INSPECTIONS.—The Secretary may stop and inspect, without a warrant, any person or means of conveyance moving—

(1) into the United States, to determine whether the person or means of conveyance is carrying any animal or article regulated under this subtitle;

(2) in interstate commerce, on probable cause to believe that the person or means of conveyance is carrying any animal or article regulated under this subtitle; or

(3) in intrastate commerce from any State, or any portion of a State, quarantined under section 10407(b), on probable

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cause to believe that the person or means of conveyance is carrying any animal or article quarantined under section 10407(b).

(c) INSPECTIONS WITH WARRANTS.—

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(1) IN GENERAL.—The Secretary may enter, with a warrant, any premises in the United States for the purpose of making inspections and seizures under this subtitle.

(2) APPLICATION AND ISSUANCE OF WARRANTS.—

(A) IN GENERAL.—On proper oath or affirmation showing probable cause to believe that there is on certain premises any animal, article, facility, or means of conveyance regulated under this subtitle, a United States judge, a judge of a court of record in the United States, or a United States magistrate judge may issue a warrant for the entry on premises within the jurisdiction of the judge or magistrate to make any inspection or seizure under this subtitle.

(B) EXECUTION.—The warrant may be applied for and executed by the Secretary or any United States marshal.

**SEC. 10409. DETECTION, CONTROL, AND ERADICATION OF DISEASES AND PESTS.**

7 USC 8308.

(a) IN GENERAL.—The Secretary may carry out operations and measures to detect, control, or eradicate any pest or disease of livestock (including the drawing of blood and diagnostic testing of animals), including animals at a slaughterhouse, stockyard, or other point of concentration.

(b) COMPENSATION.—

(1) IN GENERAL.—The Secretary may pay a claim arising out of the destruction of any animal, article, or means of conveyance consistent with the purposes of this subtitle.

(2) REVIEWABILITY.—The action of the Secretary in carrying out paragraph (1) shall not be subject to review of longer than 60 days by any officer or employee of the Federal Government other than the Secretary or the designee of the Secretary.

**SEC. 10410. VETERINARY ACCREDITATION PROGRAM.**

7 USC 8309.

(a) IN GENERAL.—The Secretary may establish a veterinary accreditation program that is consistent with this subtitle, including the establishment of standards of conduct for accredited veterinarians.

(b) CONSULTATION.—The Secretary shall consult with State animal health officials and veterinary professionals regarding the establishment of the veterinary accreditation program.

(c) SUSPENSION OR REVOCATION OF ACCREDITATION.—

(1) IN GENERAL.—The Secretary may, after notice and opportunity for a hearing on the record, suspend or revoke the accreditation of any veterinarian accredited under this title who violates this subtitle.

(2) FINAL ORDER.—The order of the Secretary suspending or revoking accreditation shall be treated as a final order reviewable under chapter 158 of title 28, United States Code.

(3) SUMMARY SUSPENSION.—

(A) IN GENERAL.—The Secretary may summarily suspend the accreditation of a veterinarian whom the Secretary has reason to believe knowingly violated this subtitle.

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(B) HEARINGS.—The Secretary shall provide the veterinarian with a subsequent notice and an opportunity for a prompt post-suspension hearing on the record.

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(d) APPLICATION OF PENALTY PROVISIONS.—The criminal and civil penalties described in section 10414 shall not apply to a violation of this section that is not a violation of any other provision of this subtitle.

7 USC 8310.

**SEC. 10411. COOPERATION.**

(a) IN GENERAL.—To carry out this subtitle, the Secretary may cooperate with other Federal agencies, States or political subdivisions of States, national governments of foreign countries, local governments of foreign countries, domestic or international organizations, domestic or international associations, Indian tribes, and other persons.

(b) RESPONSIBILITY.—The person or other entity cooperating with the Secretary shall be responsible for the authority necessary to carry out operations or measures—

(1) on all land and property within a foreign country or State, or under the jurisdiction of an Indian tribe, other than on land and property owned or controlled by the United States; and

(2) using other facilities and means, as determined by the Secretary.

(c) SCREWORMS.—

(1) IN GENERAL.—The Secretary may, independently or in cooperation with national governments of foreign countries or international organizations or associations, produce and sell sterile screwworms to any national government of a foreign country or international organization or association, if the Secretary determines that the livestock industry and related industries of the United States will not be adversely affected by the production and sale.

(2) PROCEEDS.—

(A) INDEPENDENT PRODUCTION AND SALE.—If the Secretary independently produces and sells sterile screwworms under paragraph (1), the proceeds of the sale shall be—

(i) deposited into the Treasury of the United States; and

(ii) credited to the account from which the operating expenses of the facility producing the sterile screwworms have been paid.

(B) COOPERATIVE PRODUCTION AND SALE.—

(i) IN GENERAL.—If the Secretary cooperates to produce and sell sterile screwworms under paragraph (1), the proceeds of the sale shall be divided between the United States and the cooperating national government or international organization or association in a manner determined by the Secretary.

(ii) ACCOUNT.—The United States portion of the proceeds shall be—

(I) deposited into the Treasury of the United States; and

(II) credited to the account from which the operating expenses of the facility producing the sterile screwworms have been paid.

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(d) COOPERATION IN PROGRAM ADMINISTRATION.—The Secretary may cooperate with State authorities, Indian tribe authorities, or other persons in the administration of regulations for the improvement of livestock and livestock products.

(e) CONSULTATION AND COORDINATION WITH OTHER FEDERAL AGENCIES.— 116 STAT. 503

(1) IN GENERAL.—The Secretary shall consult and coordinate with the head of a Federal agency with respect to any activity that is under the jurisdiction of the Federal agency.

(2) LEAD AGENCY.—Subject to the consultation and coordination requirement in paragraph (1), the Department of Agriculture shall be the lead agency with respect to issues related to pests and diseases of livestock.

**SEC. 10412. REIMBURSABLE AGREEMENTS.**

7 USC 8311.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary may enter into reimbursable fee agreements with persons for preclearance of animals or articles at locations outside the United States for movement into the United States.

(b) FUNDS COLLECTED FOR PRECLEARANCE.—Funds collected for preclearance activities shall—

(1) be credited to accounts that may be established by the Secretary for carrying out this section; and

(2) remain available until expended for the preclearance activities, without fiscal year limitation.

(c) PAYMENT OF EMPLOYEES.—

(1) IN GENERAL.—Notwithstanding any other law, the Secretary may pay an officer or employee of the Department of Agriculture performing services under this subtitle relating to imports into and exports from the United States for all overtime, night, or holiday work performed by the officer or employee at a rate of pay determined by the Secretary.

(2) REIMBURSEMENT.—

(A) IN GENERAL.—The Secretary may require a person for whom the services are performed to reimburse the Secretary for any expenses paid by the Secretary for the services under this subsection.

(B) USE OF FUNDS.—All funds collected under this subsection shall—

(i) be credited to the account that incurs the costs; and

(ii) remain available until expended, without fiscal year limitation.

(d) LATE PAYMENT PENALTIES.—

(1) COLLECTION.—On failure by a person to reimburse the Secretary in accordance with this section, the Secretary may assess a late payment penalty against the person, including interest on overdue funds, as required by section 3717 of title 31, United States Code.

(2) USE OF FUNDS.—Any late payment penalty and any accrued interest shall—

(A) be credited to the account that incurs the costs; and

(B) remain available until expended, without fiscal year limitation.



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7 USC 8312.

**SEC. 10413. ADMINISTRATION AND CLAIMS.**

(a) ADMINISTRATION.—To carry out this subtitle, the Secretary may—

- (1) acquire and maintain real or personal property;
- (2) employ a person;
- (3) make a grant; and
- (4) notwithstanding chapter 63 of title 31, United States Code, enter into a contract, cooperative agreement, memorandum of understanding, or other agreement.

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(b) TORT CLAIMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may pay a tort claim, in the manner authorized by the first paragraph of section 2672 of title 28, United States Code, if the claim arises outside the United States in connection with an activity authorized under this subtitle.

(2) REQUIREMENTS.—A claim may not be allowed under this subsection unless the claim is presented in writing to the Secretary not later than 2 years after the date on which the claim arises.

7 USC 8313.

**SEC. 10414. PENALTIES.**

(a) CRIMINAL PENALTIES.—

(1) OFFENSES.—

(A) IN GENERAL.—A person that knowingly violates this subtitle, or knowingly forges, counterfeits, or, without authority from the Secretary, uses, alters, defaces, or destroys any certificate, permit, or other document provided for in this subtitle shall be fined under title 18, United States Code, imprisoned not more than 1 year, or both.

(B) DISTRIBUTION OR SALE.—A person that knowingly imports, enters, exports, or moves any animal or article, for distribution or sale, in violation of this subtitle, shall be fined under title 18, United States Code, imprisoned not more than 5 years, or both.

(2) MULTIPLE VIOLATIONS.—On the second and any subsequent conviction of a person of a violation of this subtitle under paragraph (1), the person shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Except as provided in section 10410(d), any person that violates this subtitle, or that forges, counterfeits, or, without authority from the Secretary, uses, alters, defaces, or destroys any certificate, permit, or other document provided under this subtitle may, after notice and opportunity for a hearing on the record, be assessed a civil penalty by the Secretary that does not exceed the greater of—

(A)(i) \$50,000 in the case of any individual, except that the civil penalty may not exceed \$1,000 in the case of an initial violation of this subtitle by an individual moving regulated articles not for monetary gain;

(ii) \$250,000 in the case of any other person for each violation; and

(iii) \$500,000 for all violations adjudicated in a single proceeding; or

(B) twice the gross gain or gross loss for any violation or forgery, counterfeiting, or unauthorized use, alteration,

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defacing or destruction of a certificate, permit, or other document provided under this subtitle that results in the person's deriving pecuniary gain or causing pecuniary loss to another person.

(2) FACTORS IN DETERMINING CIVIL PENALTY.—In determining the amount of a civil penalty, the Secretary shall take into account the nature, circumstance, extent, and gravity of the violation or violations and the Secretary may consider, with respect to the violator—

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- (A) the ability to pay;
- (B) the effect on ability to continue to do business;
- (C) any history of prior violations;
- (D) the degree of culpability; and
- (E) such other factors as the Secretary considers to be appropriate.

(3) SETTLEMENT OF CIVIL PENALTIES.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that may be assessed under this subsection.

(4) FINALITY OF ORDERS.—

(A) FINAL ORDER.—The order of the Secretary assessing a civil penalty shall be treated as a final order reviewable under chapter 158 of title 28, United States Code.

(B) REVIEW.—The validity of the order of the Secretary may not be reviewed in an action to collect the civil penalty.

(C) INTEREST.—Any civil penalty not paid in full when due under an order assessing the civil penalty shall thereafter accrue interest until paid at the rate of interest applicable to civil judgments of the courts of the United States.

(c) LIABILITY FOR ACTS OF AGENTS.—In the construction and enforcement of this subtitle, the act, omission, or failure of any officer, agent, or person acting for or employed by any other person within the scope of the employment or office of the officer, agent, or person, shall be deemed also to be the act, omission, or failure of the other person.

(d) GUIDELINES FOR CIVIL PENALTIES.—Subject to the approval of the Attorney General, the Secretary shall establish guidelines to determine under what circumstances the Secretary may issue a civil penalty or suitable notice of warning in lieu of prosecution by the Attorney General of a violation of this subtitle.

**SEC. 10415. ENFORCEMENT.**

7 USC 8314.

(a) COLLECTION OF INFORMATION.—

(1) IN GENERAL.—The Secretary may gather and compile information and conduct any inspection or investigation that the Secretary considers to be necessary for the administration or enforcement of this subtitle.

(2) SUBPOENAS.—

(A) IN GENERAL.—The Secretary shall have power to issue a subpoena to compel the attendance and testimony of any witness and the production of any documentary evidence relating to the administration or enforcement of this subtitle or any matter under investigation in connection with this subtitle.

(B) LOCATION OF PRODUCTION.—The attendance of any witness and production of documentary evidence relevant

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to the inquiry may be required from any place in the United States.

(C) ENFORCEMENT.—

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(i) IN GENERAL.—In case of disobedience to a subpoena by any person, the Secretary may request the Attorney General to invoke the aid of any court of the United States within the jurisdiction in which the investigation is conducted, or where the person resides, is found, transacts business, is licensed to do business, or is incorporated, to require the attendance and testimony of any witness and the production of documentary evidence.

(ii) NONCOMPLIANCE.—In case of a refusal to obey a subpoena issued to any person, a court may order the person to appear before the Secretary and give evidence concerning the matter in question or to produce documentary evidence.

(iii) CONTEMPT.—Any failure to obey the order of the court may be punished by the court as contempt of the court.

(D) COMPENSATION.—

(i) WITNESSES.—A witness summoned by the Secretary under this subtitle shall be paid the same fees and mileage that are paid to a witness in a court of the United States.

(ii) DEPOSITIONS.—A witness whose deposition is taken, and the person taking the deposition, shall be entitled to the same fees that are paid for similar services in a court of the United States.

(E) PROCEDURES.—

(i) PUBLICATION.—The Secretary shall publish procedures for the issuance of subpoenas under this section.

(ii) REVIEW.—The procedures shall include a requirement that subpoenas be reviewed for legal sufficiency and, to be effective, be signed by the Secretary.

(iii) DELEGATION.—If the authority to sign a subpoena is delegated to an agency other than the Office of Administrative Law Judges, the agency receiving the delegation shall seek review of the subpoena for legal sufficiency outside that agency.

(b) AUTHORITY OF ATTORNEY GENERAL.—The Attorney General may—

(1) prosecute, in the name of the United States, all criminal violations of this subtitle that are referred to the Attorney General by the Secretary or are brought to the notice of the Attorney General by any person;

(2) bring an action to enjoin the violation of or to compel compliance with this subtitle, or to enjoin any interference by any person with the Secretary in carrying out this subtitle, in any case in which the Secretary has reason to believe that the person has violated, or is about to violate this subtitle or has interfered, or is about to interfere, with the actions of the Secretary; or

(3) bring an action for the recovery of any unpaid civil penalty, funds under a reimbursable agreement, late payment penalty, or interest assessed under this subtitle.

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## (c) COURT JURISDICTION.—

(1) IN GENERAL.—The United States district courts, the District Court of Guam, the District Court of the Northern Mariana Islands, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other territories and possessions are vested with jurisdiction in all cases arising under this subtitle.

(2) VENUE.—Any action arising under this subtitle may be brought, and process may be served, in the judicial district where a violation or interference occurred or is about to occur, or where the person charged with the violation, interference, impending violation, impending interference, or failure to pay resides, is found, transacts business, is licensed to do business, or is incorporated.

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(3) EXCEPTION.—Paragraphs (1) and (2) do not apply to sections 10410(c) and 10414(b).

**SEC. 10416. REGULATIONS AND ORDERS.**

7 USC 8315.

The Secretary may promulgate such regulations, and issue such orders, as the Secretary determines necessary to carry out this subtitle.

**SEC. 10417. AUTHORIZATION OF APPROPRIATIONS.**

7 USC 8316.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

## (b) TRANSFER OF FUNDS.—

(1) IN GENERAL.—In connection with an emergency under which a pest or disease of livestock threatens any segment of agricultural production in the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department of Agriculture such funds as the Secretary determines are necessary for the arrest, control, eradication, or prevention of the spread of the pest or disease of livestock and for related expenses.

(2) AVAILABILITY.—Any funds transferred under this subsection shall remain available until expended, without fiscal year limitation.

(3) REVIEWABILITY.—The action of any officer, employee, or agent of the Secretary in carrying out this section (including determining the amount of and making any payment authorized to be made under this subtitle) shall not be subject to review of longer than 60 days by any officer or employee of the Federal Government other than the Secretary or the designee of the Secretary.

(c) USE OF FUNDS.—In carrying out this subtitle, the Secretary may use funds made available to carry out this subtitle for—

(1) the employment of civilian nationals in foreign countries; and

(2) the construction and operation of research laboratories, quarantine stations, and other buildings and facilities for special purposes.

**SEC. 10418. REPEALS AND CONFORMING AMENDMENTS.**

(a) REPEALS.—The following provisions of law are repealed:

(1) Public Law 97-46 (7 U.S.C. 147b).

(2) Section 101(b) of the Act of September 21, 1944 (7 U.S.C. 429).

(3) The Act of August 28, 1950 (7 U.S.C. 2260).

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and note.

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120-122.  
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(4) Section 919 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2260a).

(5) Section 306 of the Tariff Act of 1930 (19 U.S.C. 1306).

(6) Sections 6 through 8 and 10 of the Act of August 30, 1890 (21 U.S.C. 102 through 105).

(7) The Act of February 2, 1903 (21 U.S.C. 111, 120 through 122).

(8) Sections 2 through 9, 11, and 13 of the Act of May 29, 1884 (21 U.S.C. 112, 113, 114, 114a, 114a-1, 115 through 120, 130).

(9) The first section and sections 2, 3, and 5 of the Act of February 28, 1947 (21 U.S.C. 114b, 114c, 114d, 114d-1).

(10) The Act of June 16, 1948 (21 U.S.C. 114e, 114f).

(11) Public Law 87-209 (21 U.S.C. 114g, 114h).

(12) The third and fourth provisos of the fourth paragraph under the heading "BUREAU OF ANIMAL INDUSTRY" of the Act of May 31, 1920 (21 U.S.C. 116).

(13) The first section and sections 2, 3, 4, and 6 of the Act of March 3, 1905 (21 U.S.C. 123 through 127).

(14) The first proviso under the heading "GENERAL EXPENSES, BUREAU OF ANIMAL INDUSTRY" under the heading "BUREAU OF ANIMAL INDUSTRY" of the Act of June 30, 1914 (21 U.S.C. 128).

(15) The fourth proviso under the heading "SALARIES AND EXPENSES" under the heading "ANIMAL AND PLANT HEALTH INSPECTION SERVICE" of title I of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (21 U.S.C. 129).

(16) The third paragraph under the heading "MISCELLANEOUS" of the Act of May 26, 1910 (21 U.S.C. 131).

(17) The first section and sections 2 through 6 and 11 through 13 of Public Law 87-518 (21 U.S.C. 134 through 134h).

(18) Public Law 91-239 (21 U.S.C. 135 through 135b).

(19) Sections 12 through 14 of the Federal Meat Inspection Act (21 U.S.C. 612 through 614).

(20) Chapter 39 of title 46, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) Section 414(b) of the Plant Protection Act (7 U.S.C. 7714(b)) is amended—

(A) in paragraph (1), by striking “, or the owner’s agent,”; and

(B) in paragraph (2), by striking “or agent of the owner” each place it appears.

(2) Section 423 of the Plant Protection Act (7 U.S.C. 7733) is amended—

(A) by striking subsection (b) and inserting the following:

“(b) LOCATION OF PRODUCTION.—The attendance of any witness and production of documentary evidence relevant to the inquiry may be required from any place in the United States.”;

(B) in the third sentence of subsection (e), by inserting “to an agency other than the Office of Administrative Law Judges” after “is delegated”; and

(C) by striking subsection (f).

(3) Section 11(h) of the Endangered Species Act of 1973 (16 U.S.C. 1540(h)) is amended in the first sentence by striking “animal quarantine laws (21 U.S.C. 101-105, 111-135b, and

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116 STAT. 508

612–614)” and inserting “animal quarantine laws (as defined in section 2509(f) of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a(f))”.

(4) Section 18 of the Federal Meat Inspection Act (21 U.S.C. 618) is amended by striking “of the cattle” and all that follows through “as herein described” and inserting “of the carcasses and products of cattle, sheep, swine, goats, horses, mules, and other equines”.

116 STAT. 509

(5) Section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a) is amended—

(A) in subsection (c), by inserting after paragraph (1) the following:

“(2) VETERINARY DIAGNOSTICS.—The Secretary may prescribe and collect fees to recover the costs of carrying out the provisions of the Animal Health Protection Act that relate to veterinary diagnostics.”; and

(B) in subsection (f)(1), by striking subparagraphs (B) through (O) and inserting the following:

“(B) section 9 of the Act of August 30, 1890 (21 U.S.C. 101);

“(C) the Animal Health Protection Act; or

“(D) any other Act administered by the Secretary relating to plant or animal diseases or pests.”.

(c) EFFECT ON REGULATIONS.—A regulation issued under a provision of law repealed by subsection (a) shall remain in effect until the Secretary issues a regulation under section 10404(b) or 10416 that supersedes the earlier regulation.

7 USC 8317.

\* \* \* \* \*

Approved May 13, 2002.

116 STAT. 540

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LEGISLATIVE HISTORY—H.R. 2646 (S. 1731):

HOUSE REPORTS: Nos. 107–191, Pts. 1 and 2 (both from Comm. on Agriculture) and Pt. 3 (Comm. on International Relations) and 107–424 (Comm. of Conference).

SENATE REPORTS: No. 107–117 accompanying S. 1731 (Comm. on Agriculture, Nutrition, and Forestry).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Oct. 3–5, considered and passed House.

Vol. 148 (2002): Feb. 13, considered and passed Senate, amended, in lieu of S. 1731.

May 2, House agreed to conference report.

May 7, 8, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

May 13, Presidential remarks.



### 3. Concessions Authority

114 STAT. 23 PUBLIC LAW 106–176—MAR. 10, 2000

Public Law 106–176  
106th Congress

An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

\* \* \* \* \*

114 STAT. 34

**SEC. 311. NATIONAL PARKS OMNIBUS MANAGEMENT ACT OF 1998.**

Section 404 of the National Parks Omnibus Management Act  
of 1998 (Public Law 105–391; 112 Stat. 3508; 16 U.S.C. 5953)  
is amended by striking “contract terms and conditions,” and inserting  
“contract terms and conditions,”.

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.





**4. Damage to National Park Resources**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 120. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.**

114 STAT. 28

\* \* \* \* \*

(c) ADD MISSING WORD.—Section 2(b) of Public Law 101–337 (16 U.S.C. 19jj–1(b)), as amended by section 814(h)(3) of the Omnibus Parks Act (110 Stat. 4199), is amended by inserting “or” after “park system resource”.

114 STAT. 29

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**5. Fee Authority**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**Incorporation by  
reference.SEC. 1000. (a) The provisions of the following bills are hereby  
enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):Nov. 3, considered and passed House; considered and passed Senate, amend-  
ed.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

## TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR 113 STAT.  
1501A–154

\* \* \* \* \*

SEC. 145. NATIONAL PARK PASSPORT PROGRAM. Section 603(c)(1) of the National Park Omnibus Management Act of 1998 (16 U.S.C. 5993(c)(1)) is amended by striking “10” and inserting “15”. 113 STAT.  
1501A–171

\* \* \* \* \*

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

Public Law 106–176  
106th Congress

An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

\* \* \* \* \*

114 STAT. 33

**SEC. 306. NATIONAL PARKS OMNIBUS MANAGEMENT ACT OF 1998.**

16 USC 5993.

Section 603(c)(1) of Public Law 105–391 is amended by striking “10” and inserting “15”.

\* \* \* \* \*

114 STAT. 34  
16 USC 460l–6a  
note.

**SEC. 310. NATIONAL PARK SERVICE ENTRANCE AND RECREATIONAL  
USE FEES.**

(a) The Secretary of the Interior is authorized to retain and expend revenues from entrance and recreation use fees at units of the National Park System where such fees are collected under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a), notwithstanding the provisions of section 4(i) of such Act. Fees shall be retained and expended in the same manner and for the same purposes as provided under the Recreational Fee Demonstration Program (section 315 of Public Law 104–134, as amended (16 U.S.C. 460l–6a note)).

(b) Nothing in this section shall affect the collection of fees at units of the National Park System designated as fee demonstration projects under the Recreational Fee Demonstration Program.

Expiration date.

(c) The authorities in this section shall expire upon the termination of the Recreational Fee Demonstration Program.

\* \* \* \* \*

Approved March 10, 2000.

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

## An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000

[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

\* \* \* \* \*

## TITLE III—GENERAL PROVISIONS

114 STAT. 987

\* \* \* \* \*

SEC. 336. In section 315(f) of title III of section 101(c) of Public Law 104–134 (16 U.S.C. 460l–6a note), as amended, strike “September 30, 2001” and insert “September 30, 2002”, and strike “September 30, 2004” and insert “September 30, 2005”.

114 STAT. 997

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



115 STAT. 414

PUBLIC LAW 107–63—NOV. 5, 2001

Public Law 107–63  
107th Congress

An Act

Nov. 5, 2001  
[H.R. 2217]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2002,  
and for other purposes, namely:

\* \* \* \* \*

115 STAT. 464

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

115 STAT. 466

SEC. 312. (a) RECREATIONAL FEE DEMONSTRATION PROGRAM.—  
Subsection (f) of section 315 of the Department of the Interior  
and Related Agencies Appropriations Act, 1996 (as contained in  
section 101(c) of Public Law 104–134; 110 Stat. 1321–200; 16 U.S.C.  
460l–6a note), is amended—

(1) by striking “commence on October 1, 1995, and end  
on September 30, 2002” and inserting “end on September 30,  
2004”; and

(2) by striking “September 30, 2005” and inserting “Sep-  
tember 30, 2007”.

16 USC 460l–6a  
note.

(b) EXPANSION OF PROGRAM.—Subsection (b) of such section  
is amended by striking “no fewer than 10, but as many as 100,”.

16 USC 460l–6a  
note.

(c) REVENUE SHARING.—Subsection (d)(1) of such section is  
amended by inserting “the Secure Rural Schools and Community  
Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C.  
500 note),” before “and any other provision”.

16 USC 460l–6a  
note.

(d) DISCOUNTED FEES.—Subsection (b)(2) of such section is  
amended by inserting after “testing” the following: “, including  
the provision of discounted or free admission or use as the Secretary  
considers appropriate”.

(e) CAPITAL PROJECTS.—Subsection (c)(2) of such section is  
amended by adding at the end the following new subparagraph:

“(D) None of the funds collected under this section may be  
used to plan, design, or construct a visitor center or any other  
permanent structure without prior approval of the Committee on  
Appropriations of the House of Representatives and the Committee  
on Appropriations of the Senate if the estimated total cost of the  
structure exceeds \$500,000.”.

115 STAT. 467

\* \* \* \* \*

## PUBLIC LAW 107–63—NOV. 5, 2001

115 STAT. 473

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”.

Approved November 5, 2001.

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LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107–103 (Comm. on Appropriations) and 107–234 (Comm. of Conference).

SENATE REPORTS: No. 107–36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



## 6. Filming in National Parks

114 STAT. 314

PUBLIC LAW 106–206—MAY 26, 2000

### Public Law 106–206 106th Congress

#### An Act

May 26, 2000  
[H.R. 154]

To allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal land, and for other purposes.

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

16 USC 460l–6d.

#### SECTION 1. COMMERCIAL FILMING.

(a) **COMMERCIAL FILMING FEE.**—The Secretary of the Interior and the Secretary of Agriculture (hereafter individually referred to as the “Secretary” with respect to lands under their respective jurisdiction) shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects on Federal lands administered by the Secretary. Such fee shall provide a fair return to the United States and shall be based upon the following criteria:

(1) The number of days the filming activity or similar project takes place on Federal land under the Secretary’s jurisdiction.

(2) The size of the film crew present on Federal land under the Secretary’s jurisdiction.

(3) The amount and type of equipment present.

The Secretary may include other factors in determining an appropriate fee as the Secretary deems necessary.

(b) **RECOVERY OF COSTS.**—The Secretary shall also collect any costs incurred as a result of filming activities or similar project, including but not limited to administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

(c) **STILL PHOTOGRAPHY.**—(1) Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on lands administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

(2) The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props which are not a part of the site’s natural or cultural resources or administrative facilities.

(d) **PROTECTION OF RESOURCES.**—The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines—

(1) there is a likelihood of resource damage;



## PUBLIC LAW 106–206—MAY 26, 2000

114 STAT. 315

(2) there would be an unreasonable disruption of the public's use and enjoyment of the site; or

(3) that the activity poses health or safety risks to the public.

(e) USE OF PROCEEDS.—(1) All fees collected under this Act shall be available for expenditure by the Secretary, without further appropriation, in accordance with the formula and purposes established for the Recreational Fee Demonstration Program (Public Law 104–134). All fees collected shall remain available until expended.

(2) All costs recovered under this Act shall be available for expenditure by the Secretary, without further appropriation, at the site where collected. All costs recovered shall remain available until expended.

(f) PROCESSING OF PERMIT APPLICATIONS.—The Secretary shall establish a process to ensure that permit applicants for commercial filming, still photography, or other activity are responded to in a timely manner.

Approved May 26, 2000.

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LEGISLATIVE HISTORY—H.R. 154:

HOUSE REPORTS: No. 106–75 (Comm. on Resources).

SENATE REPORTS: No. 106–67 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Apr. 12, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): May 22, House concurred in Senate amendments.



## 7. Firefighters Overtime Pay

114 STAT. 2776

PUBLIC LAW 106–558—DEC. 21, 2000

Public Law 106–558  
106th Congress

### An Act

Dec. 21, 2000  
[S. 439]

To amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, and to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

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

\* \* \* \* \*

#### SEC. 2. OVERTIME PAY FOR CERTAIN FIREFIGHTERS.

(a) IN GENERAL.—Section 5542(a) of title 5, United States Code, is amended by adding at the end the following:

“(5) Notwithstanding paragraphs (1) and (2), for an employee of the Department of the Interior or the United States Forest Service in the Department of Agriculture engaged in emergency wildland fire suppression activities, the overtime hourly rate of pay is an amount equal to one and one-half times the hourly rate of basic pay of the employee, and all that amount is premium pay.”.

114 STAT. 2777  
5 USC 5542 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first applicable pay period beginning on or after the end of the 30-day period beginning on the date of the enactment of this Act, and shall apply only to funds appropriated after the date of the enactment of this Act.

Approved December 21, 2000.

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#### LEGISLATIVE HISTORY—S. 439:

HOUSE REPORTS: No. 106–746 (Comm. on Resources).

SENATE REPORTS: No. 106–205 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House, amended.

Dec. 7, Senate concurred in House amendments.



**8. Frequent Flyer Miles**

PUBLIC LAW 107–107—DEC. 28, 2001

115 STAT. 1012

Public Law 107–107  
107th Congress**An Act**

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Dec. 28, 2001

[S. 1438]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

\* \* \* \* \*

**DIVISION A—DEPARTMENT OF  
DEFENSE AUTHORIZATIONS**

115 STAT. 1027

\* \* \* \* \*

**TITLE XI—CIVILIAN PERSONNEL  
MATTERS**

115 STAT. 1234

\* \* \* \* \*

**Subtitle B—Civilian Personnel  
Management Generally**

115 STAT. 1238

\* \* \* \* \*

**SEC. 1116. RETENTION OF TRAVEL PROMOTIONAL ITEMS.**

115 STAT. 1241  
5 USC 5702 note.

(a) **DEFINITION.**—In this section, the term “agency” has the meaning given that term under section 5701 of title 5, United States Code.

(b) **RETENTION OF TRAVEL PROMOTIONAL ITEMS.**—To the extent provided under subsection (c), a Federal employee, member of the Foreign Service, member of a uniformed service, any family member or dependent of such an employee or member, or other individual who receives a promotional item (including frequent flyer miles, upgrade, or access to carrier clubs or facilities) as a result of using travel or transportation services obtained at Federal Government expense or accepted under section 1353 of title 31, United States Code, may retain the promotional item for personal use if the promotional item is obtained under the same terms as those offered to the general public and at no additional cost to the Federal Government.

(c) **LIMITATION.**—Subsection (b)—

(1) applies only to travel that—

(A) is at the expense of an agency; or

(B) is accepted by an agency under section 1353 of title 31, United States Code; and

(2) does not apply to travel by any officer, employee, or other official of the Government who is not in or under any agency.

115 STAT. 1241

PUBLIC LAW 107-107—DEC. 28, 2001

(d) REGULATORY AUTHORITY.—Any agency with authority to prescribe regulations governing the acquisition, acceptance, use, or disposal of any travel or transportation services obtained at Government expense or accepted under section 1353 of title 31, United States Code, may prescribe regulations to carry out subsection (b) with respect to those travel or transportation services.

(e) REPEAL OF SUPERSEDED LAW.—Section 6008 of the Federal Acquisition Streamlining Act of 1994 (5 U.S.C. 5702 note; Public Law 103-355) is repealed.

(f) APPLICABILITY.—This section shall apply with respect to promotional items received before, on, or after the date of enactment of this Act.

\* \* \* \* \*

115 STAT. 1393

Approved December 28, 2001.

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LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.



**9. Historic Preservation**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):Nov. 3, considered and passed House; considered and passed Senate, amend-  
ed.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



113 STAT. 1501A-135 PUBLIC LAW 106-113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A-142**NATIONAL PARK SERVICE**

\* \* \* \* \*

**NATIONAL RECREATION AND PRESERVATION**

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$53,899,000, of which \$2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), and of which \$866,000 shall be available until expended for the Oklahoma City National Memorial Trust, notwithstanding 7(1) of Public Law 105-58: *Provided*, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services: *Provided further*, That no more than \$150,000 may be used for overhead and program administrative expenses for the heritage partnership program.

\* \* \* \* \*

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress

An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 109. ADVISORY COUNCIL ON HISTORIC PRESERVATION.**

114 STAT. 26

The first sentence of section 205(g) of the National Historic Preservation Act (16 U.S.C. 470m(g)), as amended by section 509(c) of division I of the Omnibus Parks Act (110 Stat. 4157), is amended by striking “for the purpose.” and inserting “for that purpose.”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



114 STAT. 318

PUBLIC LAW 106–208—MAY 26, 2000

Public Law 106–208  
106th Congress

An Act

May 26, 2000  
[H.R. 834]

To extend the authorization for the Historic Preservation Fund and the Advisory Council on Historic Preservation, and for other purposes.

National Historic  
Preservation Act  
Amendments of  
2000.  
16 USC 470 note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Historic Preservation Act Amendments of 2000”.

**SEC. 2. REAUTHORIZATION OF HISTORIC PRESERVATION FUND.**

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended by striking “1997” and inserting “2005”.

**SEC. 3. REAUTHORIZATION OF ADVISORY COUNCIL ON HISTORIC PRESERVATION.**

Section 212(a) of the National Historic Preservation Act (16 U.S.C. 470t(a)) is amended by striking “2000” and inserting “2005”.

**SEC. 4. LOCATION OF FEDERAL FACILITIES ON HISTORIC PROPERTIES.**

Section 110(a)(1) of the National Historic Preservation Act (16 U.S.C. 470h–2(a)(1)) is amended in the second sentence by striking “agency.” and inserting “agency, in accordance with Executive Order No. 13006, issued May 21, 1996 (61 Fed. Reg. 26071).”.

**SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) The National Historic Preservation Act (16 U.S.C. 470 et seq.) is amended as follows—

(1) in section 101(d)(2)(D)(ii) (16 U.S.C. 470a(d)(2)(D)(ii)) by striking “Officer;” and inserting “Officer; and”;

(2) by amending section 101(e)(2) (16 U.S.C. 470a(e)(2)) to read as follows:

“(2) The Secretary may administer grants to the National Trust for Historic Preservation in the United States, chartered by an Act of Congress approved October 26, 1949 (63 Stat. 947) consistent with the purposes of its charter and this Act.”;

(3) in section 101(e)(3)(A)(iii) (16 U.S.C. 470a(e)(3)(A)(iii)) by striking “preservation; and” and inserting “preservation, and”;

(4) in section 101(j)(2)(C) (16 U.S.C. 470a(j)(2)(C)) by striking “programs;” and inserting “programs; and”;

(5) in section 102(a)(3) (16 U.S.C. 470b(a)(3)) by striking “year.” and inserting “year;”;

(6) in section 103(a) (16 U.S.C. 470c(a))—

(A) by striking “purposes this Act” and inserting “purposes of this Act”; and



## PUBLIC LAW 106–208—MAY 26, 2000

114 STAT. 319

- (B) by striking “him:.” and inserting “him.”;
- (7) in section 108 (16 U.S.C. 470h) by striking “(43 U.S.C. 338)” and inserting “(43 U.S.C. 1338)”;
- (8) in section 110(1) (16 U.S.C. 470h–2(1)) by striking “with the Council” and inserting “pursuant to regulations issued by the Council”;
- (9) in section 112(b)(3) (16 U.S.C. 470h–4(b)(3)) by striking “(25 U.S.C. 3001(3) and (9))” and inserting “(25 U.S.C. 3001 (3) and (9))”;
- (10) in section 301(12)(C)(iii) (16 U.S.C. 470w(12)(C)(iii)) by striking “Officer, and” and inserting “Officer; and”;
- (11) in section 307(a) (16 U.S.C. 470w–6(a)) by striking “Except as provided in subsection (b) of this section, no” and inserting “No”;
- (12) in section 307(c) (16 U.S.C. 470w–6(c)) by striking “Except as provided in subsection (b) of this section, the” and inserting “The”;
- (13) in section 307 (16 U.S.C. 470w–6) by redesignating subsections (c) through (f), as amended, as subsections (b) through (e), respectively; and
- (14) in subsection 404(c)(2) (16 U.S.C. 470x–3(c)(2)) by striking “organizations, and” and inserting “organizations; and”.
- (b) Section 114 of Public Law 96–199 (94 Stat. 71) is amended 16 USC 470n.  
by striking “subsection 6(c)” and inserting “subsection 206(c)”.

Approved May 26, 2000.

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LEGISLATIVE HISTORY—H.R. 834:

HOUSE REPORTS: No. 106–241 (Comm. on Resources).

SENATE REPORTS: No. 106–237 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Sept. 21, considered and passed House.

Vol. 146 (2000): Apr. 13, considered and passed Senate, amended.

May 22, House concurred in Senate amendments.



## 10. Housing in National Parks

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

### Public Law 106–176 106th Congress

#### An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

16 USC 1 note.

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

#### SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

#### TITLE I—TECHNICAL CORRECTIONS TO DIVISION I

\* \* \* \* \*

114 STAT. 28

#### SEC. 120. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.

(a) TECHNICAL CORRECTIONS.—Section 814 of division I of the Omnibus Parks Act (110 Stat. 4190) is amended as follows:

16 USC 17o.

(1) In subsection (a) (16 U.S.C. 17o note)—

(A) in paragraph (6), by striking “this Act” and inserting “this section”;

(B) in paragraph (7)(B), by striking “COMPETITIVE LEASING.—” and inserting “COMPETITIVE LEASING.—”;

(C) in paragraph (9), by striking “granted by statue” and inserting “granted by statute”;

(D) in paragraph (11)(B)(ii), by striking “more cost effective” and inserting “more cost-effective”;

(E) in paragraph (13), by striking “paragraph (13),” and inserting “paragraph (12),”;

(F) in paragraph (18), by striking “under paragraph (7)(A)(i)(I), any lease under paragraph (11)(B), and any lease of seasonal quarters under subsection (l),” and inserting “under paragraph (7)(A) and any lease under paragraph (11)”.

16 USC 470w–6.

(2) In subsection (d)(2)(E), by striking “is amended”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

#### LEGISLATIVE HISTORY—H.R. 149:

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**11. Law Enforcement at Bureau of Reclamation Dams**

PUBLIC LAW 107–69—NOV. 12, 2001

115 STAT. 593

Public Law 107–69  
107th Congress

**An Act**

To amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation.

Nov. 12, 2001  
[H.R. 2925]

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

**SECTION. 1. LAW ENFORCEMENT AUTHORITY AT BUREAU OF RECLAMATION FACILITIES.**

43 USC 373b.

(a) **PUBLIC SAFETY REGULATIONS.**—The Secretary of the Interior shall issue regulations necessary to maintain law and order and protect persons and property within Reclamation projects and on Reclamation lands.

(b) **VIOLATIONS; CRIMINAL PENALTIES.**—Any person who knowingly and willfully violates any regulation issued under subsection (a) shall be fined under chapter 227, subchapter C of title 18, United States Code, imprisoned for not more than 6 months, or both. Any person charged with a violation of a regulation issued under subsection (a) may be tried and sentenced by any United States magistrate judge designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions and limitations as provided for in section 3401 of title 18, United States Code.

(c) **AUTHORIZATION OF LAW ENFORCEMENT OFFICERS.**—The Secretary of the Interior may—

(1) authorize law enforcement personnel from the Department of the Interior to act as law enforcement officers to enforce Federal laws and regulations within a Reclamation project or on Reclamation lands;

(2) authorize law enforcement personnel of any other Federal agency that has law enforcement authority (with the exception of the Department of Defense) or law enforcement personnel of any State or local government, including an Indian tribe, when deemed economical and in the public interest, through cooperative agreement or contract, to act as law enforcement officers to enforce Federal laws and regulations within a Reclamation project or on Reclamation lands with such enforcement powers as may be so assigned to them by the Secretary;

(3) cooperate with any State or local government, including an Indian tribe, in the enforcement of the laws or ordinances of that State or local government; and

(4) provide reimbursement to a State or local government, including an Indian tribe, for expenditures incurred in connection with activities under paragraph (2).

115 STAT. 594

PUBLIC LAW 107-69—NOV. 12, 2001

(d) **POWERS OF LAW ENFORCEMENT OFFICERS.**—A law enforcement officer authorized by the Secretary of the Interior under subsection (c) may—

(1) carry firearms within a Reclamation project or on Reclamation lands;

(2) make arrests without warrants for—

(A) any offense against the United States committed in his presence; or

(B) any felony cognizable under the laws of the United States if he has—

(i) reasonable grounds to believe that the person to be arrested has committed or is committing such a felony; and

(ii) such arrest occurs within a Reclamation project or on Reclamation lands or the person to be arrested is fleeing therefrom to avoid arrest;

(3) execute within a Reclamation project or on Reclamation lands any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law for any offense committed within a Reclamation project or on Reclamation lands; and

(4) conduct investigations within a Reclamation project or on Reclamation lands of offenses against the United States committed within a Reclamation project or on Reclamation lands if the Federal law enforcement agency having investigative jurisdiction over the offense committed declines to investigate the offense.

(e) **LEGAL STATUS OF STATE OR LOCAL LAW ENFORCEMENT OFFICERS.**—

(1) **STATE OR LOCAL OFFICERS NOT FEDERAL EMPLOYEES.**—Except as otherwise provided in this section, a law enforcement officer of any State or local government, including an Indian tribe, authorized to act as a law enforcement officer under subsection (c) shall not be deemed to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, employment discrimination, leave, unemployment compensation, and Federal benefits.

(2) **APPLICATION OF FEDERAL TORT CLAIMS ACT.**—For purposes of chapter 171 of title 28, United States Code (commonly known as the Federal Tort Claims Act), a law enforcement officer of any State or local government, including an Indian tribe, shall, when acting as a law enforcement officer under subsection (c) and while under Federal supervision and control, and only when carrying out Federal law enforcement responsibilities, be considered a Federal employee.

Applicability.

(3) **AVAILABILITY OF WORKERS COMPENSATION.**—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, a law enforcement officer of any State or local government, including an Indian tribe, shall, when acting as a law enforcement officer under subsection (c) and while under Federal supervision and control, and only when carrying out Federal law enforcement responsibilities, be deemed a civil service employee of the United States within the meaning of the term employee as defined in section 8101 of title 5, and the provisions

PUBLIC LAW 107–69—NOV. 12, 2001

115 STAT. 595

of that subchapter shall apply. Benefits under such subchapter shall be reduced by the amount of any entitlement to State or local workers compensation benefits arising out of the same injury or death.

(f) CONCURRENT JURISDICTION.—Nothing in this section shall be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency, or to affect any existing right of a State or local government, including an Indian tribe, to exercise civil and criminal jurisdiction within a Reclamation project or on Reclamation lands.

(g) REGULATIONS.—Except for the authority provided in section 2(c)(1), the law enforcement authorities provided for in this section may be exercised only pursuant to regulations issued by the Secretary of the Interior and approved by the Attorney General.

**SEC. 2. DEFINITIONS.**

43 USC 373c.

In this Act:

(1) LAW ENFORCEMENT PERSONNEL.—The term “law enforcement personnel” means an employee of a Federal, State, or local government agency, including an Indian tribal agency, who has successfully completed law enforcement training approved by the Secretary and is authorized to carry firearms, make arrests, and execute service of process to enforce criminal laws of his or her employing jurisdiction.

(2) RECLAMATION PROJECT; RECLAMATION LANDS.—The terms “Reclamation project” and “Reclamation lands” have the meaning given such terms in section 2803 of the Reclamation Projects Authorization and Adjustment Act of 1992 (16 U.S.C. 4601–32).

Approved November 12, 2001.

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LEGISLATIVE HISTORY—H.R. 2925:

CONGRESSIONAL RECORD, Vol. 147 (2001):

Oct. 23, considered and passed House.

Oct. 30, considered and passed Senate.



## 12. Minor Boundary Revision Authority

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

### Public Law 106–176 106th Congress

#### An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

16 USC 1 note.

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

#### SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

#### TITLE I—TECHNICAL CORRECTIONS TO DIVISION I

\* \* \* \* \*

114 STAT. 28

#### SEC. 120. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.

\* \* \* \* \*

(b) CHANGE TO PLURAL.—Section 7(c)(2) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9(c)(2)), as added by section 814(b) of the Omnibus Parks Act (110 Stat. 4194), is amended as follows:

114 STAT. 29

(1) In subparagraph (C), by striking “lands, water, and interest therein” and inserting “lands, waters, and interests therein”.

(2) In subparagraph (F), by striking “lands, water, or interests therein, or a portion of whose lands, water, or interests therein,” and inserting “lands, waters, or interests therein, or a portion of whose lands, waters, or interests therein,”.

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114 STAT. 30

#### SEC. 129. BOUNDARY REVISIONS.

16 USC 460l–9.

Section 814(b)(2)(G) of Public Law 104–333 is amended by striking “are adjacent to” and inserting “abut”.

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114 STAT. 34

Approved March 10, 2000.

#### LEGISLATIVE HISTORY—H.R. 149:

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**13. National Historic Lighthouse Preservation Program**

PUBLIC LAW 106–355—OCT. 24, 2000

114 STAT. 1385

Public Law 106–355  
106th Congress**An Act**To amend the National Historic Preservation Act for purposes of establishing a  
national historic lighthouse preservation program.Oct. 24, 2000  
[H.R. 4613]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “National Historic Lighthouse  
Preservation Act of 2000”.National Historic  
Lighthouse  
Preservation Act  
of 2000.  
16 USC 470 note.**SEC. 2. PRESERVATION OF HISTORIC LIGHT STATIONS.**

16 USC 470w–7.

Title III of the National Historic Preservation Act (16 U.S.C.  
470w, 470w–6) is amended by adding at the end the following  
new section:**“SEC. 308. HISTORIC LIGHTHOUSE PRESERVATION.****“(a) IN GENERAL.—**In order to provide a national historic light  
station program, the Secretary shall—**“(1)** collect and disseminate information concerning historic  
light stations, including historic lighthouses and associated  
structures;**“(2)** foster educational programs relating to the history,  
practice, and contribution to society of historic light stations;**“(3)** sponsor or conduct research and study into the history  
of light stations;**“(4)** maintain a listing of historic light stations; and**“(5)** assess the effectiveness of the program established  
by this section regarding the conveyance of historic light sta-  
tions.**“(b) CONVEYANCE OF HISTORIC LIGHT STATIONS.—****“(1) PROCESS AND POLICY.—**Not later than 1 year after  
the date of the enactment of this section, the Secretary and  
the Administrator shall establish a process and policies for  
identifying, and selecting, an eligible entity to which a historic  
light station could be conveyed for education, park, recreation,  
cultural, or historic preservation purposes, and to monitor the  
use of such light station by the eligible entity.

Deadline.

**“(2) APPLICATION REVIEW.—**The Secretary shall review all  
applications for the conveyance of a historic light station, when  
the agency with administrative jurisdiction over the historic  
light station has determined the property to be ‘excess property’  
as that term is defined in the Federal Property Administrative  
Services Act of 1949 (40 U.S.C. 472(e)), and forward to the  
Administrator a single approved application for the conveyance  
of the historic light station. When selecting an eligible entity,

the Secretary shall consult with the State Historic Preservation Officer of the State in which the historic light station is located.

“(3) CONVEYANCE OF HISTORIC LIGHT STATIONS.—(A) Except as provided in subparagraph (B), the Administrator shall convey, by quitclaim deed, without consideration, all right, title, and interest of the United States in and to the historic light station, subject to the conditions set forth in subsection (c) after the Secretary’s selection of an eligible entity. The conveyance of a historic light station under this section shall not be subject to the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) or section 416(d) of the Coast Guard Authorization Act of 1998 (Public Law 105-383).

“(B)(i) Historic light stations located within the exterior boundaries of a unit of the National Park System or a refuge within the National Wildlife Refuge System shall be conveyed or sold only with the approval of the Secretary.

“(ii) If the Secretary approves the conveyance of a historic light station referenced in this paragraph, such conveyance shall be subject to the conditions set forth in subsection (c) and any other terms or conditions the Secretary considers necessary to protect the resources of the park unit or wildlife refuge.

“(iii) If the Secretary approves the sale of a historic light station referenced in this paragraph, such sale shall be subject to the conditions set forth in subparagraphs (A) through (D) and (H) of subsection (c)(1) and subsection (c)(2) and any other terms or conditions the Secretary considers necessary to protect the resources of the park unit or wildlife refuge.

“(iv) For those historic light stations referenced in this paragraph, the Secretary is encouraged to enter into cooperative agreements with appropriate eligible entities, as provided in this Act, to the extent such cooperative agreements are consistent with the Secretary’s responsibilities to manage and administer the park unit or wildlife refuge, as appropriate.

“(c) TERMS OF CONVEYANCE.—

“(1) IN GENERAL.—The conveyance of a historic light station shall be made subject to any conditions, including the reservation of easements and other rights on behalf of the United States, the Administrator considers necessary to ensure that—

“(A) the Federal aids to navigation located at the historic light station in operation on the date of conveyance remain the personal property of the United States and continue to be operated and maintained by the United States for as long as needed for navigational purposes;

“(B) there is reserved to the United States the right to remove, replace, or install any Federal aid to navigation located at the historic light station as may be necessary for navigational purposes;

“(C) the eligible entity to which the historic light station is conveyed under this section shall not interfere or allow interference in any manner with any Federal aid to navigation, nor hinder activities required for the operation and maintenance of any Federal aid to navigation, without the express written permission of the head of the agency responsible for maintaining the Federal aid to navigation;



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“(D) the eligible entity to which the historic light station is conveyed under this section shall, at its own cost and expense, use and maintain the historic light station in accordance with this Act, the Secretary of the Interior’s Standards for the Treatment of Historic Properties, 36 CFR part 68, and other applicable laws, and any proposed changes to the historic light station shall be reviewed and approved by the Secretary in consultation with the State Historic Preservation Officer of the State in which the historic light station is located, for consistency with 36 CFR part 800.5(a)(2)(vii), and the Secretary of the Interior’s Standards for Rehabilitation, 36 CFR part 67.7;

“(E) the eligible entity to which the historic light station is conveyed under this section shall make the historic light station available for education, park, recreation, cultural or historic preservation purposes for the general public at reasonable times and under reasonable conditions;

“(F) the eligible entity to which the historic light station is conveyed shall not sell, convey, assign, exchange, or encumber the historic light station, any part thereof, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including but not limited to any lens or lanterns, unless such sale, conveyance, assignment, exchange or encumbrance is approved by the Secretary;

“(G) the eligible entity to which the historic light station is conveyed shall not conduct any commercial activities at the historic light station, any part thereof, or in connection with any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, in any manner, unless such commercial activities are approved by the Secretary; and

“(H) the United States shall have the right, at any time, to enter the historic light station conveyed under this section without notice, for purposes of operating, maintaining, and inspecting any aid to navigation and for the purpose of ensuring compliance with this subsection, to the extent that it is not possible to provide advance notice.

“(2) MAINTENANCE OF AID TO NAVIGATION.—Any eligible entity to which a historic light station is conveyed under this section shall not be required to maintain any Federal aid to navigation associated with a historic light station, except any private aids to navigation permitted under section 83 of title 14, United States Code, to the eligible entity.

“(3) REVERSION.—In addition to any term or condition established pursuant to this subsection, the conveyance of a historic light station shall include a condition that the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including but not limited to any lens or lanterns, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

“(A) the historic light station, any part thereof, or any associated historic artifact ceases to be available for

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PUBLIC LAW 106-355—OCT. 24, 2000

education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions which shall be set forth in the eligible entity's application;

"(B) the historic light station or any part thereof ceases to be maintained in a manner that ensures its present or future use as a site for a Federal aid to navigation;

"(C) the historic light station, any part thereof, or any associated historic artifact ceases to be maintained in compliance with this Act, the Secretary of the Interior's Standards for the Treatment of Historic Properties, 36 CFR part 68, and other applicable laws;

"(D) the eligible entity to which the historic light station is conveyed, sells, conveys, assigns, exchanges, or encumbers the historic light station, any part thereof, or any associated historic artifact, without approval of the Secretary;

"(E) the eligible entity to which the historic light station is conveyed, conducts any commercial activities at the historic light station, any part thereof, or in conjunction with any associated historic artifact, without approval of the Secretary; or

Notification.

"(F) at least 30 days before the reversion, the Administrator provides written notice to the owner that the historic light station or any part thereof is needed for national security purposes.

"(d) DESCRIPTION OF PROPERTY.—

"(1) IN GENERAL.—The Administrator shall prepare the legal description of any historic light station conveyed under this section. The Administrator, in consultation with the Commandant, United States Coast Guard, and the Secretary, may retain all right, title, and interest of the United States in and to any historical artifact, including any lens or lantern, that is associated with the historic light station and located at the light station at the time of conveyance. Wherever possible, such historical artifacts should be used in interpreting that station. In cases where there is no method for preserving lenses and other artifacts and equipment in situ, priority should be given to preservation or museum entities most closely associated with the station, if they meet loan requirements.

"(2) ARTIFACTS.—Artifacts associated with, but not located at, the historic light station at the time of conveyance shall remain the personal property of the United States under the administrative control of the Commandant, United States Coast Guard.

"(3) COVENANTS.—All conditions placed with the quitclaim deed of title to the historic light station shall be construed as covenants running with the land.

"(4) SUBMERGED LANDS.—No submerged lands shall be conveyed under this section.

"(e) DEFINITIONS.—For purposes of this section:

"(1) ADMINISTRATOR.—The term 'Administrator' shall mean the Administrator of General Services.

"(2) HISTORIC LIGHT STATION.—The term 'historic light station' includes the light tower, lighthouse, keepers dwelling, garages, storage sheds, oil house, fog signal building, boat house, barn, pumphouse, tramhouse support structures, piers,

PUBLIC LAW 106-355—OCT. 24, 2000

114 STAT. 1389

walkways, underlying and appurtenant land and related real property and improvements associated therewith; provided that the 'historic light station' shall be included in or eligible for inclusion in the National Register of Historic Places.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ shall mean:

“(A) any department or agency of the Federal Government; or

“(B) any department or agency of the State in which the historic light station is located, the local government of the community in which the historic light station is located, nonprofit corporation, educational agency, or community development organization that—

“(i) has agreed to comply with the conditions set forth in subsection (c) and to have such conditions recorded with the deed of title to the historic light station; and

“(ii) is financially able to maintain the historic light station in accordance with the conditions set forth in subsection (c).

“(4) FEDERAL AID TO NAVIGATION.—The term ‘Federal aid to navigation’ shall mean any device, operated and maintained by the United States, external to a vessel or aircraft, intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation, and shall include, but not be limited to, a light, lens, lantern, antenna, sound signal, camera, sensor, electronic navigation equipment, power source, or other associated equipment.

“(5) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.”.

### SEC. 3. SALE OF HISTORIC LIGHT STATIONS.

Title III of the National Historic Preservation Act (16 U.S.C. 470w, 470w-6), as amended by section 2 of this Act, is amended by adding at the end the following new section:

#### “SEC. 309. HISTORIC LIGHT STATION SALES.

16 USC 470w-8.

“(a) IN GENERAL.—In the event no applicants are approved for the conveyance of a historic light station pursuant to section 308, the historic light station shall be offered for sale. Terms of such sales shall be developed by the Administrator of General Services and consistent with the requirements of section 308, subparagraphs (A) through (D) and (H) of subsection (c)(1), and subsection (c)(2). Conveyance documents shall include all necessary covenants to protect the historical integrity of the historic light station and ensure that any Federal aid to navigation located at the historic light station is operated and maintained by the United States for as long as needed for that purpose.

“(b) NET SALE PROCEEDS.—Net sale proceeds from the disposal of a historic light station—

“(1) located on public domain lands shall be transferred to the National Maritime Heritage Grant Program, established by the National Maritime Heritage Act of 1994 (Public Law 103-451) within the Department of the Interior; and

“(2) under the administrative control of the Coast Guard shall be credited to the Coast Guard’s Operating Expenses appropriation account, and shall be available for obligation and expenditure for the maintenance of light stations remaining

114 STAT. 1390

PUBLIC LAW 106-355—OCT. 24, 2000

under the administrative control of the Coast Guard, such funds to remain available until expended and shall be available in addition to funds available in the Operating Expense appropriation for this purpose.”.

**SEC. 4. FUNDING.**

There are hereby authorized to be appropriated to the Secretary of the Interior such sums as may be necessary to carry out this Act.

Approved October 24, 2000.

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**LEGISLATIVE HISTORY—H.R. 4613 (S. 2343):**

HOUSE REPORTS: No. 106-890 (Comm. on Resources).

SENATE REPORTS: No. 106-380 accompanying S. 2343 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 26, considered and passed House.

Oct. 5, considered and passed Senate.



**14. National Maritime Heritage Act Amendments**

PUBLIC LAW 106–398—OCT. 30, 2000

114 STAT. 1654

\* Public Law 106–398  
106th Congress

**An Act**

To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Oct. 30, 2000  
[H.R. 4205]

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

**SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.**

Incorporation by  
reference.

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

**SEC. 2. PUBLICATION OF ACT.**

1 USC 112 note.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

Approved October 30, 2000.

**LEGISLATIVE HISTORY—H.R. 4205 (S. 2549) (S. 2550):**

HOUSE REPORTS: Nos. 106–616 (Comm. on Armed Services) and 106–945 (Comm. of Conference).

SENATE REPORTS: No. 106–292 accompanying S. 2549 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 17, 18 considered and passed House.

July 13, considered and passed Senate, amended.

Oct. 11, House agreed to conference report.

Oct. 12, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 30, Presidential statement.

\*ENDNOTE: The following appendix was added pursuant to the provisions of sections 1 and 2 of this Act.

**APPENDIX—H.R. 5408****SECTION 1. SHORT TITLE; FINDINGS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001”.

\* \* \* \* \*

114 STAT.  
1654A-2

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) **DIVISIONS.**—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

**DIVISION A—DEPARTMENT OF DEFENSE  
AUTHORIZATIONS**

\* \* \* \* \*

114 STAT.  
1654A-443

**DIVISION C—DEPARTMENT OF ENERGY  
NATIONAL SECURITY AUTHORIZA-  
TIONS AND OTHER AUTHORIZATIONS**

\* \* \* \* \*

114 STAT.  
1654A-489

**TITLE XXXV—MARITIME  
ADMINISTRATION**

\* \* \* \* \*

114 STAT.  
1654A-490

**SEC. 3502. SCRAPPING OF NATIONAL DEFENSE RESERVE FLEET VESSELS.**

(a) **EXTENSION OF SCRAPPING AUTHORITY UNDER NATIONAL MARITIME HERITAGE ACT OF 1994.**—Section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) is amended—

(1) in subparagraph (A) by striking “2001” and inserting “2006”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) in the manner that provides the best value to the Government, except in any case in which obtaining the best value would require towing a vessel and such towing poses a serious threat to the environment; and”.

(b) **SELECTION OF SCRAPPING FACILITIES.**—The Secretary of Transportation may scrap obsolete vessels pursuant to section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) through qualified scrapping facilities, using the most expeditious scrapping methodology and location practicable. Scrapping facilities shall be selected under that section on a best value basis consistent with the Federal Acquisition Regulation, as in effect on the date of the enactment of this Act, without any pre-disposition toward foreign or domestic facilities taking into consideration, among other things, the ability of facilities to scrap vessels—

## PUBLIC LAW 106-398—APPENDIX 114 STAT. 1654A-490

- (1) at least cost to the Government;
- (2) in a timely manner;
- (3) giving consideration to worker safety and the environment; and
- (4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment.

## (c) LIMITATION ON SCRAPPING BEFORE PROGRAM.—

(1) IN GENERAL.—Until the report required by subsection (d)(1) is transmitted to the congressional committees referred to in that subsection, the Secretary may not proceed with the scrapping of any vessel in the National Defense Reserve Fleet except the following:

- (A) DONNER.
- (B) EXPORT COMMERCE.
- (C) BUILDER.
- (D) ALBERT E. WATTS.
- (E) WAYNE VICTORY.
- (F) MORMACDAWN.
- (G) MORMACMOON.
- (H) SANTA ELENA.
- (I) SANTA ISABEL.
- (J) SANTA CRUZ.
- (K) PROTECTOR.
- (L) LAUDERDALE.
- (N) PVT. FRED C. MURPHY.
- (M) BEAUJOLAIS.
- (O) MEACHAM.
- (P) NEACO.
- (Q) WABASH.
- (R) NEMASKET.
- (S) MIRFAK.
- (T) GEN. ALEX M. PATCH.
- (U) ARTHUR M. HUDDALL.
- (V) WASHINGTON.
- (W) SUFFOLK COUNTY.
- (X) CRANDALL.
- (Y) CRILLEY.
- (Z) RIGEL.
- (AA) VEGA.
- (BB) COMPASS ISLAND.
- (CC) EXPORT CHALLENGER.
- (DD) PRESERVER.
- (EE) MARINE FIDDLER.
- (FF) WOOD COUNTY.
- (GG) CATAWBA VICTORY.
- (HH) GEN. NELSON M. WALKER.
- (II) LORAIN COUNTY.
- (JJ) LYNCH.
- (KK) MISSION SANTA YNEZ.
- (LL) CALOOSAHATCHEE.
- (MM) CANISTEO.

114 STAT.  
1654A-491

- (2) PRIORITIZATION.—The Secretary shall exercise discretion to prioritize for scrapping those vessels identified in paragraph (1) that pose the most immediate threat to the environment.

(d) SCRAPPING PROGRAM FOR OBSOLETE NATIONAL DEFENSE RESERVE FLEET VESSELS.—

## 114 STAT. 1654A-491 PUBLIC LAW 106-398—APPENDIX

(1) DEVELOPMENT OF PROGRAM; REPORT.—The Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall within 6 months after the date of the enactment of this Act—

(A) develop a program for the scrapping of obsolete National Defense Reserve Fleet vessels; and

(B) submit a report on the program to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate.

(2) CONTENTS OF REPORT.—The report shall include information concerning the initial determination of scrapping capacity, both domestically and abroad, appropriate proposed regulations to implement the program, funding and staffing requirements, milestone dates for the disposal of each obsolete vessel, and longterm cost estimates for the program.

(3) ALTERNATIVES.—In developing the program, the Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall consider all alternatives and available information, including—

(A) alternative scrapping sites;

(B) vessel donations;

(C) sinking of vessels in deep water;

(D) sinking vessels for development of artificial reefs;

(E) sales of vessels before they become obsolete;

(F) results from the Navy Ship Disposal Program under section 8124 of the Department of Defense Appropriations Act, 1999; and

(G) the Report of the Department of Defense's Interagency Panel on Ship Scrapping issued in April 1998.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and every 6 months thereafter, the Secretary of Transportation, in coordination with the Secretary of the Navy, shall report to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate on the progress of the vessel scrapping program developed under subsection (d)(1) and on the progress of any other scrapping of obsolete Government-owned vessels.

(f) PRESIDENTIAL RECOMMENDATION.—The President shall transmit with the report required by subsection (d)(1) a recommendation on—

(1) whether it is necessary to amend the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other environmental statute or regulatory requirements relevant to the disposal of vessels described in section 6(c)(2) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(2)) by September 30, 2006; and

(2) any proposed changes to those requirements to carry out such disposals.

114 STAT.  
1654A-492

\* \* \* \* \*



**15. Overflights of Units of the National Park System**

PUBLIC LAW 106–181—APR. 5, 2000

114 STAT. 61

Public Law 106–181  
106th Congress**An Act**

To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Apr. 5, 2000  
[H.R. 1000]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**(a) **SHORT TITLE.**—This Act may be cited as the “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century”.Wendell H. Ford  
Aviation  
Investment and  
Reform Act for  
the 21st Century.  
49 USC 40101  
note.

\* \* \* \* \*

**SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

114 STAT. 64

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

**SEC. 3. APPLICABILITY.**

49 USC 106 note.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply only to fiscal years beginning after September 30, 1999.

**SEC. 4. DEFINITIONS.**49 USC 40102  
note.

Except as otherwise provided in this Act, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Aviation Administration.(2) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

\* \* \* \* \*

**TITLE VIII—NATIONAL PARKS AIR  
TOUR MANAGEMENT**114 STAT. 185  
National Parks  
Air Tour  
Management Act  
of 2000.  
49 USC 40128  
note.**SEC. 801. SHORT TITLE.**

This title may be cited as the “National Parks Air Tour Management Act of 2000”.

**SEC. 802. FINDINGS.**114 STAT. 186  
49 USC 40128  
note.

Congress finds that—

(1) the Federal Aviation Administration has sole authority to control airspace over the United States;

(2) the Federal Aviation Administration has the authority to preserve, protect, and enhance the environment by minimizing, mitigating, or preventing the adverse effects of aircraft overflights on public and tribal lands;

(3) the National Park Service has the responsibility of conserving the scenery and natural and historic objects and wildlife in national parks and of providing for the enjoyment

of the national parks in ways that leave the national parks unimpaired for future generations;

(4) the protection of tribal lands from aircraft overflights is consistent with protecting the public health and welfare and is essential to the maintenance of the natural and cultural resources of Indian tribes;

(5) the National Parks Overflights Working Group, composed of general aviation, commercial air tour, environmental, and Native American representatives, recommended that the Congress enact legislation based on the Group’s consensus work product; and

(6) this title reflects the recommendations made by that Group.

49 USC 40128  
note.

**SEC. 803. AIR TOUR MANAGEMENT PLANS FOR NATIONAL PARKS.**

(a) IN GENERAL.—Chapter 401 (as amended by section 706(a) of this Act) is further amended by adding at the end the following:

**“§ 40128. Overflights of national parks**

“(a) IN GENERAL.—

“(1) GENERAL REQUIREMENTS.—A commercial air tour operator may not conduct commercial air tour operations over a national park or tribal lands except—

“(A) in accordance with this section;

“(B) in accordance with conditions and limitations prescribed for that operator by the Administrator; and

“(C) in accordance with any applicable air tour management plan for the park or tribal lands.

“(2) APPLICATION FOR OPERATING AUTHORITY.—

“(A) APPLICATION REQUIRED.—Before commencing commercial air tour operations over a national park or tribal lands, a commercial air tour operator shall apply to the Administrator for authority to conduct the operations over the park or tribal lands.

“(B) COMPETITIVE BIDDING FOR LIMITED CAPACITY PARKS.—Whenever an air tour management plan limits the number of commercial air tour operations over a national park during a specified time frame, the Administrator, in cooperation with the Director, shall issue operation specifications to commercial air tour operators that conduct such operations. The operation specifications shall include such terms and conditions as the Administrator and the Director find necessary for management of commercial air tour operations over the park. The Administrator, in cooperation with the Director, shall develop an open competitive process for evaluating proposals from persons interested in providing commercial air tour operations over the park. In making a selection from among various proposals submitted, the Administrator, in cooperation with the Director, shall consider relevant factors, including—

“(i) the safety record of the person submitting the proposal or pilots employed by the person;

“(ii) any quiet aircraft technology proposed to be used by the person submitting the proposal;

“(iii) the experience of the person submitting the proposal with commercial air tour operations over other national parks or scenic areas;

PUBLIC LAW 106-181—APR. 5, 2000

114 STAT. 187

“(iv) the financial capability of the person submitting the proposal;

“(v) any training programs for pilots provided by the person submitting the proposal; and

“(vi) responsiveness of the person submitting the proposal to any relevant criteria developed by the National Park Service for the affected park.

“(C) NUMBER OF OPERATIONS AUTHORIZED.—In determining the number of authorizations to issue to provide commercial air tour operations over a national park, the Administrator, in cooperation with the Director, shall take into consideration the provisions of the air tour management plan, the number of existing commercial air tour operators and current level of service and equipment provided by any such operators, and the financial viability of each commercial air tour operation.

“(D) COOPERATION WITH NPS.—Before granting an application under this paragraph, the Administrator, in cooperation with the Director, shall develop an air tour management plan in accordance with subsection (b) and implement such plan.

“(E) TIME LIMIT ON RESPONSE TO ATMP APPLICATIONS.—The Administrator shall make every effort to act on any application under this paragraph and issue a decision on the application not later than 24 months after it is received or amended.

Deadline.

“(F) PRIORITY.—In acting on applications under this paragraph to provide commercial air tour operations over a national park, the Administrator shall give priority to an application under this paragraph in any case in which a new entrant commercial air tour operator is seeking operating authority with respect to that national park.

“(3) EXCEPTION.—Notwithstanding paragraph (1), commercial air tour operators may conduct commercial air tour operations over a national park under part 91 of the title 14, Code of Federal Regulations if—

“(A) such activity is permitted under part 119 of such title;

“(B) the operator secures a letter of agreement from the Administrator and the national park superintendent for that national park describing the conditions under which the operations will be conducted; and

“(C) the total number of operations under this exception is limited to not more than five flights in any 30-day period over a particular park.

“(4) SPECIAL RULE FOR SAFETY REQUIREMENTS.—Notwithstanding subsection (c), an existing commercial air tour operator shall apply, not later than 90 days after the date of the enactment of this section, for operating authority under part 119, 121, or 135 of title 14, Code of Federal Regulations. A new entrant commercial air tour operator shall apply for such authority before conducting commercial air tour operations over a national park or tribal lands. The Administrator shall make every effort to act on any such application for a new entrant and issue a decision on the application not later than 24 months after it is received or amended.

114 STAT. 188  
Deadlines.

“(b) AIR TOUR MANAGEMENT PLANS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, shall establish an air tour management plan for any national park or tribal land for which such a plan is not in effect whenever a person applies for authority to conduct a commercial air tour operation over the park. The air tour management plan shall be developed by means of a public process in accordance with paragraph (4).

“(B) OBJECTIVE.—The objective of any air tour management plan shall be to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands.

“(2) ENVIRONMENTAL DETERMINATION.—In establishing an air tour management plan under this subsection, the Administrator and the Director shall each sign the environmental decision document required by section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) which may include a finding of no significant impact, an environmental assessment, or an environmental impact statement and the record of decision for the air tour management plan.

“(3) CONTENTS.—An air tour management plan for a national park—

“(A) may prohibit commercial air tour operations in whole or in part;

“(B) may establish conditions for the conduct of commercial air tour operations, including commercial air tour routes, maximum or minimum altitudes, time-of-day restrictions, restrictions for particular events, maximum number of flights per unit of time, intrusions on privacy on tribal lands, and mitigation of noise, visual, or other impacts;

“(C) shall apply to all commercial air tour operations within ½ mile outside the boundary of a national park;

“(D) shall include incentives (such as preferred commercial air tour routes and altitudes, relief from caps and curfews) for the adoption of quiet aircraft technology by commercial air tour operators conducting commercial air tour operations at the park;

“(E) shall provide for the initial allocation of opportunities to conduct commercial air tour operations if the plan includes a limitation on the number of commercial air tour operations for any time period; and

“(F) shall justify and document the need for measures taken pursuant to subparagraphs (A) through (E) and include such justifications in the record of decision.

“(4) PROCEDURE.—In establishing an air tour management plan for a national park or tribal lands, the Administrator and the Director shall—

“(A) hold at least one public meeting with interested parties to develop the air tour management plan;

“(B) publish the proposed plan in the Federal Register for notice and comment and make copies of the proposed plan available to the public;

## PUBLIC LAW 106–181—APR. 5, 2000

114 STAT. 189

“(C) comply with the regulations set forth in sections 1501.3 and 1501.5 through 1501.8 of title 40, Code of Federal Regulations (for purposes of complying with the regulations, the Federal Aviation Administration shall be the lead agency and the National Park Service is a cooperating agency); and

“(D) solicit the participation of any Indian tribe whose tribal lands are, or may be, overflowed by aircraft involved in a commercial air tour operation over the park or tribal lands to which the plan applies, as a cooperating agency under the regulations referred to in subparagraph (C).

Native  
Americans.

“(5) JUDICIAL REVIEW.—An air tour management plan developed under this subsection shall be subject to judicial review.

“(6) AMENDMENTS.—The Administrator, in cooperation with the Director, may make amendments to an air tour management plan. Any such amendments shall be published in the Federal Register for notice and comment. A request for amendment of an air tour management plan shall be made in such form and manner as the Administrator may prescribe.

Federal Register,  
publication.

“(c) INTERIM OPERATING AUTHORITY.—

“(1) IN GENERAL.—Upon application for operating authority, the Administrator shall grant interim operating authority under this subsection to a commercial air tour operator for commercial air tour operations over a national park or tribal lands for which the operator is an existing commercial air tour operator.

“(2) REQUIREMENTS AND LIMITATIONS.—Interim operating authority granted under this subsection—

“(A) shall provide annual authorization only for the greater of—

“(i) the number of flights used by the operator to provide the commercial air tour operations within the 12-month period prior to the date of the enactment of this section; or

“(ii) the average number of flights per 12-month period used by the operator to provide such operations within the 36-month period prior to such date of enactment, and, for seasonal operations, the number of flights so used during the season or seasons covered by that 12-month period;

“(B) may not provide for an increase in the number of commercial air tour operations conducted during any time period by the commercial air tour operator above the number that the air tour operator was originally granted unless such an increase is agreed to by the Administrator and the Director;

114 STAT. 190

“(C) shall be published in the Federal Register to provide notice and opportunity for comment;

Federal Register,  
publication.

“(D) may be revoked by the Administrator for cause;

“(E) shall terminate 180 days after the date on which an air tour management plan is established for the park or tribal lands;

Termination  
date.

“(F) shall promote protection of national park resources, visitor experiences, and tribal lands;

“(G) shall promote safe commercial air tour operations;

“(H) shall promote the adoption of quiet technology, as appropriate; and

“(I) shall allow for modifications of the interim operating authority based on experience if the modification improves protection of national park resources and values and of tribal lands.

“(3) NEW ENTRANT AIR TOUR OPERATORS.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, may grant interim operating authority under this paragraph to an air tour operator for a national park or tribal lands for which that operator is a new entrant air tour operator if the Administrator determines the authority is necessary to ensure competition in the provision of commercial air tour operations over the park or tribal lands.

“(B) SAFETY LIMITATION.—The Administrator may not grant interim operating authority under subparagraph (A) if the Administrator determines that it would create a safety problem at the park or on the tribal lands, or the Director determines that it would create a noise problem at the park or on the tribal lands.

“(C) ATMP LIMITATION.—The Administrator may grant interim operating authority under subparagraph (A) of this paragraph only if the air tour management plan for the park or tribal lands to which the application relates has not been developed within 24 months after the date of the enactment of this section.

“(d) EXEMPTIONS.—This section shall not apply to—

“(1) the Grand Canyon National Park; or

“(2) tribal lands within or abutting the Grand Canyon National Park.

“(e) LAKE MEAD.—This section shall not apply to any air tour operator while flying over or near the Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) COMMERCIAL AIR TOUR OPERATOR.—The term ‘commercial air tour operator’ means any person who conducts a commercial air tour operation.

“(2) EXISTING COMMERCIAL AIR TOUR OPERATOR.—The term ‘existing commercial air tour operator’ means a commercial air tour operator that was actively engaged in the business of providing commercial air tour operations over a national park at any time during the 12-month period ending on the date of the enactment of this section.

“(3) NEW ENTRANT COMMERCIAL AIR TOUR OPERATOR.—The term ‘new entrant commercial air tour operator’ means a commercial air tour operator that—

“(A) applies for operating authority as a commercial air tour operator for a national park or tribal lands; and

“(B) has not engaged in the business of providing commercial air tour operations over the national park or tribal lands in the 12-month period preceding the application.

“(4) COMMERCIAL AIR TOUR OPERATION.—

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114 STAT. 191

“(A) IN GENERAL.—The term ‘commercial air tour operation’ means any flight, conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over a national park, within ½ mile outside the boundary of any national park, or over tribal lands, during which the aircraft flies—

“(i) below a minimum altitude, determined by the Administrator in cooperation with the Director, above ground level (except solely for purposes of takeoff or landing, or necessary for safe operation of an aircraft as determined under the rules and regulations of the Federal Aviation Administration requiring the pilot-in-command to take action to ensure the safe operation of the aircraft); or

“(ii) less than 1 mile laterally from any geographic feature within the park (unless more than ½ mile outside the boundary).

“(B) FACTORS TO CONSIDER.—In making a determination of whether a flight is a commercial air tour operation for purposes of this section, the Administrator may consider—

“(i) whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

“(ii) whether a narrative that referred to areas or points of interest on the surface below the route of the flight was provided by the person offering the flight;

“(iii) the area of operation;

“(iv) the frequency of flights conducted by the person offering the flight;

“(v) the route of flight;

“(vi) the inclusion of sightseeing flights as part of any travel arrangement package offered by the person offering the flight;

“(vii) whether the flight would have been canceled based on poor visibility of the surface below the route of the flight; and

“(viii) any other factors that the Administrator and the Director consider appropriate.

“(5) NATIONAL PARK.—The term ‘national park’ means any unit of the National Park System.

“(6) TRIBAL LANDS.—The term ‘tribal lands’ means Indian country (as that term is defined in section 1151 of title 18) that is within or abutting a national park.

“(7) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Aviation Administration.

“(8) DIRECTOR.—The term ‘Director’ means the Director of the National Park Service.” 114 STAT. 192

(b) CONFORMING AMENDMENT.—The analysis for chapter 401 (as amended by section 706(b) of this Act) is further amended by adding at the end the following:

“40128. Overflights of national parks.”.

(c) COMPLIANCE WITH OTHER REGULATIONS.—For purposes of section 40126 of title 49, United States Code—

114 STAT. 192

PUBLIC LAW 106-181—APR. 5, 2000

(1) regulations issued by the Secretary of Transportation and the Administrator under section 3 of Public Law 100-91 (16 U.S.C. 1a-1 note); and

(2) commercial air tour operations carried out in compliance with the requirements of those regulations, shall be deemed to meet the requirements of such section 40126.

Arizona.  
Nevada.  
Deadline.

**SEC. 804. QUIET AIRCRAFT TECHNOLOGY FOR GRAND CANYON.**

Reports.

(a) **QUIET TECHNOLOGY REQUIREMENTS.**—Within 12 months after the date of the enactment of this Act, the Administrator shall designate reasonably achievable requirements for fixed-wing and helicopter aircraft necessary for such aircraft to be considered as employing quiet aircraft technology for purposes of this section. If the Administrator determines that the Administrator will not be able to make such designation before the last day of such 12-month period, the Administrator shall transmit to Congress a report on the reasons for not meeting such time period and the expected date of such designation.

Regulations.

(b) **ROUTES OR CORRIDORS.**—In consultation with the Director and the advisory group established under section 805, the Administrator shall establish, by rule, routes or corridors for commercial air tour operations (as defined in section 40126(e)(4) of title 49, United States Code) by fixed-wing and helicopter aircraft that employ quiet aircraft technology for—

(1) tours of the Grand Canyon originating in Clark County, Nevada; and

(2) “local loop” tours originating at the Grand Canyon National Park Airport, in Tusayan, Arizona, provided that such routes or corridors can be located in areas that will not negatively impact the substantial restoration of natural quiet, tribal lands, or safety.

(c) **OPERATIONAL CAPS.**—Commercial air tour operations by any fixed-wing or helicopter aircraft that employs quiet aircraft technology and that replaces an existing aircraft shall not be subject to the operational flight allocations that apply to other commercial air tour operations of the Grand Canyon, provided that the cumulative impact of such operations does not increase noise at the Grand Canyon.

(d) **MODIFICATION OF EXISTING AIRCRAFT TO MEET STANDARDS.**—A commercial air tour operation by a fixed-wing or helicopter aircraft in a commercial air tour operator’s fleet on the date of the enactment of this Act that meets the requirements designated under subsection (a), or is subsequently modified to meet the requirements designated under subsection (a), may be used for commercial air tour operations under the same terms and conditions as a replacement aircraft under subsection (c) without regard to whether it replaces an existing aircraft.

(e) **MANDATE TO RESTORE NATURAL QUIET.**—Nothing in this Act shall be construed to relieve or diminish—

114 STAT. 193

(1) the statutory mandate imposed upon the Secretary of the Interior and the Administrator of the Federal Aviation Administration under Public Law 100-91 (16 U.S.C. 1a-1 note) to achieve the substantial restoration of the natural quiet and experience at the Grand Canyon National Park; and

(2) the obligations of the Secretary and the Administrator to promulgate forthwith regulations to achieve the substantial



PUBLIC LAW 106–181—APR. 5, 2000

114 STAT. 193

restoration of the natural quiet and experience at the Grand Canyon National Park.

**SEC. 805. ADVISORY GROUP.**

49 USC 40128  
note.  
Deadline.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly establish an advisory group to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks.

**(b) MEMBERSHIP.**—

(1) **IN GENERAL.**—The advisory group shall be composed of—

(A) a balanced group of—

- (i) representatives of general aviation;
- (ii) representatives of commercial air tour operators;
- (iii) representatives of environmental concerns;
- and
- (iv) representatives of Indian tribes;

(B) a representative of the Federal Aviation Administration; and

(C) a representative of the National Park Service.

(2) **EX OFFICIO MEMBERS.**—The Administrator (or the designee of the Administrator) and the Director (or the designee of the Director) shall serve as ex officio members.

(3) **CHAIRPERSON.**—The representative of the Federal Aviation Administration and the representative of the National Park Service shall serve alternating 1-year terms as chairman of the advisory group, with the representative of the Federal Aviation Administration serving initially until the end of the calendar year following the year in which the advisory group is first appointed.

(c) **DUTIES.**—The advisory group shall provide advice, information, and recommendations to the Administrator and the Director—

(1) on the implementation of this title and the amendments made by this title;

(2) on commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) on other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) at the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands.

**(d) COMPENSATION; SUPPORT; FACILITATION.**—

(1) **COMPENSATION AND TRAVEL.**—Members of the advisory group who are not officers or employees of the United States, while attending conferences or meetings of the group or otherwise engaged in its business, or while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

114 STAT. 194

(2) **ADMINISTRATIVE SUPPORT.**—The Federal Aviation Administration and the National Park Service shall jointly furnish to the advisory group clerical and other assistance.

114 STAT. 194

PUBLIC LAW 106–181—APR. 5, 2000

(3) NONAPPLICATION OF FACA.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the advisory group.

49 USC 40128  
note.

**SEC. 806. PROHIBITION OF COMMERCIAL AIR TOUR OPERATIONS OVER THE ROCKY MOUNTAIN NATIONAL PARK.**

Effective date.

Effective beginning on the date of the enactment of this Act, no commercial air tour operation may be conducted in the airspace over the Rocky Mountain National Park notwithstanding any other provision of this Act or section 40126 of title 49, United States Code.

Deadlines.  
49 USC 40128  
note.

**SEC. 807. REPORTS.**

(a) OVERFLIGHT FEE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall transmit to Congress a report on the effects overflight fees are likely to have on the commercial air tour operation industry. The report shall include, but shall not be limited to—

(1) the viability of a tax credit for the commercial air tour operators equal to the amount of any overflight fees charged by the National Park Service; and

(2) the financial effects proposed offsets are likely to have on Federal Aviation Administration budgets and appropriations.

(b) QUIET AIRCRAFT TECHNOLOGY REPORT.—Not later than 2 years after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly transmit a report to Congress on the effectiveness of this title in providing incentives for the development and use of quiet aircraft technology.

49 USC 40128  
note.

**SEC. 808. METHODOLOGIES USED TO ASSESS AIR TOUR NOISE.**

Any methodology adopted by a Federal agency to assess air tour noise in any unit of the national park system (including the Grand Canyon and Alaska) shall be based on reasonable scientific methods.

49 USC 40128  
note.

**SEC. 809. ALASKA EXEMPTION.**

The provisions of this title and section 40128 of title 49, United States Code, as added by section 803(a), do not apply to any land or waters located in Alaska.

\* \* \* \* \*

114 STAT. 197

Approved April 5, 2000.

LEGISLATIVE HISTORY—H.R. 1000 (S. 82) (S. 1467):

HOUSE REPORTS: Nos. 106–167 and Pt. 2 (Comm. on Transportation and Infrastructure) and 106–513 (Comm. of Conference).

SENATE REPORTS: No. 106–9 accompanying S. 82 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD:

Vol. 145 (1999): June 15, considered and passed House.

Oct. 5, considered and passed Senate, amended, in lieu of S. 82.

Vol. 146 (2000): Mar. 8, Senate agreed to conference report.

Mar. 15, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Apr. 5, Presidential statement.



PUBLIC LAW 106–398—OCT. 30, 2000

114 STAT. 1654

\* Public Law 106–398  
106th Congress

An Act

To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Oct. 30, 2000  
[H.R. 4205]

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

**SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.**

Incorporation by reference.

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

**SEC. 2. PUBLICATION OF ACT.**

1 USC 112 note.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

Approved October 30, 2000.

**LEGISLATIVE HISTORY—H.R. 4205 (S. 2549) (S. 2550):**

HOUSE REPORTS: Nos. 106–616 (Comm. on Armed Services) and 106–945 (Comm. of Conference).

SENATE REPORTS: No. 106–292 accompanying S. 2549 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 17, 18 considered and passed House.

July 13, considered and passed Senate, amended.

Oct. 11, House agreed to conference report.

Oct. 12, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 30, Presidential statement.

\*ENDNOTE: The following appendix was added pursuant to the provisions of sections 1 and 2 of this Act.



**APPENDIX—H.R. 5408****SECTION 1. SHORT TITLE; FINDINGS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001”.

\* \* \* \* \*

114 STAT.  
1654A-2

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) **DIVISIONS.**—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

**DIVISION A—DEPARTMENT OF DEFENSE  
AUTHORIZATIONS**

\* \* \* \* \*

114 STAT.  
1654A-50

**TITLE III—OPERATION AND  
MAINTENANCE**

\* \* \* \* \*

114 STAT.  
1654A-53

**Subtitle B—Environmental Provisions**

\* \* \* \* \*

114 STAT.  
1654A-57

**SEC. 317. NECESSITY OF MILITARY LOW-LEVEL FLIGHT TRAINING TO  
PROTECT NATIONAL SECURITY AND ENHANCE MILITARY  
READINESS.**

Nothing in the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the regulations implementing such law shall require the Secretary of Defense or the Secretary of a military department to prepare a programmatic, nation-wide environmental impact statement for low-level flight training as a precondition to the use by the Armed Forces of an airspace for the performance of low-level training flights.

\* \* \* \* \*

PUBLIC LAW 106–528—NOV. 22, 2000

114 STAT. 2517

Public Law 106–528  
106th Congress

## An Act

To amend title 49, United States Code, to improve airport security.

Nov. 22, 2000  
[S. 2440]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “Airport Security Improvement  
Act of 2000”.Airport Security  
Improvement Act  
of 2000.  
49 USC 40101  
note.

\* \* \* \* \*

**SEC. 8. TECHNICAL AMENDMENTS.**

114 STAT. 2522

\* \* \* \* \*

(b) NATIONAL PARKS AIR TOUR MANAGEMENT.—Title VIII of  
the Wendell H. Ford Aviation Investment and Reform Act for the  
21st Century (49 U.S.C. 40128 note; 114 Stat. 185 et seq.) is  
amended—(1) in section 803(c) by striking “40126” each place it  
appears and inserting “40128”;(2) in section 804(b) by striking “40126(e)(4)” and inserting  
“40128(f)”; and

(3) in section 806 by striking “40126” and inserting “40128”.

\* \* \* \* \*

**SEC. 9. EFFECTIVE DATE.**114 STAT. 2523  
49 USC 106 note.Except as otherwise expressly provided, this Act and the  
amendments made by this Act shall take effect 30 days after the  
date of enactment of this Act.

Approved November 22, 2000.

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**LEGISLATIVE HISTORY—S. 2440:**SENATE REPORTS: No. 106–388 (Comm. on Commerce, Science, and Transpor-  
tation).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 3, considered and passed Senate.

Oct. 23, considered and passed House, amended.

Oct. 25, Senate concurred in House amendment.



**16. Park Police**

114 STAT. 1920

PUBLIC LAW 106-437—NOV. 6, 2000

**Public Law 106-437  
106th Congress****An Act**Nov. 6, 2000  
[H.R. 4404]

To permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, 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. MEDICAL PAYMENTS.**

(a) **IN GENERAL.**—Subsection (e) of the Policemen and Firemen's Retirement and Disability Act (39 Stat. 718, as amended by 71 Stat. 394) is amended by adding at the end the following new sentence: "Notwithstanding the previous sentence, in the case of any member of the United States Park Police, payment shall be made by the National Park Service upon a certificate of the Chief, United States Park Police, setting forth the necessity for such services or treatment and the nature of the injury or disease which rendered the same necessary."

(b) **NATIONAL PARK SERVICE REIMBURSEMENT.**—Section 6 of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 (71 Stat. 399) is amended by inserting after the first sentence the following new sentence: "Such sums are authorized to be appropriated to reimburse the National Park Service, on a monthly basis, for medical benefit payments made from funds appropriated to the National Park Service in the case of any member of the United States Park Police."

**SEC. 2. INDEMNIFICATION.**

(a) **IN GENERAL.**—Section 10(c) of the Act of August 18, 1970 (Public Law 91-383; 16 U.S.C. 1a-6(c)), is amended—

- (1) by striking "and" at the end of paragraph (2);
- (2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and
- (3) by inserting after paragraph (2) the following:

"(3) mutually waive, in any agreement pursuant to paragraphs (1) and (2) of this subsection or pursuant to subsection (b)(1) with any State or political subdivision thereof where State law requires such waiver and indemnification, any and all civil claims against all the other parties thereto and, subject to available appropriations, indemnify and save harmless the other parties to such agreement from all claims by third parties for property damage or personal injury, which may arise out of the parties' activities outside their respective jurisdictions under such agreement; and"

## PUBLIC LAW 106–437—NOV. 6, 2000

114 STAT. 1921

(b) TECHNICAL AMENDMENT.—Paragraph (5) of section 10(c) the Act of August 18, 1970 (Public Law 91–383; 16 U.S.C. 1a–6(c)) (as redesignated by subsection (a)(2)), is further amended—

- (1) by striking “(5) the” and inserting “The”; and
- (2) by moving the text flush and 2 ems to the left.

Approved November 6, 2000.

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LEGISLATIVE HISTORY—H.R. 4404:

HOUSE REPORTS: No. 106–854, Pt. 1 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 17, considered and passed House.

Oct. 26, considered and passed Senate.



114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

\* Public Law 106-554  
106th Congress

An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105-217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\*See Endnote on 114 Stat. 2764.



## PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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*The table of contents is as follows:*

APPENDIX A—H.R. 5656

APPENDIX B—H.R. 5657

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APPENDIX D-1—S. 2273

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APPENDIX E—H.R. 5660

APPENDIX F—H.R. 5661

APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A-214

\* \* \* \* \*

**TITLE IX—LAW ENFORCEMENT PAY EQUITY**

114 STAT.  
2763A-303

**SEC. 901. SHORT TITLE.**

This title may be cited as the “Law Enforcement Pay Equity Act of 2000”.

**SEC. 902. ESTABLISHMENT OF UNIFORM SALARY SCHEDULE FOR UNITED STATES SECRET SERVICE UNIFORMED DIVISION AND UNITED STATES PARK POLICE.**

(a) IN GENERAL.—Section 501(c)(1) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-416(c)(1), D.C. Code) is amended to read as follows:

“(c)(1) The annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division and the United States Park Police, serving in classes corresponding or similar to those in the salary schedule in section 101, shall be fixed in accordance with the following schedule of rates:

“Salary class and title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Time between steps	52 weeks			104 weeks			
Years in service		1	2	3	5	7	9
1: Private ...	32,623	34,587	36,626	38,306	41,001	43,728	45,407
3: Detective			42,378	44,502	46,620	48,746	50,837
4: Sergeant				46,151	48,446	50,746	53,056
5: Lieutenant <sup>1</sup> .....					50,910	53,462	56,545
7: Captain <sup>1</sup>						59,802	62,799
8: Inspector/Major <sup>1</sup> ....						69,163	72,760
9: Deputy Chief <sup>1</sup> .....						79,768	85,158
10: Assistant Chief <sup>2</sup>							
11: Chief, United States Secret Service Uniformed Division, United States Park Police <sup>3</sup>							

114 STAT.  
2763A-304

<sup>1</sup> The rate of basic pay for positions in Salary Class 5, 7, 8, and 9 is limited to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>2</sup> The rate of basic pay for positions in Salary Class 10 will be equal to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>3</sup> The rate of basic pay for positions in Salary Class 11 will be equal to the rate of pay for level V of the Executive Schedule.

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“Salary class and title	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
Time between steps	104 weeks		156 weeks	208 weeks			
Years in service	11	13	15	18	22	26	30
1: Private ...	47,107	48,801	50,498	53,448	55,394	57,036	58,746
3: Detective	52,972	55,086	57,204	61,212	63,337	65,462	67,426
4: Sergeant	55,372	57,691	59,999	63,558	65,867	68,176	70,221
5: Lieutenant <sup>1</sup> .....	59,120	61,688	64,258	68,197	70,744	73,290	75,489
7: Captain <sup>1</sup>	65,797	68,757	71,747	76,292	79,309	82,325	84,796
8: Inspector/Major <sup>1</sup> ....	76,542	80,524	83,983	87,645	91,827	95,464	99,075
9: Deputy Chief <sup>1</sup> .....	90,578	95,980	99,968	103,957	107,945	111,933	115,291
10: Assistant Chief <sup>2</sup>							
11: Chief, United States Secret Service Uniformed Division, United States Park Police <sup>3</sup>							

<sup>1</sup>The rate of basic pay for positions in Salary Class 5, 7, 8, and 9 is limited to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>2</sup>The rate of basic pay for positions in Salary Class 10 will be equal to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>3</sup>The rate of basic pay for positions in Salary Class 11 will be equal to the rate of pay for level V of the Executive Schedule.

(b) **FREEZE OF CURRENT RATE FOR LOCALITY-BASED COMPARABILITY ADJUSTMENTS.**—Notwithstanding any other provision of law, including this title or any provision of law amended by this title, no officer or member of the United States Secret Service Uniformed Division or the United States Park Police may be paid locality pay under section 5304 or section 5304a of title 5, United States Code, at a percentage rate for the applicable locality in excess of the rate in effect for pay periods during calendar year 2000.

(c) **CONFORMING AMENDMENTS.**—

(1) **APPLICATION OF PROVISIONS TO PARK POLICE.**—Section 501(c) of such Act (sec. 4–416(c), D.C. Code) is amended—

(A) in paragraph (2), by striking “Treasury” and inserting the following: “Treasury, and the annual rates of basic compensation of officers and members of the United States Park Police shall be adjusted by the Secretary of the Interior,”;

(B) in paragraph (5), by inserting after “Uniformed Division” the following: “or officers and members of the United States Park Police”;

(C) in paragraph (6)(A), by inserting after “Uniformed Division” the following: “or the United States Park Police”; and

(D) in paragraph (7)(A), by inserting after “Uniformed Division” the following: “or the United States Park Police”.

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(2) TERMINATION OF CURRENT ADJUSTMENT AUTHORITY.—Section 501(b) of such Act (sec. 4-416(b), D.C. Code) is amended by adding at the end the following new paragraph:

“(4) This subsection shall not apply with respect to any pay period for which the salary schedule under subsection (c) applies to the United States Park Police.”.

**SEC. 903. REVISION OF CAPS ON MAXIMUM COMPENSATION.**

(a) ANNUAL SALARY UNDER SCHEDULE.—Section 501(c)(2) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-416(c)(2), D.C. Code) is amended by striking the period at the end and inserting the following: “, except that in no case may the annual rate of basic compensation for any such officer or member exceed the rate of basic pay payable for level IV of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.”.

(b) REPEAL OF CAP ON COMBINED BASIC PAY AND LONGEVITY PAY.—Section 501(c) of such Act (sec. 4-416(c), D.C. Code) is amended by striking paragraph (4).

(c) LIMITATION ON PAY PERIOD EARNINGS FOR COMP TIME.—Section 1(h) of the Act entitled “An Act to provide a 5-day week for officers and members of the Metropolitan Police force, the United States Park Police force, and the White House Police force, and for other purposes”, approved August 15, 1950 (sec. 4-1104(h), D.C. Code), is amended—

(1) in paragraphs (1) and (2), by striking “Metropolitan Police force; or of the Fire Department of the District of Columbia; or of the United States Park Police” each place it appears and inserting “Metropolitan Police force or of the Fire Department of the District of Columbia”; and

(2) in paragraph (3), by inserting after “United States Secret Service Uniformed Division” each place it appears the following: “or of the United States Park Police”.

**SEC. 904. DETERMINATION OF SERVICE STEP ADJUSTMENTS.**

(a) METHOD FOR DETERMINATION OF ADJUSTMENTS.—Section 303(a) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-412(a), D.C. Code) is amended—

(1) in the matter preceding paragraph (1), by “Each” and inserting “Except as provided in paragraph (5), each”; and

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

“(5) Each officer and member of the United States Secret Service Uniformed Division and the United States Park Police with a current performance rating of ‘satisfactory’ or better, shall have a service step adjustment in the following manner:

“(A) Each officer and member in service step 1, 2, or 3 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 52 calendar weeks of active service in the officer’s or member’s service step.

“(B) Each officer and member in service step 4, 5, 6, 7, 8, or 9 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 104 calendar weeks of active service in the officer’s or member’s service step.

114 STAT.  
2763A-306

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“(C) Each officer and member in service step 10 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 156 calendar weeks of active service in the officer’s or member’s service step.

“(D) Each officer and member in service steps 11, 12, or 13 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 208 calendar weeks of active service in the officer’s or member’s service step.”.

(b) **USE OF TOTAL CREDITABLE SERVICE TO DETERMINE STEP PLACEMENT.**—Section 304 of such Act (sec. 4-413, D.C. Code) is amended—

(1) in subsection (a), by striking “(b)” and inserting “(b) or (c)”;

(2) by adding at the end the following new subsection:

“(c)(1) Each officer and member of the United States Secret Service Uniformed Division or the United States Park Police who is promoted or transferred to a higher salary shall receive basic compensation in accordance with the officer’s or member’s total creditable service.

“(2) For purposes of this subsection, an officer’s or member’s creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.”.

(c) **CONFORMING AMENDMENT.**—Section 401(a) of such Act (sec. 4-415(a), D.C. Code) is amended by adding at the end the following new paragraph:

“(4) This subsection shall not apply to officers and members of the United States Secret Service Uniformed Division or the United States Park Police.”.

**SEC. 905. CONVERSION TO NEW SALARY SCHEDULE.**

(a) **IN GENERAL.**—

(1) **DETERMINATION OF RATES OF BASIC PAY.**—Effective on the first day of the 1st pay period beginning 6 months after the date of enactment of this Act, the Secretary of the Treasury shall fix the rates of basic pay for officers and members of the United States Secret Service Uniformed Division, and the Secretary of the Interior shall fix the rates of basic pay for officers and members of the United States Park Police, in accordance with this subsection.

(2) **PLACEMENT ON REVISED SALARY SCHEDULE.**—

(A) **IN GENERAL.**—Each officer and member shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule under section 501(c) of the District of Columbia Police and Firemen’s Salary Act of 1958 (as amended by section 902(a)) in accordance with the member’s total years of creditable service, receiving credit for all service step adjustments. If the scheduled rate of pay for the step to which the officer or member would be assigned in accordance with this paragraph is lower than the officer’s or member’s

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-307

salary immediately prior to the enactment of this paragraph, the officer or member will be placed in and receive compensation at the next higher service step.

(B) CREDIT FOR INCREASES DURING TRANSITION.—Each member whose position is to be converted to the salary schedule under section 501(b) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by subsection (a)) and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before such member is placed in the corresponding service step in the salary schedule under section 501(b).

(C) CREDITABLE SERVICE DESCRIBED.—For purposes of this paragraph, an officer's or member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.

(b) HOLD HARMLESS FOR CURRENT TOTAL COMPENSATION.—Notwithstanding any other provision of law, if the total rate of compensation for an officer or employee for any pay period occurring after conversion to the salary schedule pursuant to subsection (a) (determined by taking into account any locality-based comparability adjustments, longevity pay, and other adjustments paid in addition to the rate of basic compensation) is less than the officer's or employee's total rate of compensation (as so determined) on the date of enactment, the rate of compensation for the officer or employee for the pay period shall be equal to—

(1) the rate of compensation on the date of enactment (as so determined); increased by

(2) a percentage equal to 50 percent of sum of the percentage adjustments made in the rate of basic compensation under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by subsection (a)) for pay periods occurring after the date of enactment and prior to the pay period involved.

(c) CONVERSION NOT TREATED AS TRANSFER OR PROMOTION.—The conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) shall not be considered to be transfers or promotions within the meaning of section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-413, D.C. Code).

(d) TRANSFER OF CREDIT FOR SATISFACTORY SERVICE.—Each individual whose position is converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) in accordance with subsection (a) shall be granted credit for purposes of such individual's first service step adjustment under the salary schedule in such section 501(c) for all satisfactory service performed by the individual since the individual's last increase in basic pay prior to the adjustment under that section.

(e) ADJUSTMENT TO TAKE INTO ACCOUNT GENERAL SCHEDULE ADJUSTMENTS DURING TRANSITION.—The rates provided under the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section

114 STAT.  
2763A-308

## 114 STAT. 2763A-308 PUBLIC LAW 106-554—APPENDIX D

902(a)) shall be increased by the percentage of any annual adjustment applicable to the General Schedule authorized under section 5303 of title 5, United States Code, which takes effect during the period which begins on the date of the enactment of this Act and ends on the first day of the first pay period beginning 6 months after the date of enactment of this Act.

(f) **CONVERSION NOT TREATED AS SALARY INCREASE FOR PURPOSES OF CERTAIN PENSIONS AND ALLOWANCES.**—The conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 2(a)) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) shall not be treated as an increase in salary for purposes of section 3 of the Act entitled "An Act to provide increased pensions for widows and children of deceased members of the Police Department and the Fire Department of the District of Columbia", approved August 4, 1949 (sec. 4-604, D.C. Code), or section 301 of the District of Columbia Police and Firemen's Salary Act of 1953 (sec. 4-605, D.C. Code).

**SEC. 906. PAY ADJUSTMENTS FOR CERTAIN POSITIONS.**

(a) **TECHNICIAN DUTY.**—Section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-411, D.C. Code) is amended—

(1) in subsection (b), by striking "\$810 per annum" and inserting the following: "\$810 per annum, except in the case of an officer or member of the United States Secret Service Uniformed Division or the United States Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments";

(2) in subsection (c), by striking "\$595 per annum" each place it appears and inserting the following: "\$595 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments"; and

(3) in subsection (e), by inserting after "Whenever any officer or member" the following: "(other than an officer or member of the United States Secret Service Uniformed Division or the United States Park Police)".

(b) **HELICOPTER PILOT, BOMB DISPOSAL, OR SCUBA DIVING DUTY.**—Section 202 of such Act (sec. 4-408, D.C. Code) is amended by striking "\$2,270 per annum" and inserting the following: "\$2,270 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 7 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments".

**SEC. 907. CONFORMING PROVISIONS RELATING TO FEDERAL LAW ENFORCEMENT PAY REFORM ACT.**

(a) **TERMINATION OF EXISTING SPECIAL SALARY RATES AND ADJUSTMENTS.**—Beginning on the effective date of this Act—

(1) no existing special salary rates shall be authorized for members of the United States Park Police under section 5305 of title 5, United States Code (or any previous similar provision of law); and



## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-309

(2) no special rates of pay or special pay adjustments shall be applicable to members of the United States Park Police pursuant to section 405 of the Federal Law Enforcement Pay Reform Act of 1990.

(b) CONFORMING AMENDMENTS.—(1) Section 405(b) of the Federal Law Enforcement Pay Reform Act of 1990 (5 U.S.C. 5303 note) is amended to read as follows:

“(b) This subsection applies with respect to any—

“(1) special agent within the Diplomatic Security Service;

“(2) probation officer (referred to in section 3672 of title 18, United States Code); or

“(3) pretrial services officer (referred to in section 3153 of title 18, United States Code).”

(2) Section 405(c) of such Act (5 U.S.C. 5303 note) is amended to read as follows:

“(c) For purposes of this section, the term ‘appropriate agency head’ means—

“(1) with respect to any individual under subsection (b)(1), the Secretary of State; or

“(2) with respect to any individual under subsection (b)(2) or (b)(3), the Director of the Administrative Office of the United States Courts.”

**SEC. 908. SERVICE LONGEVITY PAYMENTS FOR METROPOLITAN POLICE DEPARTMENT.**

(a) INCLUSION OF SERVICE LONGEVITY PAYMENTS IN AMOUNT OF FEDERAL BENEFIT PAYMENTS MADE TO METROPOLITAN POLICE DEPARTMENT OFFICERS AND MEMBERS.—Section 11012 of the District of Columbia Retirement Protection Act of 1997 (Public Law 105-33; 111 Stat. 718; D.C. Code, sec. 1-762.2) is amended by adding at the end the following new subsection:

“(e) TREATMENT OF INCREASES IN CERTAIN POLICE SERVICE LONGEVITY PAYMENTS.—For purposes of subsection (a), in determining the amount of a Federal benefit payment made to an officer or member of the Metropolitan Police Department, the benefit payment to which the officer or member is entitled under the District Retirement Program shall include any amounts which would have been included in the benefit payment under such Program if the amendments made by the Police Recruiting and Retention Enhancement Amendment Act of 1999 had taken effect prior to the freeze date.”

(b) CONFORMING AMENDMENT.—Section 11003(5) of such Act (Public Law 105-33; 111 Stat. 717; D.C. Code, sec. 1-761.2(5)) is amended by inserting after “except as” the following: “provided under section 11012(e) and as”.

114 STAT.  
2763A-310

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Federal benefit payments made after the date of the enactment of this Act.

**SEC. 909. EFFECTIVE DATE.**

Except as provided in section 908(c), this title and the amendments made by this title shall become effective on the first day of the first pay period beginning 6 months after the date of enactment.

\* \* \* \* \*

## 17. Underground Railroad Network to Freedom Program

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

Public Law 106–291  
106th Congress

### An Act

Oct. 11, 2000  
[H.R. 4578]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

### TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 941

### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 956  
National  
Underground  
Railroad  
Freedom Center  
Act.  
16 USC 461 note.  
16 USC 469/–2  
note.

Sec. 150. (a) SHORT TITLE.—This section may be cited as the “National Underground Railroad Freedom Center Act”.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the National Underground Railroad Freedom Center (hereinafter “Freedom Center”) is a nonprofit organization incorporated under the laws of the State of Ohio in 1995;

(B) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

(C) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

(D) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

(E) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act.

114 STAT. 957

## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 957

(2) PURPOSES.—The purposes of this section are—

(A) to promote preservation and public awareness of the history of the Underground Railroad;

(B) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and

(C) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (112 Stat. 679; 16 U.S.C. 469l and following).

(c) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) PROJECT BUDGET.—The term “project budget” means the total amount of funds expended by the Freedom Center on construction of its facility, development of its programs and exhibits, research, collection of informative and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center, prior to the opening of the Freedom Center facility in Cincinnati, Ohio.

(3) FEDERAL SHARE.—The term “Federal share” means an amount not to exceed 20 percent of the project budget and shall include all amounts received from the Federal Government under this legislation and any other Federal programs.

(4) NON-FEDERAL SHARE.—The term “non-Federal share” means all amounts obtained by the Freedom Center for the implementation of its facilities and programs from any source other than the Federal Government, and shall not be less than 80 percent of the project budget.

(5) THE FREEDOM CENTER FACILITY.—The term “the Freedom Center facility” means the facility, including the building and surrounding site, which will house the museum and research institute to be constructed and developed in Cincinnati, Ohio, on the site described in subsection (d)(3).

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) PROGRAM AUTHORIZED.—From sums appropriated pursuant to the authority of subsection (d)(4) in any fiscal year, the Secretary is authorized and directed to provide financial assistance to the Freedom Center, in order to pay the Federal share of the cost of authorized activities described in subsection (e).

114 STAT. 958

(2) EXPENDITURE ON NON-FEDERAL PROPERTY.—The Secretary is authorized to expend appropriated funds under subsection (d)(1) of this section to assist in the construction of the Freedom Center facility and the development of programs and exhibits for that facility which will be funded primarily through private and non-Federal funds, on property owned by the city of Cincinnati, Hamilton County, and the State of Ohio.

(3) DESCRIPTION OF THE FREEDOM CENTER FACILITY SITE.—The facility referred to in subsections (d)(1) and (d)(2) will be located on a site described as follows: a 2-block area south of new South Second, west of Walnut Street, north of relocated Theodore M. Berry Way, and east of Vine Street in Cincinnati, Ohio.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$16,000,000 for the 4 fiscal year period

114 STAT. 958

PUBLIC LAW 106-291—OCT. 11, 2000

beginning October 1, 1999. Funds not to exceed that total amount may be appropriated in 1 or more of such fiscal years. Funds shall not be disbursed until the Freedom Center has commitments for a minimum of 50 percent of the non-Federal share.

(5) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds appropriated to carry out the provisions of this section shall remain available for obligation and expenditure until the end of the fiscal year succeeding the fiscal year for which the funds were appropriated.

(6) OTHER PROVISIONS.—Any grant made under this section shall provide that—

(A) no change or alteration may be made in the Freedom Center facility except with the agreement of the property owner and the Secretary;

(B) the Secretary shall have the right of access at reasonable times to the public portions of the Freedom Center facility for interpretive and other purposes; and

(C) conversion, use, or disposal of the Freedom Center facility for purposes contrary to the purposes of this section, as determined by the Secretary, shall result in a right of the United States to compensation equal to the greater of—

(i) all Federal funds made available to the grantee under this section; or

(ii) the proportion of the increased value of the Freedom Center facility attributable to such funds, as determined at the time of such conversion, use, or disposal.

(e) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The Freedom Center may engage in any activity related to its objectives addressed in subsection (b)(1), including, but not limited to, construction of the Freedom Center facility, development of programs and exhibits related to the history of the Underground Railroad, research, collection of information and artifacts and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center.

(2) PRIORITIES.—The Freedom Center shall give priority to—

(A) construction of the Freedom Center facility;

(B) development of programs and exhibits to be presented in or from the Freedom Center facility; and

(C) providing assistance to the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

(f) APPLICATION.—

(1) IN GENERAL.—The Freedom Center shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each application shall—

(A) describe the activities for which assistance is sought;

(B) provide assurances that the non-Federal share of the cost of activities of the Freedom Center shall be paid

114 STAT. 959

## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 959

from non-Federal sources, together with an accounting of costs expended by the Freedom Center to date, a budget of costs to be incurred prior to the opening of the Freedom Center facility, an accounting of funds raised to date, both Federal and non-Federal, and a projection of funds to be raised through the completion of the Freedom Center facility.

(2) APPROVAL.—The Secretary shall approve the application submitted pursuant to subsection (f)(1) unless such application fails to comply with the provisions of this section.

(g) REPORTS.—The Freedom Center shall submit an annual report to the appropriate committees of the Congress not later than January 31, 2000, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this section. The report shall—

Deadline.

(1) include a financial statement addressing the Freedom Center's costs incurred to date and projected costs, and funds raised to date and projected fundraising goals;

(2) include a comprehensive and detailed description of the Freedom Center's activities for the preceding and succeeding fiscal years; and

(3) include a description of the activities taken to assure compliance with this section.

(h) AMENDMENT TO THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998.—The National Underground Railroad Network to Freedom Act of 1998 (112 Stat. 679; 16 U.S.C. 469l and following) is amended by adding at the end the following:

**“SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.**

“(a) AUTHORITY TO MAKE GRANTS.—The Secretary of the Interior may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

“(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

“(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary; 114 STAT. 960

“(2) the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and

“(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

“(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

114 STAT. 960

PUBLIC LAW 106–291—OCT. 11, 2000

“(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section \$2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.”.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



## II. APPROPRIATIONS

### 1. Agriculture Appropriations for FY 2001

PUBLIC LAW 106–387—OCT. 28, 2000

114 STAT. 1549

\* Public Law 106–387  
106th Congress

#### An Act

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 28, 2000

[H.R. 4461]

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

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

Incorporation by reference.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Publication.  
1 USC 112 note.

Approved October 28, 2000.

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#### LEGISLATIVE HISTORY—H.R. 4461:

HOUSE REPORTS: No. 106–619 (Comm. on Appropriations) and No. 106–948 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 29, July 10, 11, considered and passed House.  
July 18–20, considered and passed Senate, amended.  
Oct. 11, House agreed to conference report.  
Oct. 13, 18, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 28, Presidential statement.

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\* ENDNOTE: The following appendix was added pursuant to the provisions of section 1 of this Act.



114 STAT. 1549A-1

PUBLIC LAW 106-387—APPENDIX

**APPENDIX—H.R. 5426**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
1549A-28**TITLE VII—GENERAL PROVISIONS**

\* \* \* \* \*

114 STAT.  
1549A-45**SEC. 776. SENSE OF THE CONGRESS; HAMILTON GRANGE, NEW YORK.**

(a) Congress finds that—

(1) Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

(2) Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

(3) after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

114 STAT.  
1549A-46

(4) the only home Hamilton ever owned, commonly known as "the Grange", is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

(5) the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

(6) in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

(7) the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

(8) the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

(9) no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Alexander Hamilton made an immense contribution to the United States by serving as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—



## PUBLIC LAW 106–387—APPENDIX 114 STAT. 1549A–46

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

**SEC. 777. FINANCIAL ASSISTANCE FOR LAND ACQUISITION FOR  
FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS  
NATIONAL HISTORIC SITE.**

(a) **IN GENERAL.**—Section 4 of the Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999 (Public Law 106–164; 16 U.S.C. 461 note) is amended by adding at the end the following:

“(d) **LAND ACQUISITION ASSISTANCE.**—

“(1) **IN GENERAL.**—The Secretary may provide financial assistance to the management entity for acquiring lands or interests in lands within the boundaries of the historic site under subsection (b).

“(2) **COST SHARING.**—Financial assistance under this subsection may not be used to pay more than 50 percent of the cost of any acquisition made with the assistance.

“(3) **CONDITION.**—The Secretary shall require, as a condition of any assistance under this subsection, that any interest in land acquired with assistance under this subsection shall be included in and managed as part of the historic site.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 6 of such Act is amended by inserting “(a) **IN GENERAL.**—” before “There is authorized”, and by adding at the end the following:

“(b) **LAND ACQUISITION ASSISTANCE.**—There is authorized to be appropriated \$2,500,000 to carry out section 4(d).”.

\* \* \* \* \*

## 2. Consolidated Appropriations Act for FY 2001

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

\* Public Law 106-554  
106th Congress

### An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105-217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106–554—APPENDIX A 114 STAT. 2763A–3

**APPENDIX A—H.R. 5656**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—DEPARTMENT OF EDUCATION**

114 STAT.  
2763A–30

\* \* \* \* \*

**GENERAL PROVISIONS**

114 STAT.  
2763A–40

\* \* \* \* \*

SEC. 313. From the amounts made available for the “Fund for the Improvement of Education” under the heading “Education Research, Statistics, and Improvement”, \$10,000,000, to remain available until expended, shall be available to the Secretary of Education to be transferred to the Secretary of the Interior for an award to the National Constitution Center for construction activities authorized under Public Law 100–433.

114 STAT.  
2763A–46

114 STAT.  
2763A–47

\* \* \* \* \*

**APPENDIX D—H.R. 5666**

114 STAT.  
2763A–171

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

**DIVISION A**

\* \* \* \* \*

**CHAPTER 3**

114 STAT.  
2763A–180

**DEPARTMENT OF DEFENSE****GENERAL PROVISIONS—THIS CHAPTER**

\* \* \* \* \*

**(TRANSFER OF FUNDS)**

114 STAT.  
2763A–182

SEC. 311. Of the funds made available in the Department of Defense Appropriations Act, 2001 (Public Law 106–259), the Secretary of the Air Force shall transfer \$5,000,000 of the funds provided for “Operation and Maintenance, Air Force” to the Secretary of the Interior for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999 (Public Law 106–115; 113 Stat. 1540): *Provided*, That the transfer authority provided in this section is in addition to any

## 114 STAT. 2763A-182 PUBLIC LAW 106-554—APPENDIX D

other transfer authority available to the Department of Defense for fiscal year 2001.

\* \* \* \* \*

114 STAT.  
2763A-191

## CHAPTER 7

## DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT.  
2763A-192

## NATIONAL PARK SERVICE

## OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for “Operation of the National Park System”, \$100,000 for completion of studies related to the Arlington Boathouse in Virginia.

## NATIONAL RECREATION AND PRESERVATION

For an additional amount for “National Recreation and Preservation”, \$1,600,000, to remain available until expended, of which \$500,000 is for the National Constitution Center in Philadelphia, Pennsylvania and \$1,100,000 is for a grant to the Historic New Bridge Landing Park Commission.

## HISTORIC PRESERVATION FUND

For an additional amount for the “Historic Preservation Fund”, \$100,000 for a grant to the Massillon Heritage Foundation, Inc. in Massillon, Ohio.

## CONSTRUCTION

For an additional amount for “Construction”, \$3,500,000, to remain available until expended, of which \$1,500,000 is for the Stones River National Battlefield and \$2,000,000 is for the Millennium Cultural Cooperative Park.

\* \* \* \* \*

114 STAT.  
2763A-214

## CHAPTER 14

## GENERAL PROVISIONS—THIS DIVISION

SEC. 1401. H. Con. Res. 234 of the 106th Congress, as adopted by the House of Representatives on November 18, 1999, shall be considered to have been adopted by the Senate.

SEC. 1402. Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) Sections 1105(a), 1106(a) and (b), and 1109(a) of title 31, United States Code, and any other law relating to the budget of the United States Government.

(2) The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(3) Sections 202(e)(1) and (3) of the Congressional Budget Act of 1974 (2 U.S.C. 602(e)(1) and (3)).

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-214

(4) Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 685(e)).

SEC. 1403. (a) GOVERNMENT-WIDE RESCISSIONS.—There is hereby rescinded an amount equal to 0.22 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2001 in this or any other Act for each department, agency, instrumentality, or entity of the Federal Government, except for those programs, projects, and activities which are specifically exempted elsewhere in this provision: *Provided*, That this exact reduction percentage shall be applied on a pro rata basis only to each program, project, and activity subject to the rescission.

(b) RESTRICTIONS.—This reduction shall not be applied to the amounts appropriated in title I of Public Law 106-259: *Provided*, That this reduction shall not be applied to the amounts appropriated in division B of Public Law 106-246: *Provided further*, That this reduction shall not be applied to the amounts appropriated under the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001, as contained in this Act, or in prior Acts.

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submitted for fiscal year 2002 a report specifying the reductions made to each account pursuant to this section.

## DIVISION B

## TITLE I

\* \* \* \* \*

SEC. 119. Within the funds appropriated to the National Park Service under the heading "Operation of the National Park System" in Public Law 106-291, the Secretary of the Interior shall provide a grant of \$75,000 to the City of Ocean Beach, New York, for repair of facilities at the Ocean Beach Pavilion at Fire Island National Seashore.

114 STAT.  
2763A-229

SEC. 120. The National Park Service is directed to work with Fort Sumter Tours, Inc., the concessionaire currently providing services at Fort Sumter National Monument in South Carolina, on an amicable solution of the current legal dispute between the two parties. The Director of the Service is directed to extend immediately the current contract through March 15, 2001, to facilitate further negotiations and for 180 days if final settlement of all disputes is agreed to by both parties.

SEC. 121. Title VIII—Land Conservation, Preservation, and Infrastructure Improvement of Public Law 106-291 is amended as follows: after the first dollar amount insert: ", to be derived from the Land and Water Conservation Fund".

\* \* \* \* \*

SEC. 124. APPALACHIAN NATIONAL SCENIC TRAIL. (a) ACQUISITIONS.—

(1) IN GENERAL.—The Secretary of the Interior shall—

(A) negotiate agreements with landowners setting terms and conditions for the acquisition of parcels of land and interests in land totaling approximately 580 acres at Saddleback Mountain near Rangeley, Maine, for the benefit of the Appalachian National Scenic Trail;

## 114 STAT. 2763A-229 PUBLIC LAW 106-554—APPENDIX D

(B) complete the pending environmental compliance process for the acquisitions; and

(C) acquire the parcels of land and interests in land for consideration in the amount of \$4,000,000 plus closing costs customarily paid by the United States.

(2) ACCEPTANCE OF DONATIONS.—The Secretary may accept as donations parcels of land and interests in land at Saddleback Mountain, in addition to those acquired by purchase under paragraph (1), for the benefit of the Appalachian National Scenic Trail.

(b) CONVEYANCE TO THE STATE.—The Secretary shall convey to the State of Maine a portion of the land and interests in land acquired under subsection (a) without consideration, subject to such terms and conditions as the Secretary and the State of Maine agree are necessary to ensure the protection of the Appalachian National Scenic Trail.

\* \* \* \* \*

SEC. 126. Section 116(a)(1)(A) of the Illinois and Michigan Canal National Heritage Corridor Act of 1984 (98 Stat. 1467) is amended by striking “\$250,000” and inserting “\$1,000,000”.

SEC. 127. The provisions of S. 2885, as passed in the United States Senate on October 5, 2000 and engrossed, are hereby enacted into law.

SEC. 128. None of the funds provided in this or any other Act may be used prior to July 31, 2001, to promulgate or enforce a final rule to reduce during the 2000–2001 or 2001–2002 winter seasons the use of snowmobiles below current use patterns at a unit in the National Park System: *Provided*, That nothing in this section shall be interpreted as amending any requirement of the Clean Air Act: *Provided further*, That nothing in this section shall preclude the Secretary from taking emergency actions related to snowmobile use in any National Park based on authorities which existed to permit such emergency actions as of the date of enactment of this Act.

SEC. 129. The Secretary of the Interior shall extend until March 31, 2001, the “Extension of Standstill Agreement,” entered into on November 22, 1999, by the United States of America and the holders of interests in seven campsite leases in Biscayne Bay, Miami-Dade County, Florida collectively known as “Stiltsville”.

SEC. 130. The Secretary of the Interior is authorized to make a grant of \$1,300,000 to the State of Minnesota or its political subdivision from funds available to the National Park Service under the heading “Land Acquisition and State Assistance” in Public Law 106–291 to cover the cost of acquisition of land in Lower Phalen Creek near St. Paul, Minnesota in the Mississippi National River and Recreation Area.

SEC. 131. Notwithstanding any provision of law or regulation, funds appropriated in Public Law 106–291 for a cooperative agreement for management of George Washington’s Boyhood Home, Ferry Farm, shall be transferred to the George Washington’s Fredericksburg Foundation, Inc. (formerly known as Kenmore Association, Inc.) immediately upon signing of the cooperative agreement.

SEC. 132. During the period beginning on the date of the enactment of this Act and ending on June 1, 2001, funds made available to the Secretary of the Interior may not be used to pay salaries or expenses related to the issuance of a request for



## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-230

proposal related to a light rail system to service Grand Canyon National Park.

SEC. 133. None of the funds in this or any other Act may be used by the Secretary of the Interior to remove the five-foot-tall white cross located within the boundary of the Mojave National Preserve in southern California first erected in 1934 by the Veterans of Foreign Wars along Cima Road approximately 11 miles south of Interstate 15.

SEC. 134. Section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y-4(g)) is amended by striking “thirty” and inserting “40”.

SEC. 135. Funds provided in Public Law 106-291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

SEC. 136. Notwithstanding any other provision of law, in accordance with title IV—Wildland Fire Emergency Appropriations, Public Law 106-291, from the \$35,000,000 provided for community and private land fire assistance, the Secretary of Agriculture, may use up to \$9,000,000 for advance, direct lump sum payments for assistance to eligible individuals, businesses, or other entities, to accomplish the purposes of providing assistance to non-Federal entities most affected by fire. To expedite such financial assistance being provided to eligible recipients, the lump sum payments shall not be subject to 7 CFR 3015, 3019, and 3052 related to the administration of Federal financial assistance.

114 STAT.  
2763A-231

SEC. 137. (a) IN GENERAL.—The first section of Public Law 91-660 (16 U.S.C. 459h) is amended—

(1) in the first sentence, by striking “That, in” and inserting the following:

**“SECTION 1. GULF ISLANDS NATIONAL SEASHORE.**

“(a) ESTABLISHMENT.—In”; and

(2) in the second sentence—

(A) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively, and indenting appropriately;

(B) by striking “The seashore shall comprise” and inserting the following:

“(b) COMPOSITION.—

“(1) IN GENERAL.—The seashore shall comprise the areas described in paragraphs (2) and (3).

“(2) AREAS INCLUDED IN BOUNDARY PLAN NUMBERED NS-GI-7100J.—The areas described in this paragraph are”: and

(C) by adding at the end the following:

“(3) CAT ISLAND.—Upon its acquisition by the Secretary, the area described in this paragraph is the parcel consisting of approximately 2,000 acres of land on Cat Island, Mississippi, as generally depicted on the map entitled ‘Boundary Map,

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Gulf Islands National Seashore, Cat Island, Mississippi', numbered 635/80085, and dated November 9, 1999 (referred to in this title as the 'Cat Island Map').

"(4) AVAILABILITY OF MAP.—The Cat Island Map shall be on file and available for public inspection in the appropriate offices of the National Park Service."

(b) ACQUISITION AUTHORITY.—Section 2 of Public Law 91-660 (16 U.S.C. 459h-1) is amended—

(1) in the first sentence of subsection (a), by striking "lands," and inserting "submerged land, land,"; and

(2) by adding at the end the following:

"(e) ACQUISITION AUTHORITY.—

"(1) IN GENERAL.—The Secretary may acquire, from a willing seller only—

"(A) all land comprising the parcel described in subsection (b)(3) that is above the mean line of ordinary high tide, lying and being situated in Harrison County, Mississippi;

"(B) an easement over the approximately 150-acre parcel depicted as the 'Boddie Family Tract' on the Cat Island Map for the purpose of implementing an agreement with the owners of the parcel concerning the development and use of the parcel; and

"(C)(i) land and interests in land on Cat Island outside the 2,000-acre area depicted on the Cat Island Map; and

"(ii) submerged land that lies within 1 mile seaward of Cat Island (referred to in this title as the 'buffer zone'), except that submerged land owned by the State of Mississippi (or a subdivision of the State) may be acquired only by donation.

"(2) ADMINISTRATION.—

"(A) IN GENERAL.—Land and interests in land acquired under this subsection shall be administered by the Secretary, acting through the Director of the National Park Service.

"(B) BUFFER ZONE.—Nothing in this title or any other provision of law shall require the State of Mississippi to convey to the Secretary any right, title, or interest in or to the buffer zone as a condition for the establishment of the buffer zone.

"(3) MODIFICATION OF BOUNDARY.—The boundary of the seashore shall be modified to reflect the acquisition of land under this subsection only after completion of the acquisition."

(c) REGULATION OF FISHING.—Section 3 of Public Law 91-660 (16 U.S.C. 459h-2) is amended—

(1) by inserting "(a) IN GENERAL.—" before "The Secretary"; and

(2) by adding at the end the following:

"(b) NO AUTHORITY TO REGULATE MARITIME ACTIVITIES.—Nothing in this title or any other provision of law shall affect any right of the State of Mississippi, or give the Secretary any authority, to regulate maritime activities, including nonseashore fishing activities (including shrimping), in any area that, on the date of enactment of this subsection, is outside the designated boundary of the seashore (including the buffer zone)."

(d) AUTHORIZATION OF MANAGEMENT AGREEMENTS.—Section 5 of Public Law 91-660 (16 U.S.C. 459h-4) is amended—

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-232

- (1) by inserting “(a) IN GENERAL.—” before “Except”; and  
 (2) by adding at the end the following:

“(b) AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into agreements—

“(A) with the State of Mississippi for the purposes of managing resources and providing law enforcement assistance, subject to authorization by State law, and emergency services on or within any land on Cat Island and any water and submerged land within the buffer zone; and

“(B) with the owners of the approximately 150-acre parcel depicted as the ‘Boddie Family Tract’ on the Cat Island Map concerning the development and use of the land.

“(2) NO AUTHORITY TO ENFORCE CERTAIN REGULATIONS.—Nothing in this subsection authorizes the Secretary to enforce Federal regulations outside the land area within the designated boundary of the seashore.”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 11 of Public Law 91-660 (16 U.S.C. 459h-10) is amended—

- (1) by inserting “(a) IN GENERAL.—” before “There”; and  
 (2) by adding at the end the following:

“(b) AUTHORIZATION FOR ACQUISITION OF LAND.—In addition to the funds authorized by subsection (a), there are authorized to be appropriated such sums as are necessary to acquire land and submerged land on and adjacent to Cat Island, Mississippi.”.

\* \* \* \* \*

TITLE VIII—ERIE CANALWAY NATIONAL HERITAGE  
 CORRIDOR

114 STAT.  
 2763A-295

**SEC. 801. SHORT TITLE; DEFINITIONS.**

(a) SHORT TITLE.—This title may be cited as the “Erie Canalway National Heritage Corridor Act”.

(b) DEFINITIONS.—For the purposes of this title, the following definitions shall apply:

(1) ERIE CANALWAY.—The term “Erie Canalway” means the 524 miles of navigable canal that comprise the New York State Canal System, including the Erie, Cayuga and Seneca, Oswego, and Champlain Canals and the historic alignments of these canals, including the cities of Albany and Buffalo.

(2) CANALWAY PLAN.—The term “Canalway Plan” means the comprehensive preservation and management plan for the Corridor required under section 806.

(3) COMMISSION.—The term “Commission” means the Erie Canalway National Heritage Corridor Commission established under section 804.

(4) CORRIDOR.—The term “Corridor” means the Erie Canalway National Heritage Corridor established under section 803.

(5) GOVERNOR.—The term “Governor” means the Governor of the State of New York.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

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**SEC. 802. FINDINGS AND PURPOSES.**

(a) **FINDINGS.**—Congress finds that—

(1) the year 2000 marks the 175th Anniversary of New York State’s creation and stewardship of the Erie Canalway for commerce, transportation, and recreational purposes, establishing the network which made New York the “Empire State” and the Nation’s premier commercial and financial center;

(2) the canals and adjacent areas that comprise the Erie Canalway are a nationally significant resource of historic and recreational value, which merit Federal recognition and assistance;

(3) the Erie Canalway was instrumental in the establishment of strong political and cultural ties between New England, upstate New York, and the old Northwest and facilitated the movement of ideas and people ensuring that social reforms like the abolition of slavery and the women’s rights movement spread across upstate New York to the rest of the country;

(4) the construction of the Erie Canalway was considered a supreme engineering feat, and most American canals were modeled after New York State’s canal;

(5) at the time of construction, the Erie Canalway was the largest public works project ever undertaken by a State, resulting in the creation of critical transportation and commercial routes to transport passengers and goods;

(6) the Erie Canalway played a key role in turning New York City into a major port and New York State into the preeminent center for commerce, industry, and finance in North America and provided a permanent commercial link between the Port of New York and the cities of eastern Canada, a cornerstone of the peaceful relationship between the two countries;

(7) the Erie Canalway proved the depth and force of American ingenuity, solidified a national identity, and found an enduring place in American legend, song, and art;

(8) there is national interest in the preservation and interpretation of the Erie Canalway’s important historical, natural, cultural, and scenic resources; and

(9) partnerships among Federal, State, and local governments and their regional entities, nonprofit organizations, and the private sector offer the most effective opportunities for the preservation and interpretation of the Erie Canalway.

(b) **PURPOSES.**—The purposes of this title are—

(1) to designate the Erie Canalway National Heritage Corridor;

(2) to provide for and assist in the identification, preservation, promotion, maintenance, and interpretation of the historical, natural, cultural, scenic, and recreational resources of the Erie Canalway in ways that reflect its national significance for the benefit of current and future generations;

(3) to promote and provide access to the Erie Canalway’s historical, natural, cultural, scenic, and recreational resources;

(4) to provide a framework to assist the State of New York, its units of local government, and the communities within the Erie Canalway in the development of integrated cultural, historical, recreational, economic, and community development

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programs in order to enhance and interpret the unique and nationally significant resources of the Erie Canalway; and

(5) to authorize Federal financial and technical assistance to the Commission to serve these purposes for the benefit of the people of the State of New York and the Nation.

**SEC. 803. THE ERIE CANALWAY NATIONAL HERITAGE CORRIDOR.**

(a) ESTABLISHMENT.—To carry out the purposes of this title there is established the Erie Canalway National Heritage Corridor in the State of New York.

(b) BOUNDARIES.—The boundaries of the Corridor shall include those lands generally depicted on a map entitled “Erie Canalway National Heritage Area” numbered ERIE/80,000 and dated October 2000. This map shall be on file and available for public inspection in the appropriate office of the National Park Service, the office of the Commission, and the office of the New York State Canal Corporation in Albany, New York.

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(c) OWNERSHIP AND OPERATION OF THE NEW YORK STATE CANAL SYSTEM.—The New York State Canal System shall continue to be owned, operated, and managed by the State of New York.

**SEC. 804. THE ERIE CANALWAY NATIONAL HERITAGE CORRIDOR COMMISSION.**

(a) ESTABLISHMENT.—There is established the Erie Canalway National Heritage Corridor Commission. The purpose of the Commission shall be—

(1) to work with Federal, State, and local authorities to develop and implement the Canalway Plan; and

(2) to foster the integration of canal-related historical, cultural, recreational, scenic, economic, and community development initiatives within the Corridor.

(b) MEMBERSHIP.—The Commission shall be composed of 27 members as follows:

(1) The Secretary of the Interior, ex officio or the Secretary’s designee.

(2) Seven members, appointed by the Secretary after consideration of recommendations submitted by the Governor and other appropriate officials, with knowledge and experience of the following agencies or those agencies’ successors: The New York State Secretary of State, the New York State Department of Environment Conservation, the New York State Office of Parks, Recreation and Historic Preservation, the New York State Department of Agriculture and Markets, the New York State Department of Transportation, and the New York State Canal Corporation, and the Empire State Development Corporation.

(3) The remaining 19 members who reside within the Corridor and are geographically dispersed throughout the Corridor shall be from local governments and the private sector with knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resource management, conservation, recreation, and education or museum services. These members will be appointed by the Secretary as follows:

(A) Eleven members based on a recommendation from each member of the United States House of Representatives whose district shall encompass the Corridor. Each shall

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be a resident of the district from which they shall be recommended.

(B) Two members based on a recommendation from each United States Senator from New York State.

(C) Six members who shall be residents of any county constituting the Corridor. One such member shall have knowledge and experience of the Canal Recreationway Commission.

(c) APPOINTMENTS AND VACANCIES.—Members of the Commission other than ex officio members shall be appointed for terms of 3 years. Of the original appointments, six shall be for a term of 1 year, six shall be for a term of 2 years, and seven shall be for a term of 3 years. Any member of the Commission appointed for a definite term may serve after expiration of the term until the successor of the member is appointed. Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor was appointed. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Commission shall receive no compensation for their service on the Commission. Members of the Commission, other than employees of the State and Canal Corporation, while away from their homes or regular places of business to perform services for 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 under section 5703 of title 5, United States Code.

(e) ELECTION OF OFFICES.—The Commission shall elect the chairperson and the vice chairperson on an annual basis. The vice chairperson shall serve as the chairperson in the absence of the chairperson.

(f) QUORUM AND VOTING.—Fourteen members of the Commission shall constitute a quorum but a lesser number may hold hearings. Any member of the Commission may vote by means of a signed proxy exercised by another member of the Commission, however, any member voting by proxy shall not be considered present for purposes of establishing a quorum. For the transaction of any business or the exercise of any power of the Commission, the Commission shall have the power to act by a majority vote of the members present at any meeting at which a quorum is in attendance.

(g) MEETINGS.—The Commission shall meet at least quarterly at the call of the chairperson or 14 of its members. Notice of Commission meetings and agendas for the meeting shall be published in local newspapers throughout the Corridor. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

(h) POWERS OF THE COMMISSION.—To the extent that Federal funds are appropriated, the Commission is authorized—

(1) to procure temporary and intermittent services and administrative facilities at rates determined to be reasonable by the Commission to carry out the responsibilities of the Commission;

(2) to request and accept the services of personnel detailed from the State of New York or any political subdivision, and to reimburse the State or political subdivision for such services;

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(3) to request and accept the services of any Federal agency personnel, and to reimburse the Federal agency for such services;

(4) to appoint and fix the compensation of staff to carry out its duties;

(5) to enter into cooperative agreements with the State of New York, with any political subdivision of the State, or any person for the purposes of carrying out the duties of the Commission;

(6) to make grants to assist in the preparation and implementation of the Canalway Plan;

(7) to seek, accept, and dispose of gifts, bequests, grants, or donations of money, personal property, or services, received from any source. For purposes of section 170(c) of the Internal Revenue Code of 1986, any gift to the Commission shall be deemed to be a gift to the United States;

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(8) to assist others in developing educational, informational, and interpretive programs and facilities, and other such activities that may promote the implementation of the Canalway Plan;

(9) to hold hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may consider appropriate; the Commission may not issue subpoenas or exercise any subpoena authority;

(10) to use the United States mails in the same manner as other departments or agencies of the United States;

(11) to request and receive from the Administrator of General Services, on a reimbursable basis, such administrative support services as the Commission may request; and

(12) to establish such advisory groups as the Commission deems necessary.

(i) ACQUISITION OF PROPERTY.—Except as provided for leasing administrative facilities under section 804(h)(1), the Commission may not acquire any real property or interest in real property.

(j) TERMINATION.—The Commission shall terminate on the day occurring 10 years after the date of enactment of this title.

**SEC. 805. DUTIES OF THE COMMISSION.**

(a) PREPARATION OF CANALWAY PLAN.—Not later than 3 years after the Commission receives Federal funding for this purpose, the Commission shall prepare and submit a comprehensive preservation and management Canalway Plan for the Corridor to the Secretary and the Governor for review and approval. In addition to the requirements outlined for the Canalway Plan in section 806, the Canalway Plan shall incorporate and integrate existing Federal, State, and local plans to the extent appropriate regarding historic preservation, conservation, education and interpretation, community development, and tourism-related economic development for the Corridor that are consistent with the purpose of this title. The Commission shall solicit public comment on the development of the Canalway Plan.

(b) IMPLEMENTATION OF CANALWAY PLAN.—After the Commission receives Federal funding for this purpose, and after review and upon approval of the Canalway Plan by the Secretary and the Governor, the Commission shall—

(1) undertake action to implement the Canalway Plan so as to assist the people of the State of New York in enhancing

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and interpreting the historical, cultural, educational, natural, scenic, and recreational potential of the Corridor identified in the Canalway Plan; and

(2) support public and private efforts in conservation and preservation of the Canalway's cultural and natural resources and economic revitalization consistent with the goals of the Canalway Plan.

(c) PRIORITY ACTIONS.—Priority actions which may be carried out by the Commission under section 805(b), include—

(1) assisting in the appropriate preservation treatment of the remaining elements of the original Erie Canal;

(2) assisting State, local governments, and nonprofit organizations in designing, establishing, and maintaining visitor centers, museums, and other interpretive exhibits in the Corridor;

(3) assisting in the public awareness and appreciation for the historic, cultural, natural, scenic, and recreational resources and sites in the Corridor;

(4) assisting the State of New York, local governments, and nonprofit organizations in the preservation and restoration of any historic building, site, or district in the Corridor;

(5) encouraging, by appropriate means, enhanced economic development in the Corridor consistent with the goals of the Canalway Plan and the purposes of this title; and

(6) ensuring that clear, consistent signs identifying access points and sites of interest are put in place in the Corridor.

(d) ANNUAL REPORTS AND AUDITS.—For any year in which Federal funds have been received under this title, the Commission shall submit an annual report and shall make available an audit of all relevant records to the Governor and the Secretary identifying its expenses and any income, the entities to which any grants or technical assistance were made during the year for which the report was made, and contributions by other parties toward achieving Corridor purposes.

**SEC. 806. CANALWAY PLAN.**

(a) CANALWAY PLAN REQUIREMENTS.—The Canalway Plan shall—

(1) include a review of existing plans for the Corridor, including the Canal Recreationway Plan and Canal Revitalization Program, and incorporate them to the extent feasible to ensure consistence with local, regional, and State planning efforts;

(2) provide a thematic inventory, survey, and evaluation of historic properties that should be conserved, restored, developed, or maintained because of their natural, cultural, or historic significance within the Corridor in accordance with the regulations for the National Register of Historic Places;

(3) identify public and private-sector preservation goals and strategies for the Corridor;

(4) include a comprehensive interpretive plan that identifies, develops, supports, and enhances interpretation and education programs within the Corridor that may include—

(A) research related to the construction and history of the canals and the cultural heritage of the canal workers, their families, those that traveled along the canals, the

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associated farming activities, the landscape, and the communities;

(B) documentation of and methods to support the perpetuation of music, art, poetry, literature and folkways associated with the canals; and

(C) educational and interpretative programs related to the Erie Canalway developed in cooperation with State and local governments, educational institutions, and non-profit institutions;

(5) include a strategy to further the recreational development of the Corridor that will enable users to uniquely experience the canal system;

(6) propose programs to protect, interpret, and promote the Corridor's historical, cultural, recreational, educational, scenic, and natural resources; 114 STAT. 2763A-301

(7) include an inventory of canal-related natural, cultural and historic sites and resources located in the Area;

(8) recommend Federal, State, and local strategies and policies to support economic development, especially tourism-related development and recreation, consistent with the purposes of the Corridor;

(9) develop criteria and priorities for financial preservation assistance;

(10) identify and foster strong cooperative relationships between the National Park Service, the New York State Canal Corporation, other Federal and State agencies, and nongovernmental organizations;

(11) recommend specific areas for development of interpretive, educational, and technical assistance centers associated with the Corridor; and

(12) contain a program for implementation of the Canalway Plan by all necessary parties.

(b) APPROVAL OF THE CANALWAY PLAN.—The Secretary and the Governor shall approve or disapprove the Canalway Plan not later than 90 days after receiving the Canalway Plan.

(c) CRITERIA.—The Secretary may not approve the plan unless the Secretary finds that the plan, if implemented, would adequately protect the significant historical, cultural, natural, and recreational resources of the Corridor and consistent with such protection provide adequate and appropriate outdoor recreational opportunities and economic activities within the Corridor. In determining whether or not to approve the Canalway Plan, the Secretary shall consider whether—

(1) the Commission has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the Canalway Plan; and

(2) the Secretary has received adequate assurances from the Governor and appropriate State officials that the recommended implementation program identified in the plan will be initiated within a reasonable time after the date of approval of the Canalway Plan and such program will ensure effective implementation of State and local aspects of the Canalway Plan.

(d) DISAPPROVAL OF CANALWAY PLAN.—If the Secretary or the Governor do not approve the Canalway Plan, the Secretary or the Governor shall advise the Commission in writing within 90 days the reasons therefore and shall indicate any recommendations

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for revisions. Following completion of any necessary revisions of the Canalway Plan, the Secretary and the Governor shall have 90 days to either approve or disapprove of the revised Canalway Plan.

(e) AMENDMENTS TO CANALWAY PLAN.—The Secretary and the Governor shall review substantial amendments to the Canalway Plan. Funds appropriated pursuant to this title may not be expended to implement the changes made by such amendments until the Secretary and the Governor approve the amendments.

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**SEC. 807. DUTIES OF THE SECRETARY.**

(a) IN GENERAL.—The Secretary is authorized to assist the Commission in the preparation of the Canalway Plan.

(b) TECHNICAL ASSISTANCE.—Pursuant to an approved Canalway Plan, the Secretary is authorized to enter into cooperative agreements with, provide technical assistance to and award grants to the Commission to provide for the preservation and interpretation of the natural, cultural, historical, recreational, and scenic resources of the Corridor, if requested by the Commission.

(c) EARLY ACTIONS.—Prior to approval of the Canalway Plan, with the approval of the Commission, the Secretary may provide technical and planning assistance for early actions that are important to the purposes of this title and that protect and preserve resources.

(d) CANALWAY PLAN IMPLEMENTATION.—Upon approval of the Canalway Plan, the Secretary is authorized to implement those activities that the Canalway Plan has identified that are the responsibility of the Secretary or agent of the Secretary to undertake in the implementation of the Canalway Plan.

(e) DETAIL.—Each fiscal year during the existence of the Commission and upon the request 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 with regard to the preparation and approval of the Canalway Plan. Such detail shall be without interruption or loss of civil service status, benefits, or privileges.

**SEC. 808. DUTIES OF OTHER FEDERAL ENTITIES.**

Any Federal entity conducting or supporting any activity directly affecting the Corridor, and any unit of Government acting pursuant to a grant of Federal funds or a Federal permit or agreement conducting or supporting such activities may—

(1) consult with the Secretary and the Commission with respect to such activities;

(2) cooperate with the Secretary and the Commission in carrying out their duties under this title and coordinate such activities with the carrying out of such duties; and

(3) conduct or support such activities in a manner consistent with the Canalway Plan unless the Federal entity, after consultation with the Secretary and the Commission, determines there is no practicable alternative.

**SEC. 809. SAVINGS PROVISIONS.**

(a) AUTHORITY OF GOVERNMENTS.—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of the Federal, State, or local governments to regulate any use of land as provided for by law or regulation.

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(b) ZONING OR LAND.—Nothing in this title shall be construed to grant powers of zoning or land use to the Commission.

(c) LOCAL AUTHORITY AND PRIVATE PROPERTY.—Nothing in this title shall be construed to affect or to authorize the Commission to interfere with—

(1) the rights of any person with respect to private property;

(2) any local zoning ordinance or land use plan of the State of New York or political subdivision thereof; or

(3) any State or local canal-related development plans including but not limited to the Canal Recreationway Plan and the Canal Revitalization Program.

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(d) FISH AND WILDLIFE.—The designation of the Corridor shall not be diminish the authority of the State of New York to manage fish and wildlife, including the regulation of fishing and hunting within the Corridor.

**SEC. 810. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—

(1) CORRIDOR.—There is authorized to be appropriated for the Corridor not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Corridor under this title.

(2) MATCHING REQUIREMENT.—Federal funding provided under this paragraph may not exceed 50 percent of the total cost of any activity carried out with such funds. The non-Federal share of such support may be in the form of cash, services, or in-kind contributions, fairly valued.

(b) OTHER FUNDING.—In addition to the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary of the Interior such sums as are necessary for the Secretary for planning and technical assistance.

**TITLE IX—LAW ENFORCEMENT PAY EQUITY**

**SEC. 901. SHORT TITLE.**

This title may be cited as the “Law Enforcement Pay Equity Act of 2000”.

**SEC. 902. ESTABLISHMENT OF UNIFORM SALARY SCHEDULE FOR UNITED STATES SECRET SERVICE UNIFORMED DIVISION AND UNITED STATES PARK POLICE.**

(a) IN GENERAL.—Section 501(c)(1) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-416(c)(1), D.C. Code) is amended to read as follows:

“(c)(1) The annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division and the United States Park Police, serving in classes corresponding or similar to those in the salary schedule in section 101, shall be fixed in accordance with the following schedule of rates:

“Salary class and title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Time between steps	52 weeks			104 weeks			
Years in service		1	2	3	5	7	9
1: Private ...	32,623	34,587	36,626	38,306	41,001	43,728	45,407
3: Detective			42,378	44,502	46,620	48,746	50,837

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“Salary class and title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
4: Sergeant				46,151	48,446	50,746	53,056
5: Lieutenant <sup>1</sup> .....					50,910	53,462	56,545
7: Captain <sup>1</sup>						59,802	62,799
8: Inspector/Major <sup>1</sup> ....						69,163	72,760
9: Deputy Chief <sup>1</sup> ....						79,768	85,158
10: Assistant Chief <sup>2</sup>							
11: Chief, United States Secret Service Uniformed Division, United States Park Police <sup>3</sup>							

<sup>1</sup> The rate of basic pay for positions in Salary Class 5, 7, 8, and 9 is limited to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>2</sup> The rate of basic pay for positions in Salary Class 10 will be equal to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>3</sup> The rate of basic pay for positions in Salary Class 11 will be equal to the rate of pay for level V of the Executive Schedule.

“Salary class and title	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
Time between steps	104 weeks		156 weeks	208 weeks			
Years in service	11	13	15	18	22	26	30
1: Private ...	47,107	48,801	50,498	53,448	55,394	57,036	58,746
3: Detective	52,972	55,086	57,204	61,212	63,337	65,462	67,426
4: Sergeant	55,372	57,691	59,999	63,558	65,867	68,176	70,221
5: Lieutenant <sup>1</sup> .....	59,120	61,688	64,258	68,197	70,744	73,290	75,489
7: Captain <sup>1</sup>	65,797	68,757	71,747	76,292	79,309	82,325	84,796
8: Inspector/Major <sup>1</sup> ....	76,542	80,524	83,983	87,645	91,827	95,464	99,075
9: Deputy Chief <sup>1</sup> ....	90,578	95,980	99,968	103,957	107,945	111,933	115,291
10: Assistant Chief <sup>2</sup>							
11: Chief, United States Secret Service Uniformed Division, United States Park Police <sup>3</sup>							

<sup>1</sup> The rate of basic pay for positions in Salary Class 5, 7, 8, and 9 is limited to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>2</sup> The rate of basic pay for positions in Salary Class 10 will be equal to 95 percent of the rate of pay for level V of the Executive Schedule.

<sup>3</sup> The rate of basic pay for positions in Salary Class 11 will be equal to the rate of pay for level V of the Executive Schedule.

(b) FREEZE OF CURRENT RATE FOR LOCALITY-BASED COMPARABILITY ADJUSTMENTS.—Notwithstanding any other provision of law, including this title or any provision of law amended by this title, no officer or member of the United States Secret Service

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Uniformed Division or the United States Park Police may be paid locality pay under section 5304 or section 5304a of title 5, United States Code, at a percentage rate for the applicable locality in excess of the rate in effect for pay periods during calendar year 2000.

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(c) CONFORMING AMENDMENTS.—

(1) APPLICATION OF PROVISIONS TO PARK POLICE.—Section 501(c) of such Act (sec. 4-416(c), D.C. Code) is amended—

(A) in paragraph (2), by striking “Treasury” and inserting the following: “Treasury, and the annual rates of basic compensation of officers and members of the United States Park Police shall be adjusted by the Secretary of the Interior,”;

(B) in paragraph (5), by inserting after “Uniformed Division” the following: “or officers and members of the United States Park Police”;

(C) in paragraph (6)(A), by inserting after “Uniformed Division” the following: “or the United States Park Police”; and

(D) in paragraph (7)(A), by inserting after “Uniformed Division” the following: “or the United States Park Police”.

(2) TERMINATION OF CURRENT ADJUSTMENT AUTHORITY.—Section 501(b) of such Act (sec. 4-416(b), D.C. Code) is amended by adding at the end the following new paragraph:

“(4) This subsection shall not apply with respect to any pay period for which the salary schedule under subsection (c) applies to the United States Park Police.”.

**SEC. 903. REVISION OF CAPS ON MAXIMUM COMPENSATION.**

(a) ANNUAL SALARY UNDER SCHEDULE.—Section 501(c)(2) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-416(c)(2), D.C. Code) is amended by striking the period at the end and inserting the following: “, except that in no case may the annual rate of basic compensation for any such officer or member exceed the rate of basic pay payable for level IV of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.”.

(b) REPEAL OF CAP ON COMBINED BASIC PAY AND LONGEVITY PAY.—Section 501(c) of such Act (sec. 4-416(c), D.C. Code) is amended by striking paragraph (4).

(c) LIMITATION ON PAY PERIOD EARNINGS FOR COMP TIME.—Section 1(h) of the Act entitled “An Act to provide a 5-day week for officers and members of the Metropolitan Police force, the United States Park Police force, and the White House Police force, and for other purposes”, approved August 15, 1950 (sec. 4-1104(h), D.C. Code), is amended—

(1) in paragraphs (1) and (2), by striking “Metropolitan Police force; or of the Fire Department of the District of Columbia; or of the United States Park Police” each place it appears and inserting “Metropolitan Police force or of the Fire Department of the District of Columbia”; and

(2) in paragraph (3), by inserting after “United States Secret Service Uniformed Division” each place it appears the following: “or of the United States Park Police”.

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**SEC. 904. DETERMINATION OF SERVICE STEP ADJUSTMENTS.**

(a) **METHOD FOR DETERMINATION OF ADJUSTMENTS.**—Section 303(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-412(a), D.C. Code) is amended—

(1) in the matter preceding paragraph (1), by “Each” and inserting “Except as provided in paragraph (5), each”; and

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

“(5) Each officer and member of the United States Secret Service Uniformed Division and the United States Park Police with a current performance rating of ‘satisfactory’ or better, shall have a service step adjustment in the following manner:

“(A) Each officer and member in service step 1, 2, or 3 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 52 calendar weeks of active service in the officer's or member's service step.

“(B) Each officer and member in service step 4, 5, 6, 7, 8, or 9 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 104 calendar weeks of active service in the officer's or member's service step.

“(C) Each officer and member in service step 10 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 156 calendar weeks of active service in the officer's or member's service step.

“(D) Each officer and member in service steps 11, 12, or 13 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 208 calendar weeks of active service in the officer's or member's service step.”.

(b) **USE OF TOTAL CREDITABLE SERVICE TO DETERMINE STEP PLACEMENT.**—Section 304 of such Act (sec. 4-413, D.C. Code) is amended—

(1) in subsection (a), by striking “(b)” and inserting “(b) or (c)”; and

(2) by adding at the end the following new subsection:

“(c)(1) Each officer and member of the United States Secret Service Uniformed Division or the United States Park Police who is promoted or transferred to a higher salary shall receive basic compensation in accordance with the officer's or member's total creditable service.

“(2) For purposes of this subsection, an officer's or member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.”.

(c) **CONFORMING AMENDMENT.**—Section 401(a) of such Act (sec. 4-415(a), D.C. Code) is amended by adding at the end the following new paragraph:

“(4) This subsection shall not apply to officers and members of the United States Secret Service Uniformed Division or the United States Park Police.”.

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**SEC. 905. CONVERSION TO NEW SALARY SCHEDULE.****(a) IN GENERAL.—**

(1) **DETERMINATION OF RATES OF BASIC PAY.**—Effective on the first day of the 1st pay period beginning 6 months after the date of enactment of this Act, the Secretary of the Treasury shall fix the rates of basic pay for officers and members of the United States Secret Service Uniformed Division, and the Secretary of the Interior shall fix the rates of basic pay for officers and members of the United States Park Police, in accordance with this subsection.

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2763A-307**(2) PLACEMENT ON REVISED SALARY SCHEDULE.—**

(A) **IN GENERAL.**—Each officer and member shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) in accordance with the member's total years of creditable service, receiving credit for all service step adjustments. If the scheduled rate of pay for the step to which the officer or member would be assigned in accordance with this paragraph is lower than the officer's or member's salary immediately prior to the enactment of this paragraph, the officer or member will be placed in and receive compensation at the next higher service step.

(B) **CREDIT FOR INCREASES DURING TRANSITION.**—Each member whose position is to be converted to the salary schedule under section 501(b) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by subsection (a)) and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before such member is placed in the corresponding service step in the salary schedule under section 501(b).

(C) **CREDITABLE SERVICE DESCRIBED.**—For purposes of this paragraph, an officer's or member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.

**(b) HOLD HARMLESS FOR CURRENT TOTAL COMPENSATION.**—Notwithstanding any other provision of law, if the total rate of compensation for an officer or employee for any pay period occurring after conversion to the salary schedule pursuant to subsection (a) (determined by taking into account any locality-based comparability adjustments, longevity pay, and other adjustments paid in addition to the rate of basic compensation) is less than the officer's or employee's total rate of compensation (as so determined) on the date of enactment, the rate of compensation for the officer or employee for the pay period shall be equal to—

(1) the rate of compensation on the date of enactment (as so determined); increased by

(2) a percentage equal to 50 percent of sum of the percentage adjustments made in the rate of basic compensation under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by subsection (a)) for pay periods occurring after the date of enactment and prior to the pay period involved.

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(c) CONVERSION NOT TREATED AS TRANSFER OR PROMOTION.—The conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) shall not be considered to be transfers or promotions within the meaning of section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-413, D.C. Code).

(d) TRANSFER OF CREDIT FOR SATISFACTORY SERVICE.—Each individual whose position is converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) in accordance with subsection (a) shall be granted credit for purposes of such individual's first service step adjustment under the salary schedule in such section 501(c) for all satisfactory service performed by the individual since the individual's last increase in basic pay prior to the adjustment under that section.

(e) ADJUSTMENT TO TAKE INTO ACCOUNT GENERAL SCHEDULE ADJUSTMENTS DURING TRANSITION.—The rates provided under the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) shall be increased by the percentage of any annual adjustment applicable to the General Schedule authorized under section 5303 of title 5, United States Code, which takes effect during the period which begins on the date of the enactment of this Act and ends on the first day of the first pay period beginning 6 months after the date of enactment of this Act.

(f) CONVERSION NOT TREATED AS SALARY INCREASE FOR PURPOSES OF CERTAIN PENSIONS AND ALLOWANCES.—The conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 2(a)) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) shall not be treated as an increase in salary for purposes of section 3 of the Act entitled "An Act to provide increased pensions for widows and children of deceased members of the Police Department and the Fire Department of the District of Columbia", approved August 4, 1949 (sec. 4-604, D.C. Code), or section 301 of the District of Columbia Police and Firemen's Salary Act of 1953 (sec. 4-605, D.C. Code).

**SEC. 906. PAY ADJUSTMENTS FOR CERTAIN POSITIONS.**

(a) TECHNICIAN DUTY.—Section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-411, D.C. Code) is amended—

(1) in subsection (b), by striking "\$810 per annum" and inserting the following: "\$810 per annum, except in the case of an officer or member of the United States Secret Service Uniformed Division or the United States Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments";

(2) in subsection (c), by striking "\$595 per annum" each place it appears and inserting the following: "\$595 per annum, except in the case of an officer or member of the United States



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Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments"; and

(3) in subsection (e), by inserting after "Whenever any officer or member" the following: "(other than an officer or member of the United States Secret Service Uniformed Division or the United States Park Police)".

(b) HELICOPTER PILOT, BOMB DISPOSAL, OR SCUBA DIVING DUTY.—Section 202 of such Act (sec. 4-408, D.C. Code) is amended by striking "\$2,270 per annum" and inserting the following: "\$2,270 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 7 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments".

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**SEC. 907. CONFORMING PROVISIONS RELATING TO FEDERAL LAW ENFORCEMENT PAY REFORM ACT.**

(a) TERMINATION OF EXISTING SPECIAL SALARY RATES AND ADJUSTMENTS.—Beginning on the effective date of this Act—

(1) no existing special salary rates shall be authorized for members of the United States Park Police under section 5305 of title 5, United States Code (or any previous similar provision of law); and

(2) no special rates of pay or special pay adjustments shall be applicable to members of the United States Park Police pursuant to section 405 of the Federal Law Enforcement Pay Reform Act of 1990.

(b) CONFORMING AMENDMENTS.—(1) Section 405(b) of the Federal Law Enforcement Pay Reform Act of 1990 (5 U.S.C. 5303 note) is amended to read as follows:

"(b) This subsection applies with respect to any—

"(1) special agent within the Diplomatic Security Service;

"(2) probation officer (referred to in section 3672 of title 18, United States Code); or

"(3) pretrial services officer (referred to in section 3153 of title 18, United States Code)."

(2) Section 405(c) of such Act (5 U.S.C. 5303 note) is amended to read as follows:

"(c) For purposes of this section, the term 'appropriate agency head' means—

"(1) with respect to any individual under subsection (b)(1), the Secretary of State; or

"(2) with respect to any individual under subsection (b)(2) or (b)(3), the Director of the Administrative Office of the United States Courts."

**SEC. 908. SERVICE LONGEVITY PAYMENTS FOR METROPOLITAN POLICE DEPARTMENT.**

(a) INCLUSION OF SERVICE LONGEVITY PAYMENTS IN AMOUNT OF FEDERAL BENEFIT PAYMENTS MADE TO METROPOLITAN POLICE DEPARTMENT OFFICERS AND MEMBERS.—Section 11012 of the District of Columbia Retirement Protection Act of 1997 (Public Law 105-33; 111 Stat. 718; D.C. Code, sec. 1-762.2) is amended by adding at the end the following new subsection:

"(e) TREATMENT OF INCREASES IN CERTAIN POLICE SERVICE LONGEVITY PAYMENTS.—For purposes of subsection (a), in determining the amount of a Federal benefit payment made to an officer

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or member of the Metropolitan Police Department, the benefit payment to which the officer or member is entitled under the District Retirement Program shall include any amounts which would have been included in the benefit payment under such Program if the amendments made by the Police Recruiting and Retention Enhancement Amendment Act of 1999 had taken effect prior to the freeze date.”.

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(b) CONFORMING AMENDMENT.—Section 11003(5) of such Act (Public Law 105-33; 111 Stat. 717; D.C. Code, sec. 1-761.2(5)) is amended by inserting after “except as” the following: “provided under section 11012(e) and as”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Federal benefit payments made after the date of the enactment of this Act.

**SEC. 909. EFFECTIVE DATE.**

Except as provided in section 908(c), this title and the amendments made by this title shall become effective on the first day of the first pay period beginning 6 months after the date of enactment.

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**TITLE XII**

**ENVIRONMENTAL PROTECTION AGENCY**

**ADMINISTRATIVE PROVISION**

**SEC. 1201. ABOVEGROUND STORAGE TANK GRANT PROGRAM.**

(a) DEFINITIONS.—In this provision:

(1) ABOVEGROUND STORAGE TANK.—The term “aboveground storage tank” means any tank or combination of tanks (including any connected pipe)—

(A) that is used to contain an accumulation of regulated substances; and

(B) the volume of which (including the volume of any connected pipe) is located wholly above the surface of the ground.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(3) DENALI COMMISSION.—The term “Denali Commission” means the commission established by section 303(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note).

(4) FEDERAL ENVIRONMENTAL LAW.—The term “Federal environmental law” means—

(A) the Oil Pollution Control Act of 1990 (33 U.S.C. 2701 et seq.);

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(C) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(D) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(E) any other Federal law that is applicable to the release into the environment of a regulated substance, as determined by the Administrator.

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(5) NATIVE VILLAGE.—The term “Native village” has the meaning given the term in section 11(b) in Public Law 92-203 (85 Stat. 688).

(6) PROGRAM.—The term “program” means the Aboveground Storage Tank Grant Program established by subsection (b)(1).

(7) REGULATED SUBSTANCE.—The term “regulated substance” has the meaning given the term in section 9001 of the Solid Waste Disposal Act (42 U.S.C. 6991).

(8) STATE.—The term “State” means the State of Alaska.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a grant program to be known as the “Aboveground Storage Tank Grant Program”.

(2) GRANTS.—Under the program, the Administrator shall award a grant to—

(A) the State, on behalf of a Native village; or

(B) the Denali Commission.

(c) USE OF GRANTS.—The State or the Denali Commission shall use the funds of a grant under subsection (b) to repair, upgrade, or replace one or more aboveground storage tanks that—

(1) leaks or poses an imminent threat of leaking, as certified by the Administrator, the Commandant of the Coast Guard, or any other appropriate Federal or State agency (as determined by the Administrator); and

(2) is located in a Native village—

(A) the median household income of which is less than 80 percent of the median household income in the State;

(B) that is located—

(i) within the boundaries of—

(I) a unit of the National Park System;

(II) a unit of the National Wildlife Refuge System; or

(III) a National Forest; or

(ii) on public land under the administrative jurisdiction of the Bureau of Land Management; or

(C) that receives payments from the Federal Government under chapter 69 of title 31, United States Code (commonly known as “payments in lieu of taxes”).

(d) REPORTS.—Not later than 1 year after the date on which the State or the Denali Commission receives a grant under subsection (c), and annually thereafter, the State or the Denali Commission, as the case may be, shall submit a report describing each project completed with grant funds and any projects planned for the following year, to—

(1) the Administrator;

(2) the Committee on Resources of the House of Representatives;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Appropriations of the House of Representatives; and

(5) the Committee on Appropriations of the Senate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act, to remain available until expended—

(1) \$20,000,000 for fiscal year 2001; and

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(2) such sums as are necessary for each fiscal year thereafter.

\* \* \* \* \*

114 STAT.  
2763A–359

## APPENDIX D–2—S. 2885

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Jamestown 400th Commemoration Commission Act of 2000”.

### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the founding of the colony at Jamestown, Virginia in 1607, the first permanent English colony in the New World, and the capital of Virginia for 92 years, has major significance in the history of the United States;

(2) the settlement brought people from throughout the Atlantic Basin together to form a multicultural society, including English, other Europeans, Native Americans, and Africans;

(3) the economic, political, religious, and social institutions that developed during the first 9 decades of the existence of Jamestown continue to have profound effects on the United States, particularly in English common law and language, cross cultural relationships, and economic structure and status;

(4) the National Park Service, the Association for the Preservation of Virginia Antiquities, and the Jamestown-Yorktown Foundation of the Commonwealth of Virginia collectively own and operate significant resources related to the early history of Jamestown; and

(5) in 1996—

(A) the Commonwealth of Virginia designated the Jamestown-Yorktown Foundation as the State agency responsible for planning and implementing the Commonwealth’s portion of the commemoration of the 400th anniversary of the founding of the Jamestown settlement;

(B) the Foundation created the Celebration 2007 Steering Committee, known as the Jamestown 2007 Steering Committee; and

(C) planning for the commemoration began.

(b) PURPOSE.—The purpose of this Act is to establish the Jamestown 400th Commemoration Commission to—

(1) ensure a suitable national observance of the Jamestown 2007 anniversary by complementing the programs and activities of the Commonwealth of Virginia;

(2) cooperate with and assist the programs and activities of the State in observance of the Jamestown 2007 anniversary;

(3) assist in ensuring that Jamestown 2007 observances provide an excellent visitor experience and beneficial interaction between visitors and the natural and cultural resources of the Jamestown sites;

(4) assist in ensuring that the Jamestown 2007 observances are inclusive and appropriately recognize the experiences of all people present in 17th century Jamestown;

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- (5) provide assistance to the development of Jamestown-related programs and activities;
- (6) facilitate international involvement in the Jamestown 2007 observances;
- (7) support and facilitate marketing efforts for a commemorative coin, stamp, and related activities for the Jamestown 2007 observances; and
- (8) assist in the appropriate development of heritage tourism and economic benefits to the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

- (1) **COMMEMORATION.**—The term “commemoration” means the commemoration of the 400th anniversary of the founding of the Jamestown settlement.
- (2) **COMMISSION.**—The term “Commission” means the Jamestown 400th Commemoration Commission established by section 4(a).
- (3) **GOVERNOR.**—The term “Governor” means the Governor of Virginia.
- (4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.
- (5) **STATE.**—The term “State” means the Commonwealth of Virginia, including agencies and entities of the Commonwealth.

**SEC. 4. JAMESTOWN 400TH COMMEMORATION COMMISSION.**

(a) **IN GENERAL.**—There is established a commission to be known as the “Jamestown 400th Commemoration Commission”.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Commission shall be composed of 15 members, of whom—

(A) 4 members shall be appointed by the Secretary, taking into consideration the recommendations of the Chairperson of the Jamestown 2007 Steering Committee;

(B) 4 members shall be appointed by the Secretary, taking into consideration the recommendations of the Governor;

(C) 2 members shall be employees of the National Park Service, of which—

(i) 1 shall be the Director of the National Park Service (or a designee); and

(ii) 1 shall be an employee of the National Park Service having experience relevant to the commemoration, to be appointed by the Secretary; and

(D) 5 members shall be individuals that have an interest in, support for, and expertise appropriate to, the commemoration, to be appointed by the Secretary.

(2) **TERM; VACANCIES.**—

(A) **TERM.**—A member of the Commission shall be appointed for the life of the Commission.

(B) **VACANCIES.**—

(i) **IN GENERAL.**—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(ii) **PARTIAL TERM.**—A member appointed to fill a vacancy on the Commission shall serve for the

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remainder of the term for which the predecessor of the member was appointed.

(3) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet—

(i) at least twice each year; or

(ii) at the call of the Chairperson or the majority of the members of the Commission.

(B) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(4) VOTING.—

(A) IN GENERAL.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(B) QUORUM.—A majority of the Commission shall constitute a quorum.

(5) CHAIRPERSON.—The Secretary shall appoint a Chairperson of the Commission, taking into consideration any recommendations of the Governor.

(c) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) plan, develop, and execute programs and activities appropriate to commemorate the 400th anniversary of the founding of Jamestown;

(B) generally facilitate Jamestown-related activities throughout the United States;

(C) encourage civic, patriotic, historical, educational, religious, economic, and other organizations throughout the United States to organize and participate in anniversary activities to expand the understanding and appreciation of the significance of the founding and early history of Jamestown;

(D) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of, Jamestown; and

(E) ensure that the 400th anniversary of Jamestown provides a lasting legacy and long-term public benefit by assisting in the development of appropriate programs and facilities.

(2) PLANS; REPORTS.—

(A) STRATEGIC PLAN; ANNUAL PERFORMANCE PLANS.—In accordance with the Government Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285), the Commission shall prepare a strategic plan and annual performance plans for the activities of the Commission carried out under this Act.

(B) FINAL REPORT.—Not later than September 30, 2008, the Commission shall complete a final report that contains—

(i) a summary of the activities of the Commission;

(ii) a final accounting of funds received and expended by the Commission; and

(iii) the findings and recommendations of the Commission.

(d) POWERS OF THE COMMISSION.—The Commission may—

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(1) accept donations and make dispersions of money, personal services, and real and personal property related to Jamestown and of the significance of Jamestown in the history of the United States;

(2) appoint such advisory committees as the Commission determines to be necessary to carry out this Act;

(3) authorize any member or employee of the Commission to take any action that the Commission is authorized to take by this Act;

(4) procure supplies, services, and property, and make or enter into contracts, leases or other legal agreements, to carry out this Act (except that any contracts, leases or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission);

(5) use the United States mails in the same manner and under the same conditions as other Federal agencies;

(6) subject to approval by the Commission, make grants in amounts not to exceed \$10,000 to communities and nonprofit organizations to develop programs to assist in the commemoration;

(7) make grants to research and scholarly organizations to research, publish, or distribute information relating to the early history of Jamestown; and

(8) provide technical assistance to States, localities, and nonprofit organizations to further the commemoration.

(e) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS OF THE COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph

(B), a member of the Commission shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(C) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.

(3) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph

(B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel

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without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) **MAXIMUM RATE OF PAY.**—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(4) **DETAIL OF GOVERNMENT EMPLOYEES.**—

(A) **FEDERAL EMPLOYEES.**—

(i) **IN GENERAL.**—On the request of the Commission, the head of any Federal agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(ii) **CIVIL SERVICE STATUS.**—The detail of an employee under clause (i) shall be without interruption or loss of civil service status or privilege.

(B) **STATE EMPLOYEES.**—The Commission may—

(i) accept the services of personnel detailed from States (including subdivisions of States); and

(ii) reimburse States for services of detailed personnel.

(5) **VOLUNTEER AND UNCOMPENSATED SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(6) **SUPPORT SERVICES.**—The Director of the National Park Service shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(f) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(g) **FACA NONAPPLICABILITY.**—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) **NO EFFECT ON AUTHORITY.**—Nothing in this section supersedes the authority of the State, the National Park Service, or the Association for the Preservation of Virginia Antiquities, concerning the commemoration.

(i) **TERMINATION.**—The Commission shall terminate on December 31, 2008.

#### **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

\* \* \* \* \*



### 3. Department of Defense Appropriations Act for FY 2001

PUBLIC LAW 106–259—AUG. 9, 2000

114 STAT. 656

Public Law 106–259  
106th Congress

#### An Act

Making appropriations for the Department of Defense for the fiscal year ending  
September 30, 2001, and for other purposes.

Aug. 9, 2000  
[H.R. 4576]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of  
Defense  
Appropriations  
Act, 2001.

\* \* \* \* \*

#### TITLE II

114 STAT. 658

#### OPERATION AND MAINTENANCE

#### OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$10,616,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$19,144,431,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided*, That of the funds made available under this heading, \$5,000,000, to remain available until expended, shall be transferred to “National Park Service—Construction” within 30 days of the enactment of this Act, only for necessary infrastructure repair improvements at Fort Baker, under the management of the Golden Gate Recreation Area: *Provided further*, That of the funds appropriated in this paragraph, not less than \$355,000,000 shall be made available only for conventional ammunition care and maintenance.

114 STAT. 659

Deadline.

\* \* \* \* \*

114 STAT. 710

PUBLIC LAW 106–259—AUG. 9, 2000

This Act may be cited as the “Department of Defense Appropriations Act, 2001”.

Approved August 9, 2000.

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LEGISLATIVE HISTORY—H.R. 4576 (S. 2593):

HOUSE REPORTS: Nos. 106–644 (Comm. on Appropriations) and 106–754 (Comm. of Conference).

SENATE REPORTS: No. 106–298 accompanying S. 2593 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 7, considered and passed House.

June 8, 9, 12, 13, considered and passed Senate, amended.

July 19, House agreed to conference report.

July 27, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Aug. 9, Presidential statement.



#### 4. Department of Defense Appropriations Act for FY 2002

PUBLIC LAW 107-117—JAN. 10, 2002

115 STAT. 2230

Public Law 107-117  
107th Congress

#### An Act

Making appropriations for the Department of Defense for the fiscal year ending  
September 30, 2002, and for other purposes.

Jan. 10, 2002  
[H.R. 3338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of  
Defense and  
Emergency  
Supplemental  
Appropriations  
for Recovery from  
and Response to  
Terrorist Attacks  
on the United  
States Act, 2002.  
Department of  
Defense  
Appropriations  
Act, 2002.  
115 STAT. 2232

#### DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS, 2002

\* \* \* \* \*

#### TITLE II

#### OPERATION AND MAINTENANCE

#### OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$10,794,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$22,335,074,000: *Provided*, That of the funds made available under this heading, \$1,000,000, to remain available until expended, shall be transferred to “National Park Service—Construction” within 30 days of the enactment of this Act, only for necessary infrastructure repair improvements at Fort Baker, under the management of the Golden Gate Recreation Area: *Provided further*, That of the funds appropriated in this paragraph, not less than \$355,000,000 shall be made available only for conventional ammunition care and maintenance.

115 STAT. 2233

\* \* \* \* \*

#### TITLE VIII

115 STAT. 2247

#### GENERAL PROVISIONS—DEPARTMENT OF DEFENSE

\* \* \* \* \*

SEC. 8120. (a) Section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106-79) is amended—

115 STAT. 2273

(1) by redesignating subsection (m) as subsection (o); and

115 STAT. 2273

PUBLIC LAW 107-117—JAN. 10, 2002

(2) by adding after subsection (1) the following:

“(m) AUTHORITY TO ESTABLISH MEMORIAL.—

“(1) IN GENERAL.—The Commission may establish a permanent memorial to Dwight D. Eisenhower on land under the jurisdiction of the Secretary of the Interior in the District of Columbia or its environs.

“(2) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the memorial shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).”.

115 STAT. 2274

(b) Section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106-79) is amended—

(1) in subsection (j)(2), by striking “accept gifts” and inserting “solicit and accept contributions”; and

(2) by inserting after subsection (m) (as added by subsection (a)(2)) the following:

“(n) MEMORIAL FUND.—

“(1) ESTABLISHMENT.—There is created in the Treasury a fund for the memorial to Dwight D. Eisenhower that includes amounts contributed under subsection (j)(2).

“(2) USE OF FUND.—The fund shall be used for the expenses of establishing the memorial.

“(3) INTEREST.—The Secretary of the Treasury shall credit to the fund the interest on obligations held in the fund.”.

(c) In addition to the amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense, \$2,600,000, to remain available until expended is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make a grant in the amount of \$2,600,000 to the Dwight D. Eisenhower Memorial Commission for direct administrative support.

\* \* \* \* \*

115 STAT. 2278  
California.  
16 USC 431 note.

SEC. 8137. (a) DESIGNATION OF NATIONAL MEMORIAL.—The five-foot-tall white cross first erected by the Veterans of Foreign Wars of the United States in 1934 along Cima Road in San Bernardino County, California, and now located within the boundary of the Mojave National Preserve, as well as a limited amount of adjoining Preserve property to be designated by the Secretary of the Interior, is hereby designated as a national memorial commemorating United States participation in World War I and honoring the American veterans of that war.

(b) LEGAL DESCRIPTION.—The memorial cross referred to in subsection (a) is located at latitude 35.316 North and longitude 115.548 West. The exact acreage and legal description of the property to be included by the Secretary of the Interior in the national World War I memorial shall be determined by a survey prepared by the Secretary.

115 STAT. 2279

(c) REINSTALLATION OF MEMORIAL PLAQUE.—The Secretary of the Interior shall use not more than \$10,000 of funds available for the administration of the Mojave National Preserve to acquire a replica of the original memorial plaque and cross placed at the national World War I memorial designated by subsection (a) and to install the plaque in a suitable location on the grounds of the memorial.

\* \* \* \* \*

## PUBLIC LAW 107-117—JAN. 10, 2002

115 STAT. 2290

DIVISION B—TRANSFERS FROM THE EMERGENCY  
RESPONSE FUND PURSUANT TO PUBLIC LAW 107-38Emergency  
Supplemental  
Act, 2002.

The funds appropriated in Public Law 107-38 subject to subsequent enactment and previously designated as an emergency by the President and Congress under the Balanced Budget and Emergency Deficit Control Act of 1985, are transferred to the following chapters and accounts as follows:

\* \* \* \* \*

## CHAPTER 4

115 STAT. 2302

## DISTRICT OF COLUMBIA

## FEDERAL FUNDS

\* \* \* \* \*

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR THE OFFICE  
OF THE CHIEF TECHNOLOGY OFFICER

115 STAT. 2303

For a Federal payment to the District of Columbia, to be obligated from amounts made available in Public Law 107-38 and to remain available until September 30, 2003, for the Office of the Chief Technology Officer, \$45,494,000, for a first response land-line and wireless interoperability project, of which \$1,000,000 shall be used to initiate a comprehensive review, by a non-vendor contractor, of the District's current technology-based systems and to develop a plan for integrating the communications systems of the District of Columbia Metropolitan Police and Fire and Emergency Medical Services Departments with the systems of local, regional and Federal law enforcement agencies, including but not limited to the United States Capitol Police, United States Park Police, United States Secret Service, Federal Bureau of Investigation, Federal Protective Service, and the Washington Metropolitan Area Transit Authority Police: *Provided*, That such plan shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives no later than June 15, 2002.

Deadline.

\* \* \* \* \*

## CHAPTER 7

115 STAT. 2310

## DEPARTMENT OF THE INTERIOR

## NATIONAL PARK SERVICE

## OPERATION OF THE NATIONAL PARK SYSTEM

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States for "Operation of the National Park System", \$10,098,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

## UNITED STATES PARK POLICE

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States for the "United States Park

115 STAT. 2310

PUBLIC LAW 107–117—JAN. 10, 2002

Police”, \$25,295,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

## CONSTRUCTION

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States for “Construction”, \$21,624,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38: *Provided*, That notwithstanding any other provision of law, single but separate procurements for the construction of security improvements at the Washington Monument, for security improvements at the Lincoln Memorial, and for security improvements at the Jefferson Memorial, may be issued that include the full scope of each project, except that each solicitation and contract shall contain the clause “availability of funds” found at section 52.232.18 of title 48, Code of Federal Regulations.

\* \* \* \* \*

115 STAT. 2343

## DIVISION D—MISCELLANEOUS PROVISIONS

\* \* \* \* \*

115 STAT. 2353

## TITLE II—GENERAL PROVISION, THIS DIVISION

SEC. 201. TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS. (a) MEMBERSHIP.—Section 2(a) of the John F. Kennedy Center Act (20 U.S.C. 76h(a)) is amended—

(1) by striking “There is hereby” and inserting the following:

“(1) IN GENERAL.—There is”; and

115 STAT. 2354

(2) by striking the second sentence and inserting the following:

“(2) MEMBERSHIP.—The Board shall be composed of—

“(A) the Secretary of Health and Human Services;

“(B) the Librarian of Congress;

“(C) the Secretary of State;

“(D) the Chairman of the Commission of Fine Arts;

“(E) the Mayor of the District of Columbia;

“(F) the Superintendent of Schools of the District of Columbia;

“(G) the Director of the National Park Service;

“(H) the Secretary of Education;

“(I) the Secretary of the Smithsonian Institution;

“(J)(i) the Speaker and the Minority Leader of the House of Representatives;

“(ii) the chairman and ranking minority member of the Committee on Public Works and Transportation of the House of Representatives; and

“(iii) three additional Members of the House of Representatives appointed by the Speaker of the House of Representatives;

“(K)(i) the Majority Leader and the Minority Leader of the Senate;

“(ii) the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate; and

PUBLIC LAW 107–117—JAN. 10, 2002

115 STAT. 2354

“(iii) three additional Members of the Senate appointed by the President of the Senate; and

“(L) thirty-six general trustees, who shall be citizens of the United States, to be appointed in accordance with subsection (b).”.

(b) TERMS OF OFFICE FOR NEW GENERAL TRUSTEES.—Section 2(b) of the John F. Kennedy Center Act (20 U.S.C. 76h(b)) shall apply to each general trustee of the John F. Kennedy Center for the Performing Arts whose position is established by the amendment made by subsection (a)(2) (referred to in this subsection as a “new general trustee”), except that the initial term of office of each new general trustee shall—

Applicability.  
20 USC 76h note.

(1) commence on the date on which the new general trustee is appointed by the President; and

Effective date.  
President.

(2) terminate on September 1, 2007.

Termination  
date.

This Act may be cited as the “Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002”.

115 STAT. 2355

Approved January 10, 2002.

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LEGISLATIVE HISTORY—H.R. 3338:

HOUSE REPORTS: Nos. 107–298 (Comm. on Appropriations) and 107–350 (Comm. of Conference).

SENATE REPORTS: No. 107–109 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Nov. 28, considered and passed House.

Dec. 6, 7, considered and passed Senate, amended.

Dec. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Jan. 10, Presidential remarks and statement.



## 5. Department of Defense Appropriations Act for FY 2003

116 STAT. 1519

PUBLIC LAW 107–248—OCT. 23, 2002

Public Law 107–248  
107th Congress

### An Act

Oct. 23, 2002  
[H.R. 5010]

Making appropriations for the Department of Defense for the fiscal year ending  
September 30, 2003, and for other purposes.

Department of  
Defense  
Appropriations  
Act, 2003.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the fiscal year ending September  
30, 2003, for military functions administered by the Department  
of Defense, and for other purposes, namely:

\* \* \* \* \*

116 STAT. 1536

### TITLE VIII

#### GENERAL PROVISIONS

\* \* \* \* \*

116 STAT. 1572

SEC. 8146. The Secretary of Defense may modify the grant  
made to the State of Maine pursuant to section 310 of the 2002  
Supplemental Appropriations Act for Further Recovery From and  
Response To Terrorist Attacks on the United States (Public Law  
107–206) such that the modified grant is for purposes of supporting  
community adjustment activities relating to the closure of the Naval  
Security Group Activity, Winter Harbor, Maine (the naval base  
on Schoodic Point, within Acadia National Park), and the reuse  
of such Activity, including reuse as a research and education center  
the activities of which may be consistent with the purposes of  
Acadia National Park, as determined by the Secretary of the  
Interior. The grant may be so modified not later than 60 days  
after the date of the enactment of this Act.

Deadline.

\* \* \* \* \*

116 STAT. 1577

This Act may be cited as the “Department of Defense Appropria-  
tions Act, 2003”.

Approved October 23, 2002.

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#### LEGISLATIVE HISTORY—H.R. 5010:

HOUSE REPORTS: Nos. 107–532 (Comm. on Appropriations) and 107–732  
(Comm. of Conference).

SENATE REPORTS: No. 107–213 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 148 (2002):

June 27, considered and passed House.

July 31, Aug. 1, considered and passed Senate, amended.

Oct. 10, House agreed to conference report.

Oct. 16, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Oct. 23, Presidential remarks and statement.





## 6. Department of the Interior Appropriations for FY 2000

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress

### An Act

Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.

Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

### DIVISION A

#### DISTRICT OF COLUMBIA APPROPRIATIONS

##### TITLE I—FISCAL YEAR 2000 APPROPRIATIONS

\* \* \* \* \*

District of  
Columbia  
Appropriations  
Act, 1999.

##### GENERAL PROVISIONS

113 STAT. 1512

\* \* \* \* \*

SEC. 174. WIRELESS COMMUNICATIONS.—(a) IN GENERAL.—Not later than 7 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall—

113 STAT. 1533  
Deadline.

- (1) implement the notice of decision approved by the National Capital Regional Director, dated April 7, 1999, including the provisions of the notice of decision concerning the issuance of right-of-way permits at market rates; and
- (2) expend such sums as are necessary to carry out paragraph (1).

(b) ANTENNA APPLICATIONS.—

(1) IN GENERAL.—Not later than 120 days after the receipt of an application, a Federal agency that receives an application submitted after the enactment of this Act to locate a wireless communications antenna on Federal property in the District of Columbia or surrounding area over which the Federal agency exercises control shall take final action on the application, including action on the issuance of right-of-way permits at market rates.

Deadline.

(2) EXISTING LAW.—Nothing in this subsection shall be construed to affect the applicability of existing laws regarding—

(A) judicial review under chapter 7 of title 5, United States Code (the Administrative Procedure Act), and the Communications Act of 1934;

(B) the National Environmental Policy Act, the National Historic Preservation Act and other applicable Federal statutes; and

113 STAT. 1533

PUBLIC LAW 106–113—NOV. 29, 1999

(C) the authority of a State or local government or instrumentality thereof, including the District of Columbia, in the placement, construction, and modification of personal wireless service facilities.

\* \* \* \* \*

113 STAT. 1535

SEC. 176. GEORGETOWN WATERFRONT PARK FUND. (a) IN GENERAL.—The District of Columbia Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–123) is amended in the item relating to “FEDERAL FUNDS—Federal Payment to the Georgetown Waterfront Park Fund” by striking the colon and inserting “, to remain available until expended:”.

(b) EFFECTIVE DATE.—This section shall take effect as if included in the District of Columbia Appropriations Act, 1999.

This title may be cited as the “District of Columbia Appropriations Act, 2000”.

\* \* \* \* \*

#### DIVISION B

Incorporation by reference.

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

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#### LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

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ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106–113—APPENDIX B 113 STAT. 1501A–63

**APPENDIX B—H.R. 3422**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE V—GENERAL PROVISIONS**

113 STAT.  
1501A–81

\* \* \* \* \*

**MAN AND THE BIOSPHERE**

113 STAT.  
1501A–121

SEC. 590. None of the funds appropriated or otherwise made available by this Act may be provided for the United Nations Man and the Biosphere Program or the United Nations World Heritage Fund for programs in the United States.

\* \* \* \* \*

**APPENDIX C—H.R. 3423**

113 STAT.  
1501A–135

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR****BUREAU OF LAND MANAGEMENT**

\* \* \* \* \*

**WILDLAND FIRE MANAGEMENT**

113 STAT.  
1501A–136

For necessary expenses for fire preparedness, suppression operations, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$292,282,000, to remain available until expended, of which not to exceed \$9,300,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That not more than \$58,000 shall be available to the Bureau of Land Management to reimburse

## 113 STAT. 1501A-136 PUBLIC LAW 106-113—APPENDIX C

Trinity County for expenses incurred as part of the July 2, 1999 Lowden Fire.

\* \* \* \* \*

113 STAT.  
1501A-142

## NATIONAL PARK SERVICE

## OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, \$1,365,059,000, of which \$8,800,000 is for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed \$8,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100-203.

## NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$53,899,000, of which \$2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), and of which \$866,000 shall be available until expended for the Oklahoma City National Memorial Trust, notwithstanding 7(1) of Public Law 105-58: *Provided*, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services: *Provided further*, That no more than \$150,000 may be used for overhead and program administrative expenses for the heritage partnership program.

## HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$75,212,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which \$10,722,000 pursuant to section 507 of Public Law 104-333 shall remain available until expended: *Provided*, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal

113 STAT.  
1501A-143

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–143

funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

## CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$225,493,000, to remain available until expended, of which \$885,000 shall be for realignment of the Denali National Park entrance road, of which not less than \$3,000,000 shall be available for modifications to the Franklin Delano Roosevelt Memorial: *Provided*, That \$3,000,000 for the Wheeling National Heritage Area, \$3,000,000 for the Lincoln Library, and \$3,000,000 for the Southwest Pennsylvania Heritage Area shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That the National Park Service will make available 37 percent, not to exceed \$1,850,000, of the total cost of upgrading the Mariposa County, California municipal solid waste disposal system: *Provided further*, That Mariposa County will provide assurance that future use fees paid by the National Park Service will be reflective of the capital contribution made by the National Park Service.

## LAND AND WATER CONSERVATION FUND

## (RESCISSION)

The contract authority provided for fiscal year 2000 by 16 U.S.C. 4601–10a is rescinded.

## LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$120,700,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$21,000,000 is for the State assistance program including \$1,000,000 to administer the State assistance program, and of which \$10,000,000 may be for State grants for land acquisition in the State of Florida: *Provided*, That funds provided for State grants for land acquisition in the State of Florida are contingent upon the following: (1) submission of detailed legislative language to the House and Senate Committees on Appropriations agreed to by the Secretary of the Interior, the Secretary of the Army and the Governor of Florida that would provide assurances for the guaranteed supply of water to the natural areas in southern Florida, including all National parks, Preserves,

113 STAT.  
1501A–144

## 113 STAT. 1501A–144 PUBLIC LAW 106–113—APPENDIX C

Wildlife Refuge lands, and other natural areas to ensure a restored ecosystem; and (2) submission of a complete prioritized non-Federal land acquisition project list: *Provided further*, That after the requirements under this heading have been met, from the funds made available for State grants for land acquisition in the State of Florida the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading to the State of Florida are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That of the amount provided herein \$2,000,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the Ice Age National Scenic Trail: *Provided further*, That of the amount provided herein \$500,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the North Country National Scenic Trail: *Provided further*, That funds provided under this heading to the State of Wisconsin are contingent upon matching funds by the State.

## ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 384 passenger motor vehicles, of which 298 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant

## PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-145

to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

\* \* \* \* \*

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

113 STAT.  
1501A-154

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

113 STAT.  
1501A-155

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to “Wildland Fire Management” shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment

## 113 STAT. 1501A–155 PUBLIC LAW 106–113—APPENDIX C

funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

113 STAT.  
1501A–156

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

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113 STAT.  
1501A–157

SEC. 114. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

113 STAT.  
1501A–158

SEC. 115. Notwithstanding any other provision of law, in fiscal year 2000 and thereafter, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 612a of title 40, United States Code) not currently occupying such space to use courtyards, auditoriums, meeting rooms, and other space of the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, and to assess reasonable charges therefore, subject to such procedures as the Secretary deems appropriate for such uses. Charges may be for the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services devoted to a similar purpose in the vicinity of the main and south Interior building complex, Washington, D.C., for which charges are being assessed. The Secretary may without



## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–158

further appropriation hold, administer, and use such proceeds within the Departmental Management Working Capital Fund to offset the operation of the buildings under his jurisdiction, whether delegated or otherwise, and for related purposes, until expended.

SEC. 116. Notwithstanding any other provision of law, the Steel Industry American Heritage Area, authorized by Public Law 104–333, is hereby renamed the Rivers of Steel National Heritage Area.

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SEC. 118. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

113 STAT.  
1501A–159

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SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.

SEC. 121. Notwithstanding any provision of law, the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

SEC. 122. Section 211(d) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4110; 16 U.S.C. 81p) is amended by striking “depicted on the map dated August 1993, numbered 333/80031A,” and inserting “depicted on the map dated August 1996, numbered 333/80031B,”.

SEC. 123. A grazing permit or lease that expires (or is transferred) during fiscal year 2000 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of

## 113 STAT. 1501A–160 PUBLIC LAW 106–113—APPENDIX C

such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

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113 STAT.  
1501A–164

SEC. 126. The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and in consultation with the Director of the National Park Service, shall undertake the necessary activities to designate Midway Atoll as a National Memorial to the Battle of Midway. In pursuing such a designation the Secretary shall consult with organizations with an interest in Midway Atoll. The Secretary shall consult on a regular basis with such organizations, including the International Midway Memorial Foundation, Inc. on the management of the National Memorial.

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113 STAT.  
1501A–165

SEC. 131. FUNDING FOR THE OTTAWA NATIONAL WILDLIFE REFUGE AND CERTAIN PROJECTS IN THE STATE OF OHIO. Notwithstanding any other provision of law, from the unobligated balances appropriated for a grant to the State of Ohio for the acquisition of the Howard Farm near Metzger Marsh, Ohio—

(1) \$500,000 shall be derived by transfer and made available for the acquisition of land in the Ottawa National Wildlife Refuge;

(2) \$302,000 shall be derived by transfer and made available for the Dayton Aviation Heritage Commission, Ohio; and

(3) \$198,000 shall be derived by transfer and made available for a grant to the State of Ohio for the preservation and restoration of the birthplace, boyhood home, and schoolhouse of Ulysses S. Grant.

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113 STAT.  
1501A–168

SEC. 134. QUADRICENTENNIAL COMMEMORATION OF THE SAINT CROIX ISLAND INTERNATIONAL HISTORIC SITE. (a) FINDINGS.—The Senate finds that—

(1) in 1604, one of the first European colonization efforts was attempted at St. Croix Island in Calais, Maine;

(2) St. Croix Island settlement predated both the Jamestown and Plymouth colonies;

(3) St. Croix Island offers a rare opportunity to preserve and interpret early interactions between European explorers and colonists and Native Americans;

(4) St. Croix Island is one of only two international historic sites comprised of land administered by the National Park Service;

(5) the quadricentennial commemorative celebration honoring the importance of the St. Croix Island settlement to the countries and people of both Canada and the United States is rapidly approaching;

(6) the 1998 National Park Service management plans and long-range interpretive plan call for enhancing visitor facilities at both Red Beach and downtown Calais;

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–168

to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

(8) the Department of Canadian Heritage has installed extensive interpretive sites on the Canadian side of the border; and

113 STAT.  
1501A–169

(9) current facilities at Red Beach and Calais are extremely limited or nonexistent for a site of this historic and cultural importance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) using funds made available by this Act, the National Park Service should expeditiously pursue planning for exhibits at Red Beach and the town of Calais, Maine; and

(2) the National Park Service should take what steps are necessary, including consulting with the people of Calais, to ensure that appropriate exhibits at Red Beach and the town of Calais are completed by 2004.

SEC. 135. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

\* \* \* \* \*

SEC. 140. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

113 STAT.  
1501A–170

113 STAT.  
1501A–171

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SEC. 142. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF THOMAS PAINE MEMORIAL. (a) IN GENERAL.—Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by adding at the end the following:

**“SEC. 4. EXPIRATION OF AUTHORITY.**

“Notwithstanding the time period limitation specified in section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)) or any other provision of law, the authority for the Thomas Paine National Historical Association to establish a memorial to Thomas Paine in the District of Columbia under this Act shall expire on December 31, 2003.”.

(b) CONFORMING AMENDMENTS.—

(1) APPLICABLE LAW.—Section 1(b) of Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by striking “The establishment” and inserting “Except as provided in section 4, the establishment”.

(2) EXPIRATION OF AUTHORITY.—Section 3 of Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended—

(A) by striking “or upon expiration of the authority for the memorial under section 10(b) of that Act,” and

## 113 STAT. 1501A-171 PUBLIC LAW 106-113—APPENDIX C

inserting “or on expiration of the authority for the memorial under section 4,”; and

(B) by striking “section 8(b)(1) of that Act” and inserting “section 8(b)(1) of the Commemorative Works Act (40 U.S.C. 1008(b)(1))”.

SEC. 143. USE OF NATIONAL PARK SERVICE TRANSPORTATION SERVICE CONTRACT FEES. Section 412 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5961) is amended—

(1) by inserting “(a) IN GENERAL.—” before “Notwithstanding”; and

(2) by adding at the end the following:

“(b) OBLIGATION OF FUNDS.—Notwithstanding any other provision of law, with respect to a service contract for the provision solely of transportation services at Zion National Park, the Secretary may obligate the expenditure of fees received in fiscal year 2000 under section 501 before the fees are received.”.

\* \* \* \* \*

SEC. 145. NATIONAL PARK PASSPORT PROGRAM. Section 603(c)(1) of the National Park Omnibus Management Act of 1998 (16 U.S.C. 5993(c)(1)) is amended by striking “10” and inserting “15”.

113 STAT.  
1501A-172

## TITLE II—RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

\* \* \* \* \*

## WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, \$561,354,000, to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 1999 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.): *Provided further*, That notwithstanding any other provision of law, up to \$4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

113 STAT.  
1501A-173

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wild-fire suppression activities of the Forest Service, \$90,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–173

to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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## OTHER RELATED AGENCIES

113 STAT.  
1501A–184

\* \* \* \* \*

## JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

113 STAT.  
1501A–187

## OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$14,000,000.

## CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$20,000,000, to remain available until expended.

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## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

## NATIONAL ENDOWMENT FOR THE ARTS

## GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$85,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

## MATCHING GRANTS

113 STAT.  
1501A–188

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$13,000,000, to remain available until expended, to the National Endowment for the Arts: *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

## 113 STAT. 1501A–188 PUBLIC LAW 106–113—APPENDIX C

## NATIONAL ENDOWMENT FOR THE HUMANITIES

## GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$101,000,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

## MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$14,700,000, to remain available until expended, of which \$10,700,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

## INSTITUTE OF MUSEUM AND LIBRARY SERVICES

## OFFICE OF MUSEUM SERVICES

## GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, \$24,400,000, to remain available until expended.

## ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

113 STAT.  
1501A–189

## COMMISSION OF FINE ARTS

## SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,005,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–189

## NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, \$7,000,000.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

## SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), \$3,000,000: *Provided*, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, \$6,312,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for level IV of the Executive Schedule.

\* \* \* \* \*

## PRESIDIO TRUST

## PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$24,400,000 shall be available to the Presidio Trust, to remain available until expended, of which up to \$1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$200,000,000. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed \$20,000,000.

113 STAT.  
1501A–190

## TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

\* \* \* \* \*

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

## 113 STAT. 1501A–190 PUBLIC LAW 106–113—APPENDIX C

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the “Buy American Act”).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(d) EFFECTIVE DATE.—The provisions of this section are applicable in fiscal year 2000 and thereafter.

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SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines:



## PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-191

*Provided*, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 311. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 312. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2000, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

113 STAT.  
1501A-192

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

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SEC. 315. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds \$500,000.

SEC. 316. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions.

## 113 STAT. 1501A–192 PUBLIC LAW 106–113—APPENDIX C

SEC. 317. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

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113 STAT.  
1501A–194

SEC. 323. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

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SEC. 325. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the

113 STAT.  
1501A–195

## PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-195

findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

SEC. 343. REDESIGNATION OF BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR IN HONOR OF JOHN H. CHAFEE. 113 STAT. 1501A-202

(a) CORRIDOR.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor established by section 1 of Public Law 99-647 (16 U.S.C. 461 note) is redesignated as the “John H. Chafee Blackstone River Valley National Heritage Corridor”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor.

(b) COMMISSION.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor Commission established by section 3 of Public Law 99-647 (16 U.S.C. 461 note) is redesignated as the “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor Commission shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor Commission.

(c) CONFORMING AMENDMENTS.—

(1) Section 1 of Public Law 99-647 (16 U.S.C. 461 note) is amended in the first sentence by striking “Blackstone River Valley National Heritage Corridor” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor”.

113 STAT.  
1501A-203

(2) Section 3 of Public Law 99-647 (16 U.S.C. 461 note) is amended—

(A) in the section heading, by striking “BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION” and inserting “JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION”; and

(B) in subsection (a), by striking “Blackstone River Valley National Heritage Corridor Commission” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

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SEC. 356. The first section of Public Law 99-215 (99 Stat. 1724), as amended by section 597 of the Water Resources Development Act of 1999 (Public Law 106-53), is further amended— 113 STAT. 1501A-210

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

(2) by inserting after subsection (b) the following new subsections:

“(c) The National Capital Planning Commission shall vacate and terminate an Easement and Declaration of Covenants, dated February 2, 1989, conveyed by the owner of the adjacent real property pursuant to subsection (b)(1)(D) in exchange for, and not later than 30 days after, the vacation and termination of the Deed

## 113 STAT. 1501A-210 PUBLIC LAW 106-113—APPENDIX C

of Easement, dated January 4, 1989, conveyed by the Maryland National Capital Park and Planning Commission pursuant to subsection (b)(1).

“(d) Effective on the date of the enactment of this subsection, the memorandum of May 7, 1985, and any amendments thereto, shall terminate.”.

SEC. 357. None of the funds in this Act or any other Act shall be used by the Secretary of the Interior to promulgate final rules to revise 43 CFR subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106-31, may issue final rules to amend 43 C.F.R. Subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled “Hardrock Mining on Federal Lands” so long as these regulations are also not inconsistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary.

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113 STAT.  
1501A-214

## TITLE VI—PRIORITY LAND ACQUISITIONS AND LAND EXCHANGES

113 STAT.  
1501A-215

SEC. 601. For priority land acquisitions, land exchange agreements, and other activities consistent with the Land and Water Conservation Fund Act of 1965, as amended, \$197,500,000, to be derived from the Land and Water Conservation Fund and to remain available until September 30, 2003, of which \$81,000,000 is available to the Secretary of Agriculture and \$116,500,000 is available to the Secretary of the Interior: *Provided*, That of the funds made available to the Secretary of Agriculture, not to exceed \$61,000,000 may be used to acquire interests to protect and preserve the Baca Ranch, subject to the same terms and conditions placed on other funds provided for this purpose in this Act under the heading “Forest Service, Land Acquisition”, and \$5,000,000 shall be available for the Forest Legacy program notwithstanding any other provision of law: *Provided further*, That of the funds made available to the Secretary of the Interior, \$10,000,000 shall be available for Elwha River ecosystem restoration, and \$5,000,000 shall be available for maintenance in the National Park Service, notwithstanding any other provision of law, \$20,000,000 shall be available for the State assistance program, not to exceed \$5,000,000 may be used to acquire interests to protect and preserve the California desert, not to exceed \$2,000,000 may be used to acquire interests to protect and preserve the Rhode Island National Wildlife Refuge Complex, not to exceed \$19,500,000 may be used to acquire mineral rights within the Grand Staircase-Escalante National Monument, and not to exceed \$35,000,000 may be for State grants for land acquisition in the State of Florida, subject to the same terms and conditions placed on other funds provided for this purpose in this Act under the heading “National Park Service, Land Acquisition and State Assistance”: *Provided further*, That none of the funds appropriated under this title for purposes other than for State grants for land acquisition in the State of Florida, the State assistance program, Elwha River ecosystem restoration, or acquisitions of interests in the Baca Ranch, the California desert, the Grand Staircase-Escalante National Monument, and the Rhode Island National Wildlife Refuge Complex shall be available until the House

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–215

Committee on Appropriations and the Senate Committee on Appropriations approve, in writing, a list of projects to be undertaken with such funds.

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2000”.

\* \* \* \* \*

## 7. Department of the Interior Appropriations for FY 2001

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

Public Law 106–291  
106th Congress

### An Act

Oct. 11, 2000  
[H.R. 4578]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

### TITLE I—DEPARTMENT OF THE INTERIOR

#### BUREAU OF LAND MANAGEMENT

\* \* \* \* \*

114 STAT. 923

#### WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, research, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$425,513,000, to remain available until expended, of which not to exceed \$30,000,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation.

For an additional amount for “Wildland Fire Management”, \$200,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

\* \* \* \* \*

PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 928

## NATIONAL PARK SERVICE

## OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than \$2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, \$1,389,144,000, of which \$9,227,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed \$7,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100-203: *Provided*, That the only funds in this account which may be made available to support United States Park Police operations are those needed to continue services at the same level as was provided in fiscal year 2000 at the Statue of Liberty and Gateway National Recreation Area, and those funds approved for emergency law and order incidents pursuant to established National Park Service procedures and those funds needed to maintain and repair United States Park Police administrative facilities.

## UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$78,048,000, of which \$1,607,000 for security enhancements in the Washington, DC area shall remain available until expended.

## NATIONAL RECREATION AND PRESERVATION

114 STAT. 929

## (INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$58,359,000: *Provided*, That \$1,595,000 appropriated in Public Law 105-277 for the acquisition of interests in Ferry Farm, George Washington's Boyhood Home, shall be transferred to this account and shall be available until expended for a cooperative agreement for management of George Washington's Boyhood Home, Ferry Farm, as authorized in Public Law 105-355.

## URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), \$10,000,000, to remain available until expended.

## HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law

114 STAT. 929

PUBLIC LAW 106-291—OCT. 11, 2000

104-333), \$79,347,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2002, of which \$7,177,000 pursuant to section 507 of Public Law 104-333 shall remain available until expended: *Provided*, That of the total amount provided, \$35,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

## CONSTRUCTION

114 STAT. 930

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$242,174,000, to remain available until expended: *Provided*, That \$650,000 for Lake Champlain National Historic Landmarks, \$300,000 for the Kendall County Courthouse, and \$365,000 for the U.S. Grant Boyhood Home National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a.

## LAND AND WATER CONSERVATION FUND

## (RESCISSION)

16 USC 460l-10a  
note.

The contract authority provided for fiscal year 2001 by 16 U.S.C. 460l-10a is rescinded.

## LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$110,540,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$40,500,000 is for the State assistance program including \$1,500,000 to administer the State assistance program, and of which \$12,000,000 may be for State grants for land acquisition in the State of Florida: *Provided*, That the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and



## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 930

One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That none of the funds provided for the State Assistance program may be used to establish a contingency fund: *Provided further*, That not to exceed \$50,000,000 derived from unexpended balances previously appropriated in Public Laws 106-113 and 103-211 for land acquisition assistance to the State of Florida shall be available until expended for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act.

## ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 340 passenger motor vehicles, of which 273 shall be for replacement only, including not to exceed 319 for police-type use, 12 buses, and 9 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

Reports.

114 STAT. 931

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

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## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made

available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for “wildland fire operations” shall be exhausted within thirty days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized

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by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

\* \* \* \* \*

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

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SEC. 113. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs, hereafter may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

43 USC 1467a.

\* \* \* \* \*

SEC. 115. Notwithstanding any provision of law, hereafter the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

16 USC 460bb-3  
note.

SEC. 116. A grazing permit or lease that expires (or is transferred) during fiscal year 2001 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations,

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at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

\* \* \* \* \*

114 STAT. 945

SEC. 126. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 127. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

114 STAT. 946

SEC. 128. Section 112 of Public Law 103-138 (107 Stat. 1399) is amended by striking "permit LP-GLBA005-93" and inserting "permit LP-GLBA005-93 and in connection with a corporate reorganization plan, the entity that, after the corporate reorganization, holds entry permit CP-GLBA004-00 each".

\* \* \* \* \*

16 USC 431 note.

SEC. 130. (a) The first section of Public Law 92-501 (86 Stat. 904) is amended by inserting after the first sentence "The park shall also include the land as generally depicted on the map entitled 'subdivision of a portion of U.S. Survey 407, Tract B, dated May 12, 2000'".

16 USC 431 note.

(b) Section 3 of Public Law 92-501 is amended to read as follows: "There are authorized to be appropriated such sums as are necessary to carry out the terms of this Act."

\* \* \* \* \*

114 STAT. 949

SEC. 139. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking "2000" and inserting "2001".

SEC. 140. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

\* \* \* \* \*

114 STAT. 950

SEC. 144. (a) Notwithstanding any other provision of law, and subject to subsections (b) and (c), all conveyances to the city of Valley City, a municipal corporation of Barnes County, North Dakota, of lands described in subsection (b), heretofore or hereafter made directly by The Burlington Northern and Santa Fe Railway Company or its successors, are hereby validated to the extent that the conveyances would be legal and valid if all right, title, and interest of the United States, except minerals, were held by The Burlington Northern and Santa Fe Railway Company.

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(b) **LANDS DESCRIBED.**—The lands referred to in subsection (a) are the land that formed part of the railroad right-of-way granted to the Northern Pacific Railroad Company, a predecessor to The Burlington Northern and Santa Fe Railway Company, by an Act of Congress on July 2, 1864, specifically a 400-foot wide right-of-way, being 200 feet wide on each side of the centerline of the rail track as originally located and constructed between milepost 69.05 and milepost 61.10 within Barnes County, North Dakota, as shown and described on the map entitled “City of Valley City—Railroad Parcels” dated September 1, 2000. Such map shall be placed on file and available for inspection in the offices of the Director of the Bureau of Land Management.

(c) **ACCESS AND MINERAL RIGHTS.**—

(1) **PRESERVATION OF RIGHTS OF ACCESS.**—Nothing in this section shall impair any rights of access in favor of the public or any owner of adjacent lands over, under, or across the lands described in section 2.

(2) **MINERALS.**—The United States reserves any federally owned mineral rights in the lands described in subsection (b), except that the United States disclaims any and all right of surface entry to the mineral estate of such lands.

**SEC. 145. (a) SHORT TITLE.**—This section may be cited as the “First Ladies National Historic Site Act of 2000”.

(b) **FIRST LADIES NATIONAL HISTORIC SITE.**—

(1) **FINDINGS.**—The Congress finds the following:

(A) Throughout the history of the United States, First Ladies have had an important impact on our Nation’s history.

(B) Little attention has been paid to the role of First Ladies and their impact on our Nation’s history.

(C) Establishment of the First Ladies National Historic Site will provide unique opportunities for education and study into the impact of First Ladies on our history.

(2) **PURPOSES.**—The purposes of this section are the following:

(A) To preserve and interpret the role and history of First Ladies for the benefit, inspiration, and education of the people of the United States.

(B) To interpret the impact of First Ladies on the history of the United States.

(C) To provide to school children and scholars access to information about the contributions of First Ladies through both a physical educational facility and an electronic virtual library.

(D) To establish the First Ladies National Historic Site in Canton, Ohio, the home of First Lady Ida Saxton McKinley.

(E) To create a public-private partnership between the National Park Service and the National First Ladies Library.

(3) **ESTABLISHMENT OF FIRST LADIES NATIONAL HISTORIC SITE.**—

(A) **ESTABLISHMENT.**—There is established in Canton, Ohio, the First Ladies National Historic Site.

(B) **DESCRIPTION.**—The historic site shall consist of—

(i) the land and improvements comprising the National Park Service property located at 331 Market

First Ladies  
National Historic  
Site Act of 2000.  
16 USC 461 note.

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Avenue South in Canton, Ohio, known as the Ida Saxton McKinley House; and

(ii) if acquired under subsection (b)(4), National Park Service property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(4) ACQUISITION OF CITY NATIONAL BANK BUILDING.—The Secretary may acquire by donation, for inclusion in the historic site, the property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(5) ADMINISTRATION OF THE HISTORIC SITE.—

(A) IN GENERAL.—The Secretary shall administer the historic site in accordance with this section 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 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(B) COOPERATIVE AGREEMENTS.—

(i) To further the purposes of this section, the Secretary may enter into a cooperative agreement with the National First Ladies Library (a nonprofit corporation established under the laws of the District of Columbia) under which the National First Ladies Library may operate and maintain the site.

(ii) To further the purposes of this section, the Secretary may enter into cooperative agreements with other public and private organizations.

(C) ASSISTANCE.—The Secretary may provide to the National First Ladies Library—

(i) technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, the historic site; and

(ii) subject to the availability of appropriations, financial assistance for the operation and maintenance of the historic site.

(D) ADMISSION FEES.—The Secretary may authorize the National First Ladies Library to—

(i) charge fees for admission to the historic site; and

(ii) retain and use for the historic site amounts paid as such fees.

(E) MANAGEMENT OF PROPERTY.—The Secretary may authorize the National First Ladies Library—

(i) to manage any property within the historic site;

(ii) to lease to other public or private entities any property managed under subparagraph (i) by the National First Ladies Library; and

(iii) to retain and use for the historic site amounts received under such leases.

(6) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than the last day of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall, in consultation with the

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Deadline.

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officials described in paragraph (B), prepare a general management plan for the historic site.

(B) CONSULTATION.—In preparing the general management plan, the Secretary shall consult with an appropriate official of—

- (i) the National First Ladies Library; and
- (ii) appropriate political subdivisions of the State of Ohio that have jurisdiction over the area where the historic site is located.

(C) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(7) DEFINITIONS.—In this section:

(A) HISTORIC SITE.—The term “historic site” means the First Ladies National Historic Site established by subsection (b)(3).

(B) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 146. (a) CONTRIBUTIONS TOWARD ESTABLISHMENT OF ABRAHAM LINCOLN INTERPRETIVE CENTER.—

(1) GRANTS AUTHORIZED.—Subject to subsections (a)(2) and (a)(3), the Secretary of the Interior shall make grants to contribute funds for the establishment in Springfield, Illinois, of an interpretive center to preserve and make available to the public materials related to the life of President Abraham Lincoln and to provide interpretive and educational services which communicate the meaning of the life of Abraham Lincoln.

(2) PLAN AND DESIGN.—

(A) SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the entity selected by the Secretary of the Interior to receive grants under subsection (a)(1) shall submit to the Secretary a plan and design for the interpretive center, including a description of the following:

Deadline.

- (i) The design of the facility and site.
- (ii) The method of acquisition.
- (iii) The estimated cost of acquisition, construction, operation, and maintenance.

(iv) The manner and extent to which non-Federal entities will participate in the acquisition, construction, operation, and maintenance of the center.

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(B) CONSULTATION AND COOPERATION.—The plan and design for the interpretive center shall be prepared in consultation with the Secretary of the Interior and the Governor of Illinois and in cooperation with such other public, municipal, and private entities as the Secretary considers appropriate.

(3) CONDITIONS ON GRANT.—

(A) MATCHING REQUIREMENT.—A grant under subsection (a)(1) may not be made until such time as the entity selected to receive the grant certifies to the Secretary of the Interior that funds have been contributed by the State of Illinois or raised from non-Federal sources for use to establish the interpretive center in an amount equal to at least double the amount of that grant.

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(B) RELATION TO OTHER LINCOLN-RELATED SITES AND MUSEUMS.—The Secretary of the Interior shall further condition the grant under subsection (a)(1) on the agreement of the grant recipient to operate the resulting interpretive center in cooperation with other Federal and non-Federal historic sites, parks, and museums that represent significant locations or events in the life of Abraham Lincoln. Cooperative efforts to promote and interpret the life of Abraham Lincoln may include the use of cooperative agreements, cross references, cross promotion, and shared exhibits.

(4) PROHIBITION ON CONTRIBUTION OF OPERATING FUNDS.—Grant amounts may not be used for the maintenance or operation of the interpretive center.

(5) NON-FEDERAL OPERATION.—The Secretary of the Interior shall have no involvement in the actual operation of the interpretive center, except at the request of the non-Federal entity responsible for the operation of the center.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior a total of \$50,000,000 to make grants under subsection (a)(1). Amounts so appropriated shall remain available for expenditure through fiscal year 2006.

Palace of the  
Governors Annex  
Act.

SEC. 147. (a) SHORT TITLE.—This section may be cited as the “Palace of the Governors Annex Act”.

(b) CONSTRUCTION OF PALACE OF THE GOVERNORS ANNEX, SANTA FE, NEW MEXICO.—

(1) FINDINGS.—Congress finds that—

(A) the United States has a rich legacy of Hispanic influence in politics, government, economic development, and cultural expression;

(B) the Palace of the Governors—

(i) has been the center of administrative and cultural activity over a vast region of the Southwest since its construction as New Mexico’s second capitol in Santa Fe by Governor Pedro de Peralta in 1610;

(ii) is the oldest continuously occupied public building in the continental United States, having been occupied for 390 years; and

(iii) has been designated as a National Historic Landmark;

(C) since its creation, the Museum of New Mexico has worked to protect and promote Southwestern, Hispanic, and Native American arts and crafts;

(D) the Palace of the Governors houses the history division of the Museum of New Mexico;

(E) the Museum has an extensive, priceless, and irreplaceable collection of—

(i) Spanish Colonial paintings (including the Segesser Hide Paintings, paintings on buffalo hide dating back to 1706);

(ii) pre-Columbian Art; and

(iii) historic artifacts, including—

(I) helmets and armor worn by the Don Juan de Oñate expedition conquistadors who established the first capital in the territory that is now the

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United States, San Juan de los Caballeros, in July 1598;

(II) the Vara Stick used to measure land grants and other real property boundaries in Dona Ana County, New Mexico;

(III) the Columbus, New Mexico Railway Station clock that was shot, stopping the pendulum, freezing for all history the moment when Pancho Villa's raid began;

(IV) the field desk of Brigadier General Stephen Watts Kearny, who was posted to New Mexico during the Mexican War and whose Army of the West traveled the Santa Fe trail to occupy the territories of New Mexico and California; and

(V) more than 800,000 other historic photographs, guns, costumes, maps, books, and handicrafts;

(F) the Palace of the Governors and its contents are included in the Mary C. Skaggs Centennial Collection of America's Treasures;

(G) the Palace of the Governors and the Segesser Hide paintings have been declared national treasures by the National Trust for Historic Preservation; and

(H) time is of the essence in the construction of an annex to the Palace of the Governors for the exhibition and storing of the collection described in paragraph (E), because—

(i) the existing facilities for exhibiting and storing the collection are so inadequate and unsuitable that existence of the collection is endangered and its preservation is in jeopardy; and

(ii) 2010 marks the 400th anniversary of the continuous occupation and use of the Palace of the Governors and is an appropriate date for ensuring the continued viability of the collection.

(2) DEFINITIONS.—In this section:

(A) ANNEX.—The term “Annex” means the annex for the Palace of the Governors of the Museum of New Mexico, to be constructed behind the Palace of the Governors building at 110 Lincoln Avenue, Santa Fe, New Mexico.

(B) OFFICE.—The term “Office” means the State Office of Cultural Affairs. 114 STAT. 955

(C) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(D) STATE.—The term “State” means the State of New Mexico.

(3) GRANT.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to the Office to pay 50 percent of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex.

(B) REQUIREMENTS.—Subject to the availability of appropriations, to receive a grant under this paragraph (A), the Office shall—

(i) submit to the Secretary a copy of the architectural blueprints for the Annex; and

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(ii) enter into a memorandum of understanding with the Secretary under subsection ((b)(4).

(4) MEMORANDUM OF UNDERSTANDING.—At the request of the Office, the Secretary shall enter into a memorandum of understanding with the Office that—

(A) requires that the Office award the contract for construction of the Annex after a competitive bidding process and in accordance with the New Mexico Procurement Code; and

(B) specifies a date for completion of the Annex.

(5) NON-FEDERAL SHARE.—The non-Federal share of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex—

(A) may be in cash or in kind fairly evaluated, including land, art and artifact collections, plant, equipment, or services; and

(B) shall include any contribution received by the State (including contributions from the New Mexico Foundation and other endowment funds) for, and any expenditure made by the State for, the Palace of the Governors or the Annex, including—

(i) design;

(ii) land acquisition (including the land at 110 Lincoln Avenue, Santa Fe, New Mexico);

(iii) acquisitions for and renovation of the library;

(iv) conservation of the Palace of the Governors;

(v) construction, management, inspection, furnishing, and equipping of the Annex; and

(vi) donations of art collections and artifacts to the Museum of New Mexico on or after the date of enactment of this section.

(6) USE OF FUNDS.—The funds received under a grant awarded under subsection (b)(3) shall be used only for the final design, construction, management, inspection, furnishing and equipment of the Annex.

(7) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—Subject to paragraph (B), subject to the availability of appropriations, there is authorized to be appropriated to the Secretary to carry out this section \$15,000,000, to remain available until expended.

(B) CONDITION.—Paragraph (A) authorizes sums to be appropriated on the condition that—

(i) after the date of enactment of this section and before January 1, 2010, the State appropriate at least \$8,000,000 to pay the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex; and

(ii) other non-Federal sources provide sufficient funds to pay the remainder of the 50 percent non-Federal share of those costs.

SEC. 148. (a) Section 104 of the Act entitled “An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes”, approved November 19, 1988 (Public Law 100-698) is amended—

(1) in the flush material at the end of subsection (a), by striking “10 years” and inserting “20 years”; and

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16 USC 461 note.

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(2) in subsection (e), by striking “10 years” and inserting “20 years”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 105 of the Act entitled “An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes”, approved November 19, 1988 (Public Law 100-698) is amended by inserting “for each of fiscal years 2001 through 2010” after “\$3,000,000”. 16 USC 461 note.

(c) EFFECTIVE DATE.—The amendment made by section 1 shall be deemed to have taken effect on November 18, 1998. 16 USC 461 note.

SEC. 149. REDESIGNATION OF CUYAHOGA VALLEY NATIONAL RECREATION AREA AS CUYAHOGA VALLEY NATIONAL PARK. (a) REDESIGNATION.—The Cuyahoga Valley National Recreation Area is redesignated as Cuyahoga Valley National Park. 16 USC 460ff note.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Cuyahoga Valley National Recreation Area is deemed to be a reference to Cuyahoga Valley National Park. 16 USC 460ff note.

(c) CONFORMING AMENDMENTS.—The Act entitled “An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area” (Public Law 93-555; 16 U.S.C. 460ff et seq.), approved December 27, 1974, is amended—

(1) in section 1 by striking “National Recreation Area” and inserting “National Park”; and 16 USC 460ff.

(2) by striking “recreation area” each place it appears and inserting “park”.

(d) CLERICAL AMENDMENTS.—Section 5 of such Act (16 U.S.C. 460ff-4) is repealed, and section 6 of such Act (16 U.S.C. 460ff-5) is redesignated as section 5.

Sec. 150. (a) SHORT TITLE.—This section may be cited as the “National Underground Railroad Freedom Center Act”.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the National Underground Railroad Freedom Center (hereinafter “Freedom Center”) is a nonprofit organization incorporated under the laws of the State of Ohio in 1995; 16 USC 461 note.  
16 USC 469l-2 note.

(B) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

(C) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

(D) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

(E) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to

National  
Underground  
Railroad  
Freedom Center  
Act.  
16 USC 461 note.  
16 USC 469l-2  
note.

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assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act.

(2) PURPOSES.—The purposes of this section are—

(A) to promote preservation and public awareness of the history of the Underground Railroad;

(B) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and

(C) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (112 Stat. 679; 16 U.S.C. 469l and following).

(c) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) PROJECT BUDGET.—The term “project budget” means the total amount of funds expended by the Freedom Center on construction of its facility, development of its programs and exhibits, research, collection of informative and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center, prior to the opening of the Freedom Center facility in Cincinnati, Ohio.

(3) FEDERAL SHARE.—The term “Federal share” means an amount not to exceed 20 percent of the project budget and shall include all amounts received from the Federal Government under this legislation and any other Federal programs.

(4) NON-FEDERAL SHARE.—The term “non-Federal share” means all amounts obtained by the Freedom Center for the implementation of its facilities and programs from any source other than the Federal Government, and shall not be less than 80 percent of the project budget.

(5) THE FREEDOM CENTER FACILITY.—The term “the Freedom Center facility” means the facility, including the building and surrounding site, which will house the museum and research institute to be constructed and developed in Cincinnati, Ohio, on the site described in subsection (d)(3).

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) PROGRAM AUTHORIZED.—From sums appropriated pursuant to the authority of subsection (d)(4) in any fiscal year, the Secretary is authorized and directed to provide financial assistance to the Freedom Center, in order to pay the Federal share of the cost of authorized activities described in subsection (e).

(2) EXPENDITURE ON NON-FEDERAL PROPERTY.—The Secretary is authorized to expend appropriated funds under subsection (d)(1) of this section to assist in the construction of the Freedom Center facility and the development of programs and exhibits for that facility which will be funded primarily through private and non-Federal funds, on property owned by the city of Cincinnati, Hamilton County, and the State of Ohio.

(3) DESCRIPTION OF THE FREEDOM CENTER FACILITY SITE.—The facility referred to in subsections (d)(1) and (d)(2) will be located on a site described as follows: a 2-block area south of new South Second, west of Walnut Street, north of relocated

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Theodore M. Berry Way, and east of Vine Street in Cincinnati, Ohio.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$16,000,000 for the 4 fiscal year period beginning October 1, 1999. Funds not to exceed that total amount may be appropriated in 1 or more of such fiscal years. Funds shall not be disbursed until the Freedom Center has commitments for a minimum of 50 percent of the non-Federal share.

(5) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds appropriated to carry out the provisions of this section shall remain available for obligation and expenditure until the end of the fiscal year succeeding the fiscal year for which the funds were appropriated.

(6) OTHER PROVISIONS.—Any grant made under this section shall provide that—

(A) no change or alteration may be made in the Freedom Center facility except with the agreement of the property owner and the Secretary;

(B) the Secretary shall have the right of access at reasonable times to the public portions of the Freedom Center facility for interpretive and other purposes; and

(C) conversion, use, or disposal of the Freedom Center facility for purposes contrary to the purposes of this section, as determined by the Secretary, shall result in a right of the United States to compensation equal to the greater of—

(i) all Federal funds made available to the grantee under this section; or

(ii) the proportion of the increased value of the Freedom Center facility attributable to such funds, as determined at the time of such conversion, use, or disposal.

(e) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The Freedom Center may engage in any activity related to its objectives addressed in subsection (b)(1), including, but not limited to, construction of the Freedom Center facility, development of programs and exhibits related to the history of the Underground Railroad, research, collection of information and artifacts and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center.

114 STAT. 959

(2) PRIORITIES.—The Freedom Center shall give priority to—

(A) construction of the Freedom Center facility;

(B) development of programs and exhibits to be presented in or from the Freedom Center facility; and

(C) providing assistance to the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

(f) APPLICATION.—

(1) IN GENERAL.—The Freedom Center shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each application shall—

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(A) describe the activities for which assistance is sought;

(B) provide assurances that the non-Federal share of the cost of activities of the Freedom Center shall be paid from non-Federal sources, together with an accounting of costs expended by the Freedom Center to date, a budget of costs to be incurred prior to the opening of the Freedom Center facility, an accounting of funds raised to date, both Federal and non-Federal, and a projection of funds to be raised through the completion of the Freedom Center facility.

(2) APPROVAL.—The Secretary shall approve the application submitted pursuant to subsection (f)(1) unless such application fails to comply with the provisions of this section.

Deadline.

(g) REPORTS.—The Freedom Center shall submit an annual report to the appropriate committees of the Congress not later than January 31, 2000, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this section. The report shall—

(1) include a financial statement addressing the Freedom Center's costs incurred to date and projected costs, and funds raised to date and projected fundraising goals;

(2) include a comprehensive and detailed description of the Freedom Center's activities for the preceding and succeeding fiscal years; and

(3) include a description of the activities taken to assure compliance with this section.

(h) AMENDMENT TO THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998.—The National Underground Railroad Network to Freedom Act of 1998 (112 Stat. 679; 16 U.S.C. 4691 and following) is amended by adding at the end the following:

**“SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.**

“(a) AUTHORITY TO MAKE GRANTS.—The Secretary of the Interior may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

“(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

114 STAT. 960

“(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

“(2) the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and

“(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

“(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal

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to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

“(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section \$2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.”.

\* \* \* \* \*

SEC. 155. BLUE RIDGE PARKWAY. (a) The Blue Ridge Parkway headquarters building located at 199 Hemphill Knob in Asheville, North Carolina, shall be known and designated as the “Gary E. Everhardt Headquarters Building”. 114 STAT. 962

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the headquarters building referred to in subsection (a) shall be deemed to be a reference to the “Gary E. Everhardt Headquarters Building”.

SEC. 156. None of the funds in this Act or any other Act shall be used, by the Secretary of the Interior to promulgate final rules to revise 43 C.F.R. subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106-31, may issue final rules to amend 43 C.F.R. subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled “Hardrock Mining on Federal Lands” so long as these regulations are also not inconsistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary. 114 STAT. 963

SEC. 157. (a) SHORT TITLE.—This section may be cited as the “Wheeling National Heritage Area Act of 2000”.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—The Congress finds that—

(A) the area in and around Wheeling, West Virginia, possesses important historical, cultural, and natural resources, representing major heritage themes of transportation, commerce and industry, and Victorian culture in the United States;

(B) the City of Wheeling has played an important part in the settlement of this country by serving as—

(i) the western terminus of the National Road of the early 1800’s;

(ii) the “Crossroads of America” throughout the nineteenth century;

(iii) one of the few major inland ports in the nineteenth century; and

(iv) the site for the establishment of the Restored State of Virginia, and later the State of West Virginia, during the Civil War and as the first capital of the new State of West Virginia;

(C) the City of Wheeling has also played an important role in the industrial and commercial heritage of the United States, through the development and maintenance of many industries crucial to the Nation’s expansion, including iron

Wheeling  
National  
Heritage Area  
Act of 2000.  
16 USC 461 note.

and steel, textile manufacturing, boat building, glass manufacturing, and stogie and chewing tobacco manufacturing facilities, many of which are industries that continue to play an important role in the national economy;

(D) the city of Wheeling has retained its national heritage themes with the designations of the old custom house (now Independence Hall) and the historic suspension bridge as National Historic Landmarks; with five historic districts; and many individual properties in the Wheeling area listed or eligible for nomination to the National Register of Historic Places;

(E) the heritage themes and number and diversity of Wheeling's remaining resources should be appropriately retained, enhanced, and interpreted for the education, benefit, and inspiration of the people of the United States; and

(F) in 1992 a comprehensive plan for the development and administration of the Wheeling National Heritage Area was completed for the National Park Service, the City of Wheeling, and the Wheeling National Task Force, including—

(i) an inventory of the national and cultural resources in the City of Wheeling;

(ii) criteria for preserving and interpreting significant natural and historic resources;

(iii) a strategy for the conservation, preservation, and reuse of the historical and cultural resources in the City of Wheeling and the surrounding region; and

(iv) an implementation agenda by which the State of West Virginia and local governments can coordinate their resources as well as a complete description of the management entity responsible for implementing the comprehensive plan.

(2) PURPOSES.—The purposes of this section are—

(A) to recognize the special importance of the history and development of the Wheeling area in the cultural heritage of the Nation;

(B) to provide a framework to assist the City of Wheeling and other public and private entities and individuals in the appropriate preservation, enhancement, and interpretation of significant resources in the Wheeling area emblematic of Wheeling's contributions to the Nation's cultural heritage;

(C) to allow for limited Federal, State and local capital contributions for planning and infrastructure investments to complete the Wheeling National Heritage Area, in partnership with the State of West Virginia, the City of Wheeling, and other appropriate public and private entities; and

(D) to provide for an economically self-sustaining National Heritage Area not dependent on Federal financial assistance beyond the initial years necessary to establish the heritage area.

(c) DEFINITIONS.—As used in this section—

(1) the term “city” means the City of Wheeling;

(2) the term “heritage area” means the Wheeling National Heritage Area established in subsection (d);



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(3) the term “plan” means the “Plan for the Wheeling National Heritage Area” dated August, 1992;

(4) the term “Secretary” means the Secretary of the Interior; and

(5) the term “State” means the State of West Virginia.

(d) WHEELING NATIONAL HERITAGE AREA.—

(1) ESTABLISHMENT.—In furtherance of the purposes of this section, there is established in the State of West Virginia the Wheeling National Heritage Area, as generally depicted on the map entitled “Boundary Map, Wheeling National Heritage Area, Wheeling, West Virginia” and dated March, 1994. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) MANAGEMENT ENTITY.—

(A) The management entity for the heritage area shall be the Wheeling National Heritage Corporation, a non-profit corporation chartered in the State of West Virginia.

(B) To the extent consistent with this section, the management entity shall manage the heritage area in accordance with the plan.

(e) DUTIES OF THE MANAGEMENT ENTITY.—

(1) MISSION.—

(A) The primary mission of the management entity shall be—

(i) to implement and coordinate the recommendations contained in the plan;

(ii) ensure integrated operation of the heritage area; and

(iii) conserve and interpret the historic and cultural resources of the heritage area.

(B) The management entity shall also direct and coordinate the diverse conservation, development, programming, educational, and interpretive activities within the heritage area.

(2) RECOGNITION OF PLAN.—The management entity shall work with the State of West Virginia and local governments to ensure that the plan is formally adopted by the City and recognized by the State.

(3) IMPLEMENTATION.—To the extent practicable, the management entity shall—

(A) implement the recommendations contained in the plan in a timely manner pursuant to the schedule identified in the plan;

(B) coordinate its activities with the City, the State, and the Secretary;

(C) ensure the conservation and interpretation of the heritage area’s historical, cultural, and natural resources, including—

(i) assisting the City and the State in the preservation of sites, buildings, and objects within the heritage area which are listed or eligible for listing on the National Register of Historic Places;

(ii) assisting the City, the State, or a nonprofit organization in the restoration of any historic building in the heritage area;

114 STAT. 965

(iii) increasing public awareness of and appreciation for the natural, cultural, and historic resources of the heritage area;

(iv) assisting the State or City in designing, establishing, and maintaining appropriate interpretive facilities and exhibits in the heritage area;

(v) assisting in the enhancement of public awareness and appreciation for the historical, archaeological, and geologic resources and sites in the heritage area; and

(vi) encouraging the City and other local governments to adopt land use policies consistent with the goals of the plan, and to take actions to implement those policies;

(D) encourage intergovernmental cooperation in the achievement of these objectives;

(E) develop recommendations for design standards within the heritage area; and

(F) seek to create public-private partnerships to finance projects and initiatives within the heritage area.

(4) AUTHORITIES.—The management entity may, for the purposes of implementing the plan, use Federal funds made available by this section to—

(A) make grants to the State, City, or other appropriate public or private organizations, entities, or persons;

(B) enter into cooperative agreements with, or provide technical assistance to Federal agencies, the State, City or other appropriate public or private organizations, entities, or persons;

114 STAT. 966

(C) hire and compensate such staff as the management entity deems necessary;

(D) obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money;

(E) spend funds on promotion and marketing consistent with the resources and associated values of the heritage area in order to promote increased visitation; and

(F) contract for goods and services.

(5) ACQUISITION OF REAL PROPERTY.—

(A) Except as provided in paragraph (B), the management entity may not acquire any real property or interest therein within the heritage area, other than the leasing of facilities.

(B)(i) Subject to subparagraph (ii), the management entity may acquire real property, or an interest therein, within the heritage area by gift or devise, or by purchase from a willing seller with money which was donated, bequeathed, appropriated, or otherwise made available to the management entity on the condition that such money be used to purchase real property, or interest therein, within the heritage area.

(ii) Any real property or interest therein acquired by the management entity pursuant to this paragraph shall be conveyed in perpetuity by the management entity to an appropriate public or private entity, as determined by the management entity. Any such conveyance shall be made as soon as practicable after acquisition, without

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consideration, and on the condition that the real property or interest therein so conveyed shall be used for public purposes.

(6) REVISION OF PLAN.—Within 18 months after the date of enactment, the management entity shall submit to the Secretary a revised plan. Such revision shall include, but not be limited to—

(A) a review of the implementation agenda for the heritage area;

(B) projected capital costs; and

(C) plans for partnership initiatives and expansion of community support.

(f) DUTIES OF THE SECRETARY.—

(1) INTERPRETIVE SUPPORT.—The Secretary may, upon request of the management entity, provide appropriate interpretive, planning, educational, staffing, exhibits, and other material or support for the heritage area, consistent with the plan and as appropriate to the resources and associated values of the heritage area.

(2) TECHNICAL ASSISTANCE.—The Secretary may upon request of the management entity and consistent with the plan, provide technical assistance to the management entity.

(3) COOPERATIVE AGREEMENTS AND GRANTS.—The Secretary may, in consultation with the management entity and consistent with the management plan, make grants to, and enter into cooperative agreements with the management entity, the State, City, non-profit organization or any person.

(3) PLAN AMENDMENTS.—No amendments to the plan may be made unless approved by the Secretary. The Secretary shall consult with the management entity in reviewing any proposed amendments.

114 STAT. 967

(g) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal department, agency, or other entity conducting or supporting activities directly affecting the heritage area shall—

(1) consult with the Secretary and the management entity with respect to such activities.

(2) cooperate with the Secretary and the management entity in carrying out their duties under this Act, and to the extent practicable, coordinate such activities directly with the duties of the Secretary and the management entity.

(3) to the extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the heritage area.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000, except that not more than \$1,000,000 may be appropriated to carry out this section for any fiscal year.

(2) MATCHING FUNDS.—Federal funding provided under this section shall be matched at least 25 percent by other funds or in-kind services.

(i) SUNSET.—The Secretary may not make any grant or provide any assistance under this section after September 30, 2015.

114 STAT. 967

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## TITLE II—RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

\* \* \* \* \*

114 STAT. 968

## WILDLAND FIRE MANAGEMENT

114 STAT. 969

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, \$839,129,000, to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2000 shall be transferred, as repayment for post advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.): *Provided further*, That notwithstanding any other provision of law, up to \$8,600,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wild-fire suppression activities of the Forest Service, \$426,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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114 STAT. 986

## COMMISSION OF FINE ARTS

## SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,078,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

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## NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, \$7,000,000.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

## SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$3,189,000: *Provided*, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$6,500,000: *Provided*, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

\* \* \* \* \*

## PRESIDIO TRUST

## PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$23,400,000 shall be available to the Presidio Trust, to remain available until expended. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed \$10,000,000.

## TITLE III—GENERAL PROVISIONS

114 STAT. 987

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Contracts.  
Public  
information.

\* \* \* \* \*

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal

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cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

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SEC. 308. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 309. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 310. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

114 STAT. 988

SEC. 311. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2001, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected

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114 STAT. 988

by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

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SEC. 314. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds \$500,000. 114 STAT. 989

SEC. 315. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust, hereafter shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions. 16 USC 460bb note.

SEC. 316. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance. 16 USC 459j-4 note.

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SEC. 322. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations. 114 STAT. 994

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SEC. 324. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

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SEC. 326. None of the funds provided in this or previous appropriations Acts for the agencies funded by this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be transferred to and used to fund personnel, training, or other administrative activities of the Council on Environmental Quality or other offices in the Executive Office of the President for purposes related to the American Heritage Rivers program. 114 STAT. 995

SEC. 327. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

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114 STAT. 996

PUBLIC LAW 106-291—OCT. 11, 2000

SEC. 329. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

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114 STAT. 997

SEC. 336. In section 315(f) of title III of section 101(c) of Public Law 104-134 (16 U.S.C. 460l-6a note), as amended, strike “September 30, 2001” and insert “September 30, 2002”, and strike “September 30, 2004” and insert “September 30, 2005”.

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114 STAT. 998

SEC. 339. Any regulations or policies promulgated or adopted by the Departments of Agriculture or the Interior regarding recovery of costs for processing authorizations to occupy and use Federal lands under their control shall adhere to and incorporate the following principle arising from Office of Management and Budget Circular, A-25; no charge should be made for a service when the identification of the specific beneficiary is obscure, and the service can be considered primarily as benefiting broadly the general public.

SEC. 340. None of the funds made available in this Act may be used by the Secretary of the Interior or the Secretary of Agriculture to implement a final rule for estimating fair market value land use rental fees for fiberoptic communications rights-of-way on Federal lands that amends or replaces the linear right-of-way rental fee schedule published on July 8, 1987 (43 CFR 2803.1-2(c)(1)(I)). In determining rental fees for fiberoptic rights-of-way, the Secretaries shall use the rates contained in the linear right-of-way rental fee schedules in place on May 1, 2000.

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SEC. 345. BACKCOUNTRY LANDING STRIP ACCESS. (a) IN GENERAL.—Funds made available by this Act shall not be used to permanently close aircraft landing strips, officially recognized by State or Federal aviation officials, without public notice, consultation with cognizant State and Federal aviation officials and the consent of the Federal Aviation Administration.

(b) AIRCRAFT LANDING STRIPS.—An aircraft landing strip referred to in subsection (a) is a landing strip on Federal land administered by the Secretary of the Interior or the Secretary of Agriculture that is commonly known, and is consistently used for aircraft landing and departure activities.

114 STAT. 999

(c) PERMANENT CLOSURE.—For the purposes of subsection (a), an aircraft landing strip shall be considered to be closed permanently if the intended duration of the closure is more than 180 days in any calendar year.

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114 STAT. 1006

## TITLE IV—WILDLAND FIRE EMERGENCY APPROPRIATIONS

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## WILDLAND FIRE MANAGEMENT

For necessary expenses for fire suppression operations, burned areas rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$353,740,000 to remain available until expended, of which \$21,829,000 is for hazardous fuels reduction, \$120,300,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Interior, \$116,611,000 is for wildfire suppression, \$85,000,000 is for burned areas rehabilitation, and \$10,000,000 is for rural fire assistance: *Provided*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds in this account are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., Protection of United States Property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

114 STAT. 1007

114 STAT. 1008

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## RELATED AGENCY

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## WILDLAND FIRE MANAGEMENT

For an additional amount to cover necessary expenses for emergency rehabilitation, hazard reduction activities in the urban-wildland interface, support to federal emergency response, repaying firefighting funds borrowed from programs, and wildfire suppression activities of the Forest Service, \$619,274,000, to remain available until expended, of which \$179,000,000 is for wildfire suppression, \$120,000,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Agriculture, \$142,000,000 is for emergency rehabilitation, \$44,000,000 is for capital improvement and maintenance of fire facilities, \$16,000,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), \$50,494,000 is for state fire assistance, \$8,280,000 is for volunteer fire assistance, \$12,000,000 is for forest health activities on state, private, and federal lands, \$12,500,000 is for economic action programs, and \$35,000,000 is for assistance to non-federal entities most affected by fire using all existing authorities under the State and Private Forestry appropriation; and of which \$320,274,000 may be transferred to the “State and Private Forestry”, “National Forest System”, “Forest and Rangeland Research”, and “Capital Improvement and Maintenance” accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: *Provided*, That transfers of any amounts in excess of those authorized in this title, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105-163: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: *Provided further*, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as

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114 STAT. 1009

an emergency requirement as defined by such Act, is transmitted by the President to the Congress: *Provided further*, That:

(1) In expending the funds provided with respect to this title for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to—

- (A) local private, nonprofit, or cooperative entities;
- (B) Youth Conservation Corps crews or related partnerships, with State, local and non-profit youth groups;
- (C) small or micro-businesses; or
- (D) other entities that will hire or train a significant percentage of local people to complete such contracts. The authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

(2) Within 60 days after enactment, the Secretary of Agriculture and the Secretary of the Interior shall, after consultation with State and local fire-fighting agencies, jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at high risk from wildfire, as defined by the Secretaries. This list shall include:

- (A) an identification of communities around which hazardous fuel reduction treatments are ongoing; and
- (B) an identification of communities around which the Secretaries are preparing to begin treatments in fiscal year 2001.

(3) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands and at high risk from wildfire that are included in the list published pursuant to paragraph (2) but that are not included in subparagraphs (A) and (B) of paragraph (2), along with an identification of reasons, including but not limited to lack of available funds, why there are no treatments ongoing or being prepared for these communities.

(4) Within 30 days after enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register the Forest Service's Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems. The documentation required by section 102(2)(C) of the National Environmental Policy Act accompanying the proposed regulations revising the National Forest System transportation policy; proposed roadless area protection regulation; and proposed

Federal Register,  
publication.

Federal Register,  
publication.

Federal Register,  
publication.

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Interior Columbia Basin Project; and the Sierra Nevada Framework/Sierra Nevada Forest Plan shall contain an analysis and explanation of any differences between the Cohesive Strategy and the policies and rule-making listed in this paragraph. Nothing in this title is intended or should require a delay in the rule-makings listed in this paragraph.

(5)(A) Funds provided to the Secretary of Agriculture by this title and to the Secretary of the Interior, the Secretary of Commerce, and the Council on Environmental Quality by this Act and any other applicable act appropriating funds for fiscal year 2001 shall be used as necessary to establish and implement the expedited procedures set forth in this paragraph for decisions to conduct hazardous fuel reduction treatments pursuant to paragraphs (1) and (2), and any post-burn treatments within the perimeters of areas burned by wildfire, on federal lands.

Reports.

(B) The Secretary of Agriculture, the Secretary of the Interior, the Secretary of Commerce, and the Chairman of the Council on Environmental Quality shall use such funds specified in subparagraph (A) as necessary to evaluate the need for revised or expedited environmental compliance procedures including expedited procedures for the preparation of documentation required by section 102(2) of the National Environmental Policy Act (42 U.S.C. 4332(2)) for treatment decisions referred to in subparagraph (A). The Secretary of Agriculture, the Secretary of the Interior, the Chairman of the Council on Environmental Quality shall report to the relevant congressional committee of jurisdiction within 60 days of enactment of this Act to apprise the Congress of the decision to develop any expedited procedures or adopt or recommend any other measures. Each Secretary may employ any expedited procedures developed pursuant to this subsection for a treatment decision when the Secretary determines the procedures to be appropriate for the decision. These procedures shall ensure that the period of preparation for environmental documentation be expedited to the maximum extent practicable. Each Secretary and the Council shall effect any modifications to existing regulations and guidance as may be necessary to provide for the expedited procedures within 180 days of the date of enactment of this Act.

(C) With the funds specified in subparagraph (A), the Secretary, as defined in section 3(15) of the Endangered Species Act of 1973 (16 U.S.C. 1532(15)), may accord priority as appropriate to consultation or conferencing under section 7 of such Act (16 U.S.C. 1536) concerning any treatment decision referred to in subparagraph (A) for which consultation or conferencing is required.

(D) With the funds specified in subparagraph (A), administrative review of any treatment decision referred to in subparagraph (A) shall be conducted as expeditiously as possible but under no circumstances shall exceed any statutory deadline applicable to such review.

(E) No provision in this title shall be construed to override any existing environmental law.

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114 STAT. 1011

## TITLE V—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

## DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

## NATIONAL PARK SERVICE

114 STAT. 1012

## CONSTRUCTION

For an additional amount for “Construction”, \$5,300,000, to remain available until expended, to repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

\* \* \* \* \*

## RELATED AGENCY

114 STAT. 1013

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## STATE AND PRIVATE FORESTRY

For an additional amount for the Forest Service, notwithstanding any other provision of law, \$9,294,000 for the Alaska Railroad for—

(1) safety related track repair, damage, and control costs from avalanches, hurricane force winds, and severe winter storms; and

(2) oil spill clean-up, recovery, and remediation arising out of the related train derailments,

during the period of winter blizzards beginning December 21, 1999 for which the President declared a disaster on February 17, 2000 pursuant to the Stafford Act, as amended, (FEMA DR-1316-AK) as a direct lump sum payment and an additional \$2,000,000 for an avalanche prevention program in the Chugach National Forest, Kenai National Park, Kenai National Wildlife Refuge and nearby public lands to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

\* \* \* \* \*

## TITLE VIII—LAND CONSERVATION, PRESERVATION AND INFRASTRUCTURE IMPROVEMENT

114 STAT. 1025

For activities authorized by law for the acquisition, conservation, and maintenance of Federal and non-Federal lands and resources, and for Payments in Lieu of Taxes, in addition to the amounts provided under previous titles of this Act, \$686,000,000, to remain available until expended, of which \$179,000,000 is for the acquisition of lands or interests in lands; and of which \$50,000,000 is for “National Park Service, Land Acquisition and State Assistance” for the state assistance program; and of which \$20,000,000 is for “Forest Service, National Forest System” for inventory and monitoring activities and planning; and of which \$78,000,000 is for “United States Fish and Wildlife Service, Cooperative Endangered Species Fund”; and of which \$20,000,000

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is for “United States Fish and Wildlife Service, North American Wetlands Conservation Fund”; and of which \$20,000,000 is for “United States Geological Survey, Surveys, Investigations, and Research” for science and cooperative programs; and of which \$30,000,000 is for “Forest Service, State and Private Forestry” for the Forest Legacy program; and of which \$50,000,000 is for “United States Fish and Wildlife Service, State Wildlife Grants”; and of which \$20,000,000 is for “National Park Service, Urban Park and Recreation Fund”; and of which \$15,000,000 is for “National Park Service, Historic Preservation Fund” for grants to states and Indian tribes; and of which \$4,000,000 is for “Forest Service, State and Private Forestry” for urban and community forestry programs; and of which \$50,000,000 is for “Bureau of Land Management, Payments in Lieu of Taxes”; and of which \$150,000,000 is for “Federal Infrastructure Improvement” for the deferred maintenance needs of the Federal land management agencies: *Provided*, That of the funds provided under this heading for the acquisition of lands or interests in lands, \$130,000,000 shall be available to the Department of the Interior and \$49,000,000 shall be available to the Department of Agriculture, Forest Service: *Provided further*, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the House Committee on Appropriations and the Senate Committee on Appropriations provide to the Secretaries, in writing, a list of specific acquisitions to be undertaken with such funds: *Provided further*, That of the funds provided under this heading for “Federal Infrastructure Improvement” for the deferred maintenance needs of the Federal land management agencies, \$25,000,000 shall be for the Bureau of Land Management, \$25,000,000 shall be for the United States Fish and Wildlife Service, \$50,000,000 shall be for the National Park Service and \$50,000,000 shall be for the Forest Service.

SEC. 801. (a) CATEGORIES.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

(1) in paragraph (6), by—

(A) in subparagraph (B), by striking “and” after the semicolon;

(B) in subparagraph (C), by inserting “and” after the semicolon; and

(C) adding at the end the following:

“(D) for the conservation spending category: \$1,760,000,000, in new budget authority and \$1,232,000,000 in outlays;”;

(2) in paragraph (7), by—

(A) in subparagraph (A), by striking “and” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

(C) adding at the end the following:

“(C) for the conservation spending category: \$1,920,000,000, in new budget authority and \$1,872,000,000 in outlays;”;

(3) by inserting after paragraph (7) the following:

“(8) with respect to fiscal year 2004 for the conservation spending category: \$2,080,000,000, in new budget authority and \$2,032,000,000 in outlays;

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“(9) with respect to fiscal year 2005 for the conservation spending category: \$2,240,000,000, in new budget authority and \$2,192,000,000 in outlays;

“(10) with respect to fiscal year 2006 for the conservation spending category: \$2,400,000,000, in new budget authority and \$2,352,000,000 in outlays;

“(11) with respect to each fiscal year 2002 through 2006 for the Federal and State Land and Water Conservation Fund sub-category of the conservation spending category: \$540,000,000 in new budget authority and the outlays flowing therefrom;

“(12) with respect to each fiscal year 2002 through 2006 for the State and Other Conservation sub-category of the conservation spending category: \$300,000,000 in new budget authority and the outlays flowing therefrom;

“(13) with respect to each fiscal year 2002 through 2006 for the Urban and Historic Preservation sub-category of the conservation spending category: \$160,000,000 in new budget authority and the outlays flowing therefrom;

114 STAT. 1027

“(14) with respect to each fiscal year 2002 through 2006 for the Payments in Lieu of Taxes sub-category of the conservation spending category: \$50,000,000 in new budget authority and the outlays flowing therefrom;

“(15) with respect to each fiscal year 2002 through 2006 for the Federal Deferred Maintenance sub-category of the conservation spending category: \$150,000,000 in new budget authority and the outlays flowing therefrom;

“(16) with respect to fiscal year 2002 for the Coastal Assistance sub-category of the conservation spending category: \$440,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2003 for the Coastal Assistance sub-category of the conservation spending category: \$480,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2004 for the Coastal Assistance sub-category of the conservation spending category: \$520,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2005 for the Coastal Assistance sub-category of the conservation spending category: \$560,000,000 in new budget authority and the outlays flowing therefrom; and with respect to fiscal year 2006 for the Coastal Assistance sub-category of the conservation spending category: \$600,000,000 in new budget authority and the outlays flowing therefrom;”.

(b) ADDITION TO DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

“(H) CONSERVATION SPENDING.—(i) If a bill or resolution making appropriations for any fiscal year appropriates an amount for the conservation spending category that is less than the limit for the conservation spending category as specified in subsection (c), then the adjustment for new budget authority and outlays for the following fiscal year for that category shall be the amount of new budget authority and outlays that equals the difference between the amount appropriated and the amount of that category specified in subsection (c).

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“(ii) If a bill or resolution making appropriations for any fiscal year appropriates an amount for any conservation spending sub-category that is less than the limit for that conservation spending sub-category as specified in subsections (c)(11)–(c)(16), then the adjustment for new budget authority for the following fiscal year for that sub-category shall be the amount of new budget authority that equals the difference between the amount appropriated and the amount of that sub-category specified in subsection (c)(11)–(c)(16).

“(iii) The total amount provided for any conservation activity within the conservation spending category may not exceed any authorized ceiling for that activity.”

114 STAT. 1028

(c) CATEGORIES DEFINED.—Section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(4)) is amended by adding at the end the following:

“(E) The term ‘conservation spending category’ means discretionary appropriations for conservation activities in the following budget accounts or portions thereof providing appropriations to preserve and protect lands, habitat, wildlife, and other natural resources, to provide recreational opportunities, and for related purposes:

“(i) 14-5033 Bureau of Land Management Land Acquisition.

“(ii) 14-5020 Fish and Wildlife Service Land Acquisition.

“(iii) 14-5035 National Park Service Land Acquisition and State Assistance.

“(iv) 12-9923 Forest Service Land Acquisition.

“(v) 14-5143 Fish and Wildlife Service Cooperative Endangered Species Conservation Fund.

“(vi) 14-5241 Fish and Wildlife Service North American Wetlands Conservation Fund.

“(vii) 14-1694 Fish and Wildlife Service State Wildlife Grants.

“(viii) 14-0804 United States Geological Survey Surveys, Investigations, and Research, the State Planning Partnership programs: Community/Federal Information Partnership, Urban Dynamics, and Decision Support for Resource Management.

“(ix) 12-1105 Forest Service State and Private Forestry, the Forest Legacy Program, Urban and Community Forestry, and Smart Growth Partnerships.

“(x) 14-1031 National Park Service Urban Park and Recreation Recovery program.

“(xi) 14-5140 National Park Service Historic Preservation Fund.

“(xii) Youth Conservation Corps.

“(xiii) 14-1114 Bureau of Land Management Payments in Lieu of Taxes.

“(xiv) Federal Infrastructure Improvement (as established in title VIII of the Department of the Interior and Related Agencies Appropriations Act, 2001).

“(xv) 13-1460 NOAA Procurement Acquisition and Construction, the National Marine Sanctuaries and the National Estuarine Research Reserve Systems.



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“(xvi) 13–1450 NOAA Operations, Research, and Facilities, the Coastal Zone Management Act programs, the National Marine Sanctuaries, the National Estuarine Research Reserve Systems, and Coral Restoration programs.

“(xvii) 13–1451 NOAA Pacific Coastal Salmon Recovery.

“(F) The term ‘Federal and State Land and Water Conservation Fund sub-category’ means discretionary appropriations for activities in the accounts described in (E)(i)–(E)(iv) or portions thereof.

“(G) The term ‘State and Other Conservation sub-category’ means discretionary appropriations for activities in the accounts described in (E)(v)–(E)(ix), with the exception of Urban and Community Forestry as described in (E)(ix), or portions thereof.

114 STAT. 1029

“(H) The term ‘Urban and Historic Preservation sub-category’ means discretionary appropriations for activities in the accounts described in (E)(ix)–(E)(xii), with the exception of Forest Legacy and Smart Growth Partnerships as described in (E)(ix), or portions thereof.

“(I) The term ‘Payments in Lieu of Taxes sub-category’ means discretionary appropriations for activities in the account described in (E)(xiii) or portions thereof.

“(J) The term ‘Federal Deferred Maintenance sub-category’ means discretionary appropriations for activities in the account described in (E)(xiv) or portions thereof.

“(K) The term ‘Coastal Assistance sub-category’ means discretionary appropriations for activities in the accounts described in (E)(xv)–(E)(xvii) or portions thereof.”.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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**LEGISLATIVE HISTORY—H.R. 4578:**

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



## 8. Department of the Interior Appropriations for FY 2002

115 STAT. 414

PUBLIC LAW 107-63—NOV. 5, 2001

Public Law 107-63  
107th Congress

### An Act

Nov. 5, 2001  
[H.R. 2217]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

### TITLE I—DEPARTMENT OF THE INTERIOR

#### BUREAU OF LAND MANAGEMENT

\* \* \* \* \*

115 STAT. 415

#### WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$624,421,000, to remain available until expended, of which not to exceed \$19,774,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts

## PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 415

under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities.

115 STAT. 416

For an additional amount to cover necessary expenses for burned areas rehabilitation and fire suppression by the Department of the Interior, \$54,000,000, to remain available until expended, of which \$34,000,000 is for wildfire suppression and \$20,000,000 is for burned areas rehabilitation: *Provided*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That \$54,000,000 shall be available only to the extent an official budget request, that includes designation of the \$54,000,000 as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

\* \* \* \* \*

## NATIONAL PARK SERVICE

115 STAT. 423

## OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, \$1,476,977,000, of which \$10,869,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended; and of which \$72,640,000, to remain available until September 30, 2003, is for maintenance repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which \$2,000,000 is for the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act, for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject

115 STAT. 424

115 STAT. 424

PUBLIC LAW 107-63—NOV. 5, 2001

to the review and concurrence of the Washington headquarters office: *Provided further*, That none of the funds in this or any other Act may be used to fund a new Associate Director position for Partnerships.

## UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$65,260,000.

## CONTRIBUTION FOR ANNUITY BENEFITS

16 USC 14e.

For reimbursement (not heretofore made), pursuant to provisions of Public Law 85-157, to the District of Columbia on a monthly basis for benefit payments by the District of Columbia to United States Park Police annuitants under the provisions of the Policeman and Fireman's Retirement and Disability Act (Act), to the extent those payments exceed contributions made by active Park Police members covered under the Act, such amounts as hereafter may be necessary: *Provided*, That hereafter the appropriations made to the National Park Service shall not be available for this purpose.

## NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$66,159,000, of which \$500,000 are for grants pursuant to the National Underground Railroad Network to Freedom Act of 1988 (16 U.S.C. 469l, as amended).

## URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), \$30,000,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

## HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$74,500,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2003, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That, of the amount provided herein, \$2,500,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: *Provided further*, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out

115 STAT. 425

## PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 425

herein: *Provided further*, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

## CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$366,044,000, to remain available until expended, of which \$66,851,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That of the amount provided for Cuyahoga National Park, \$200,000 may be used for the Cuyahoga Valley Scenic Railroad platform and station in Canton, Ohio.

## LAND AND WATER CONSERVATION FUND

## (RESCISSION)

The contract authority provided for fiscal year 2002 by 16 U.S.C. 4601-10a is rescinded.

16 USC 4601-10a  
note.

## LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$274,117,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control of 1985, as amended, for the purposes of such Act, of which \$144,000,000 is for the State assistance program including \$4,000,000 to administer the State assistance program, and of which \$11,000,000 shall be for grants, not covering more than 50 percent of the total cost of any acquisition to be made with such funds, to States and local communities for purposes of acquiring lands or interests in lands to preserve and protect Civil War battlefield sites identified in the July 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War Sites Advisory Commission: *Provided*, That lands or interests in land

115 STAT. 426

acquired with Civil War battlefield grants shall be subject to the requirements of paragraph 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(f)(3)): *Provided further*, That of the amounts provided under this heading, \$15,000,000 may be for Federal grants to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed; and \$16,000,000 may be for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That none of the funds provided for the State Assistance program may be used to establish a contingency fund.

#### ADMINISTRATIVE PROVISIONS

Reports.

Appropriations for the National Park Service shall be available for the purchase of not to exceed 315 passenger motor vehicles, of which 256 shall be for replacement only, including not to exceed 237 for police-type use, 11 buses, and 8 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, the National Park Service may convey a leasehold or freehold interest in Cuyahoga NP to allow for the development of utilities and parking needed to support the historic Everett Church in the village of Everett, Ohio.

\* \* \* \* \*

PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 436

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for “wildland fire operations” shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

115 STAT. 437

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or

115 STAT. 437

PUBLIC LAW 107-63—NOV. 5, 2001

economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

\* \* \* \* \*

115 STAT. 438

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

\* \* \* \* \*

SEC. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority: *Provided*, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990, (Lake Roosevelt Cooperative Management Agreement) that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under



## PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 439

such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

\* \* \* \* \*

SEC. 120. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 121. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

115 STAT. 440

SEC. 122. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking “2001” and inserting “2002”.

SEC. 123. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

\* \* \* \* \*

SEC. 130. From within funds available to the National Park Service, such sums as may be necessary shall be used for expenses necessary to complete and issue, no later than January 1, 2004, an Environmental Impact Statement (EIS) to identify and analyze the possible effects of the 1996 increases in the number of vessel entries issued for Glacier Bay National Park and Preserve: *Provided*, That such EIS, upon its completion, shall be used by the Secretary to set the maximum level of vessel entries: *Provided further*, That until the Secretary sets the level of vessel entries based on the new EIS, the number of vessel entries into the Park shall be the same as that in effect during the 2000 calendar year and the National Park Service approval of modified Alternative 5 and promulgation of the final rule issued on May 30, 1996, relating to vessel entries, including the number of such entries, for Glacier Bay National Park and Preserve are hereby approved and shall be in effect notwithstanding any other provision of law until the Secretary sets the maximum level of vessel entries consistent with this section: *Provided further*, That nothing in this section shall preclude the Secretary from suspending or revoking any vessel entry if the Secretary determines that it is necessary to protect Park resources.

115 STAT. 442  
Deadline.  
16 USC 410hh-2  
note.

\* \* \* \* \*

SEC. 132. Funds provided in this Act for Federal land acquisition by the National Park Service for Brandywine Battlefield, Mississippi National River and Recreation Area, Shenandoah Valley Battlefields National Historic District, and Ice Age National Scenic Trail may be used for a grant to a State, a local government,

115 STAT. 442

## PUBLIC LAW 107-63—NOV. 5, 2001

or any other governmental land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

\*       \*       \*       \*       \*       \*       \*

115 STAT. 459

## OTHER RELATED AGENCIES

\*       \*       \*       \*       \*       \*       \*

115 STAT. 464

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

## SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$3,400,000: *Provided*, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$7,253,000: *Provided*, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

\*       \*       \*       \*       \*       \*       \*

## PRESIDIO TRUST

## PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$23,125,000 shall be available to the Presidio Trust, to remain available until expended.

## TITLE III—GENERAL PROVISIONS

Contracts.  
Public  
information.

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

115 STAT. 465

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

## PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 465

SEC. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 305. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

\* \* \* \* \*

SEC. 307. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 308. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 309. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2002, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

\* \* \* \* \*

115 STAT. 466

## 115 STAT. 466

## PUBLIC LAW 107-63—NOV. 5, 2001

SEC. 312. (a) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Subsection (f) of section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104-134; 110 Stat. 1321-200; 16 U.S.C. 460l-6a note), is amended—

(1) by striking “commence on October 1, 1995, and end on September 30, 2002” and inserting “end on September 30, 2004”; and

(2) by striking “September 30, 2005” and inserting “September 30, 2007”.

16 USC 460l-6a  
note.

(b) EXPANSION OF PROGRAM.—Subsection (b) of such section is amended by striking “no fewer than 10, but as many as 100,”.

16 USC 460l-6a  
note.

(c) REVENUE SHARING.—Subsection (d)(1) of such section is amended by inserting “the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note),” before “and any other provision”.

16 USC 460l-6a  
note.

(d) DISCOUNTED FEES.—Subsection (b)(2) of such section is amended by inserting after “testing” the following: “, including the provision of discounted or free admission or use as the Secretary considers appropriate”.

(e) CAPITAL PROJECTS.—Subsection (c)(2) of such section is amended by adding at the end the following new subparagraph:

115 STAT. 467

“(D) None of the funds collected under this section may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate if the estimated total cost of the structure exceeds \$500,000.”.

16 USC 459j-4  
note.

SEC. 313. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

\* \* \* \* \*

115 STAT. 468

SEC. 318. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

\* \* \* \* \*

SEC. 320. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

\* \* \* \* \*

115 STAT. 469

SEC. 322. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

\* \* \* \* \*

## PUBLIC LAW 107–63—NOV. 5, 2001

115 STAT. 471

SEC. 333. Any regulations or policies promulgated or adopted by the Departments of Agriculture or the Interior regarding recovery of costs for processing authorizations to occupy and use Federal lands under their control shall adhere to and incorporate the following principle arising from Office of Management and Budget Circular, A–25; no charge should be made for a service when the identification of the specific beneficiary is obscure, and the service can be considered primarily as benefiting broadly the general public.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”. 115 STAT. 473

Approved November 5, 2001.

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LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107–103 (Comm. on Appropriations) and 107–234 (Comm. of Conference).

SENATE REPORTS: No. 107–36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



**9. District of Columbia Appropriations Act for FY 2002**

115 STAT. 923

PUBLIC LAW 107-96—DEC. 21, 2001

Public Law 107-96  
107th Congress**An Act**Dec. 21, 2001  
[H.R. 2944]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

District of  
Columbia  
Appropriations  
Act, 2002.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2002, and for other purposes, namely:**FEDERAL FUNDS**

\* \* \* \* \*

115 STAT. 925

**FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT**

Reports.

For Federal payments in support of the District of Columbia and the Federal law enforcement Mobile Wireless Interoperability Project, \$1,400,000, of which \$400,000 shall be for a payment to the District of Columbia Office of the Chief Technology Officer, \$333,334 shall be for a payment to the United States Secret Service, \$333,333 shall be for a payment to the United States Capitol Police, and \$333,333 shall be for a payment to the United States Park Police: *Provided*, That each agency shall participate in the preparation of a joint report to the Committees on Appropriations of the Senate and the House of Representatives to be submitted no later than March 30, 2002 on the allocation of these resources and a description of each agencies' resource commitment to this project for fiscal year 2003.

**FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA**Reports.  
Deadline.

For a Federal payment to the District of Columbia for emergency planning and security costs and to reimburse the District for certain security expenses related to the presence of the Federal Government in the District of Columbia, \$16,058,000: *Provided*, That \$12,652,000 shall be made available immediately to the District of Columbia Emergency Management Agency for planning, training, and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia, to be submitted to the appropriate Federal agencies: *Provided further*, That a detailed report of actual and estimated expenses incurred shall be provided to the Committees on Appropriations of the Senate and the House of Representatives no later than June 15, 2002: *Provided further*, That \$3,406,000 of such amount shall be made available immediately for reimbursement of fiscal year 2001 expenses incurred by the District of Columbia for equipment purchased for providing security for the planned

115 STAT. 926

PUBLIC LAW 107-96—DEC. 21, 2001

115 STAT. 926

meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: *Provided further*, That the Mayor and the Chairman of the Council of the District of Columbia shall develop, in consultation with the Director of the Office of Personnel Management, the United States Secret Service, the United States Capitol Police, the United States Park Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency, the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of contiguous counties of the region and the respective State and local law enforcement entities in the region, an integrated emergency operations plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events: *Provided further*, That such plan shall include a response to attacks or threats of attacks using biological or chemical agents: *Provided further*, That the city shall submit this plan to the Committees on Appropriations of the Senate and the House of Representatives no later than January 2, 2002: *Provided further*, That the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations on the use of the funds under this heading, beginning not later than April 2, 2002.

Deadline.

Reports.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE  
DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, \$8,300,000, of which \$2,250,000 shall be for payment for a pilot project to demonstrate the “Active Cap” river cleanup technology on the Anacostia River; \$500,000 shall be for payment to the Washington, D.C. Sports and Entertainment Commission which, in coordination with the U.S. Soccer Foundation, shall use the funds for environmental and infrastructure costs at Kenilworth Park in the creation of the Kenilworth Regional Sports Complex; \$600,000 shall be for payment to the One Economy Corporation, a non-profit organization, to increase Internet access to low-income homes in the District of Columbia; \$500,000 shall be for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities; \$1,000,000 shall be for payment to the Green Door Program, for capital improvements at a community mental health clinic; \$500,000 shall be for payment to the Historical Society of Washington, for capital improvements to the new City Museum; \$200,000 for a payment to Teach for America DC, for teacher development; \$350,000 for payment to the District of Columbia Safe Kids Coalition, to promote child passenger safety through the Child Occupant Protection Initiative; \$50,000 for payment for renovations at Eastern Market; \$1,000,000 shall be for payment to the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis; \$300,000 shall be for payment to the Woodlawn Cemetery for restoration of the Cemetery; \$250,000 shall be for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia; \$300,000 shall be for payment

115 STAT. 927

115 STAT. 927

PUBLIC LAW 107–96—DEC. 21, 2001

to a mentoring program and for hotline services; \$250,000 shall be for payment to a youth development program with a character building curriculum; and \$250,000 shall be for payment to a basic values training program.

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115 STAT. 959

This Act may be cited as the “District of Columbia Appropriations Act, 2002”.

Approved December 21, 2001.

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LEGISLATIVE HISTORY—H.R. 2944 (S. 1543):

HOUSE REPORTS: Nos. 107–216 (Comm. on Appropriations) and 107–321 (Comm. of Conference).

SENATE REPORTS: No. 107–85 accompanying S. 1543 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 25, considered and passed House.

Nov. 6, 7, considered and passed Senate, amended.

Dec. 6, House agreed to conference report.

Dec. 7, Senate agreed to conference report.





# **10. Emergency Supplemental Appropriations Act for FY 1999**

PUBLIC LAW 106–31—MAY 21, 1999

113 STAT. 57

Public Law 106–31  
106th Congress

## **An Act**

Making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

May 21, 1999  
[H.R. 1141]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1999, and for other purposes, namely:

1999 Emergency  
Supplemental  
Appropriations  
Act.

## **TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS**

\* \* \* \* \*

### **CHAPTER 5**

113 STAT. 71

### **DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

### **GENERAL PROVISION, THIS CHAPTER**

113 STAT. 72

SEC. 501. GLACIER BAY. (a) DUNGENESS CRAB FISHERMEN.—Section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277) is amended—

Alaska.

(1) in paragraph (1)—

16 USC 410hh–4  
note.

(A) by striking “February 1, 1999” and inserting “August 1, 1999”; and

(B) by striking “1996” and inserting “1998”; and

(2)(A) by striking “of any Dungeness crab pots or other Dungeness crab gear, and of not more than one Dungeness crab fishing vessel,”; and

(B) by striking “the period January 1, 1999, through December 31, 2004, based on the individual’s net earnings from the Dungeness crab fishery during the period January 1, 1991, through December 31, 1996.” and inserting “for the period beginning January 1, 1999 that is equivalent in length to the period established by such individual under paragraph (1), based on the individual’s net earnings from the Dungeness crab fishery during such established period. In addition, such individual shall be eligible to receive from the United States fair market value for any Dungeness crab pots, related gear, and not more than one Dungeness crab fishing vessel if such individual chooses to relinquish to the United States such pots, related gear, or vessel.”.

113 STAT. 72

PUBLIC LAW 106-31—MAY 21, 1999

(b) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105-277), as amended, is amended further by redesignating subsection (c) as subsection (d) and inserting immediately after subsection (b) the following new subsection:

113 STAT. 73

“(c) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—The Secretary of the Interior is authorized to provide \$23,000,000 for a program developed with the concurrence of the State of Alaska to fairly compensate United States fish processors, fishing vessel crew members, communities, and others negatively affected by restrictions on fishing in Glacier Bay National Park. For the purpose of receiving compensation under the program required by this subsection, a potential recipient shall provide a sworn and notarized affidavit to establish the extent of such negative effect.”.

16 USC 410hh-4  
note.

(c) IMPLEMENTATION.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105-277), as amended, is amended further by inserting at the end the following new subsection:

Publication.

“(e) IMPLEMENTATION AND EFFECTIVE DATE.—The Secretary of the Interior shall publish an interim final rule for the Federal implementation of paragraphs (2) through (5) of subsection (a) and shall provide an opportunity for public comment of no less than 45 days on such interim final rule. The final rule for the Federal implementation of paragraphs (2) through (5) of subsection (a) shall be published in the Federal Register no later than September 30, 1999 and shall take effect on September 30, 1999, except that the limitations in paragraphs (3) through (5) of such subsection shall not apply with respect to halibut fishing until November 15, 1999 or salmon troll fishing until December 31, 1999. In the event that any individual eligible for compensation under subsection (b) has not received full compensation by June 15, 1999, the Secretary shall provide partial compensation on such date to such individual and shall expeditiously provide full compensation thereafter.”.

Federal Register,  
publication.

(d) For the purposes of making the payments authorized in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999, as amended by this section, an additional \$26,000,000 is hereby appropriated to “Departmental Management, Department of the Interior”, to remain available until expended, of which \$3,000,000 shall be an additional amount for compensation authorized by section 123(b) of such Act, as amended, and of which \$23,000,000 shall be for compensation authorized by section 123(c) of such Act, as amended. The entire amount made available in this subsection is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (2 U.S.C. 901(b)(2)(A)), and shall be available only if the President transmits to the Congress an official budget request that includes designation of the entire amount as an emergency requirement as defined in such Act.

\* \* \* \* \*

## PUBLIC LAW 106–31—MAY 21, 1999

113 STAT. 114

This Act may be cited as the “1999 Emergency Supplemental Appropriations Act”.

Approved May 21, 1999.

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LEGISLATIVE HISTORY—H.R. 1141 (S. 544):

HOUSE REPORTS: Nos. 106–64 (Comm. on Appropriations) and 106–143 (Comm. of Conference).

SENATE REPORTS: No. 106–8 accompanying S. 544 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Mar. 24, considered and passed House.

Mar. 25, considered and passed Senate, amended, in lieu of S. 544.

May 18, House agreed to conference report.

May 20, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

May 21, Presidential statement.



# **11. Military Construction Appropriations Act for FY 2001**

114 STAT. 511                      PUBLIC LAW 106–246—JULY 13, 2000

Public Law 106–246  
106th Congress

## **An Act**

July 13, 2000  
[H.R. 4425]

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

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

\*           \*           \*           \*           \*           \*

114 STAT. 525  
Emergency  
Supplemental  
Act, 2000.

## **DIVISION B—FISCAL YEAR 2000 SUPPLEMENTAL APPROPRIATIONS**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

\*           \*           \*           \*           \*           \*

114 STAT. 540

## **TITLE II**

## **NATURAL DISASTER ASSISTANCE AND OTHER SUPPLEMENTAL APPROPRIATIONS**

\*           \*           \*           \*           \*           \*

114 STAT. 542

## **CHAPTER 2**

\*           \*           \*           \*           \*           \*

114 STAT. 545

## **GENERAL PROVISIONS—THIS CHAPTER**

\*           \*           \*           \*           \*           \*

114 STAT. 546

**SEC. 2204. NORTH PACIFIC MARINE RESEARCH INSTITUTE.**—Public Law 101–380, as amended, is further amended by—

(1) inserting after section 5007 the following new section:

Alaska.  
33 USC 2738.

**“SEC. 5008. NORTH PACIFIC MARINE RESEARCH INSTITUTE.**

“(a) **INSTITUTE ESTABLISHED.**—The Secretary of Commerce shall establish a North Pacific Marine Research Institute (hereafter in this section referred to as the ‘Institute’) to be administered at the Alaska SeaLife Center by the North Pacific Research Board.

“(b) **FUNCTIONS.**—The Institute shall—

“(1) conduct research and carry out education and demonstration projects on or relating to the North Pacific marine ecosystem with particular emphasis on marine mammal, sea bird, fish, and shellfish populations in the Bering Sea and Gulf of Alaska including populations located in or near Kenai Fjords National Park and the Alaska Maritime National Wildlife Refuge; and

“(2) lease, maintain, operate, and upgrade the necessary research equipment and related facilities necessary to conduct such research at the Alaska SeaLife Center.

## PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 546

“(c) EVALUATION AND AUDIT.—The Secretary of Commerce may periodically evaluate the activities of the Institute to ensure that funds received by the Institute are used in a manner consistent with this section. The Comptroller General of the United States, and any of his or her duly authorized representatives, shall have access, for purposes of audit and examination, to any books, documents, papers, and records of the Institute that are pertinent to the funds received and expended by the Institute.

“(d) STATUS OF EMPLOYEES.—Employees of the Institute shall not, by reason of such employment, be considered to be employees of the Federal Government for any purpose.

“(e) USE OF FUNDS.—No funds made available to carry out this section may be used to initiate litigation, or for the acquisition of real property (other than facilities leased at the Alaska SeaLife Center). No more than 10 percent of the funds made available to carry out subsection (b)(1) may be used to administer the Institute.

“(f) AVAILABILITY OF RESEARCH.—The Institute shall publish and make available to any person on request the results of all research, educational, and demonstration projects conducted by the Institute. The Institute shall provide a copy of all research, educational, and demonstration projects conducted by the Institute to the National Park Service, the United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration.”; and

Publication.

114 STAT. 547

(2) in section 5006 by inserting at the end the following new subsection:

33 USC 2736.

“(c) SECTION 5008.—Amounts in the Fund shall be available, without further appropriation and without fiscal year limitation, to carry out section 5008(b), in an amount not to exceed \$5,000,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.”.

## CHAPTER 3

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## WILDLAND FIRE MANAGEMENT

For an additional amount for “Wildland Fire Management”, \$200,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That \$100,000,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an

114 STAT. 547

PUBLIC LAW 106-246—JULY 13, 2000

emergency requirement as defined by such Act, is transmitted by the President to the Congress.

\* \* \* \* \*

114 STAT. 548

## RELATED AGENCY

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

\* \* \* \* \*

## WILDLAND FIRE MANAGEMENT

For an additional amount for “Wildland Fire Management”, \$150,000,000, to remain available until expended, for emergency rehabilitation, presuppression, and wildfire suppression: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

114 STAT. 549

## GENERAL PROVISIONS—THIS CHAPTER

\* \* \* \* \*

Deadline.  
Fish and fishing.

SEC. 2303. (a) Using funds appropriated by section 501(d) of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106-31), the Secretary shall provide interim compensation within 60 days of the date of the enactment of this Act to—

(1) Dungeness fishing vessel crew members eligible for interim compensation under the existing National Park Service program (64 Fed. Reg. 145);

(2) United States fish processors which have been negatively affected by restrictions on fishing for Dungeness crab in Glacier Bay National Park and which previously received interim compensation; and

Buy N Pack  
Seafoods.

(3) Buy N Pack Seafoods, a United States fish processor located in Hoonah, Alaska and which has been severely and negatively impacted by restrictions on fishing in Glacier Bay National Park, for estimated 1999 and 2000 losses based on an average net income derived from processing product harvested from Glacier Bay fisheries from 1995 through 1998. Payments made to processors under paragraph (2) are intended to compensate recipients for losses incurred in 2000 and shall not exceed compensation provided for losses incurred in 1999. The Park Service shall not delay the scheduled public involvement process for the Glacier Bay compensation plan.

(b) The amount of final compensation paid to any entity shall be reduced by the total dollar amount of any interim compensation payments received.

(c) Funds appropriated for the purpose of making payments authorized by section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of

## PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 549

division A of Public Law 105-277, as amended) shall also be available for making payments authorized in subsection (c) of that section.

\* \* \* \* \*

## CHAPTER 7

114 STAT. 560

## DEPARTMENT OF THE TREASURY

## DEPARTMENTAL OFFICES

## SALARIES AND EXPENSES

For an additional amount, \$24,900,000 for the Secretary of the Treasury to establish and operate an in-service firearms training facility for the United States Customs Service and other agencies, to remain available until expended: *Provided*, That the Secretary is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and to conduct training: *Provided further*, That the land identified as the Sleepy Hollow Partnership and Marcus Enterprises tract (44,-R), Harpers Ferry Magisterial District, Jefferson County, West Virginia, together with a forty-five foot right-of-way over the lands of Valley Blox, Inc., as described in the deed from Joel T. Broyhill Enterprises, Inc., to Sleepy Hollow Partnership, et al., in a Deed dated March 29, 1989, and recorded in the Jefferson County Clerk's Office in Deed Book 627, Page 494, originally acquired by the United States Fish and Wildlife Service as a proposed site for a training center but not selected for that purpose and presently held by the United States Fish and Wildlife Service in an administrative capacity, shall be managed by the National Park Service pursuant to a cooperative management agreement between the United States Fish and Wildlife Service and the National Park Service, consistent with the laws (including regulations) generally applicable to the National Park Service: *Provided further*, That administrative jurisdiction of a suitable portion of said land that is necessary for the creation of a Department of the Treasury training facility, to be identified by the National Park Service, shall be transferred under a lease-type arrangement at no cost within 120-days of the date of the enactment of this Act to the Department of the Treasury for such time as required by the Department of the Treasury: *Provided further*, That the training to be conducted at the facility shall be configured in a manner so that it does not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center: *Provided further*, That training currently being conducted at a Federal Law Enforcement Training Center facility shall not be moved to the new training facility: *Provided further*, That at such time as the land is no longer required for training purposes, administrative jurisdiction shall be transferred back to the Department of the Interior in a manner and condition acceptable to the Department of the Interior: *Provided further*, That the total amount made available under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire

Government  
organization.  
Contracts.

Government  
organization.  
Contracts.  
Deadline.

114 STAT. 561

114 STAT. 561

PUBLIC LAW 106-246—JULY 13, 2000

amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

\* \* \* \* \*

114 STAT. 583

This division may be cited as the “Emergency Supplemental Act, 2000”.

Cerro Grande  
Fire  
Supplemental.  
New Mexico.

#### DIVISION C—CERRO GRANDE FIRE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

Cerro Grande  
Fire Assistance  
Act.

#### TITLE I—CERRO GRANDE FIRE ASSISTANCE ACT

##### SEC. 101. SHORT TITLE.

This title may be cited as the “Cerro Grande Fire Assistance Act”.

##### SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) on May 4, 2000, the National Park Service initiated a prescribed burn on Federal land at Bandelier National Monument in New Mexico during the peak of the fire season in the Southwest;

(2) on May 5, 2000, the prescribed burn, which became known as the “Cerro Grande Prescribed Fire”, exceeded the containment capabilities of the National Park Service, was reclassified as a wildland burn, and spread to other Federal and non-Federal land, quickly becoming characterized as a wildfire;

(3) by May 7, 2000, the fire had grown in size and caused evacuations in and around Los Alamos, New Mexico, including the Los Alamos National Laboratory, one of the leading national research laboratories in the United States and the birthplace of the atomic bomb;

(4) on May 13, 2000, the President issued a major disaster declaration for the counties of Bernalillo, Cibola, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos, and Torrance, New Mexico;

(5) the fire resulted in the loss of Federal, State, local, tribal, and private property;

(6) the Secretary of the Interior and the National Park Service have assumed responsibility for the fire and subsequent losses of property; and

(7) the United States should compensate the victims of the Cerro Grande fire.

(b) PURPOSES.—The purposes of this title are—

(1) to compensate victims of the fire at Cerro Grande, New Mexico, for injuries resulting from the fire; and

(2) to provide for the expeditious consideration and settlement of claims for those injuries.

##### SEC. 103. DEFINITIONS.

In this title:

(1) CERRO GRANDE FIRE.—The term “Cerro Grande fire” means the fire resulting from the initiation by the National



## PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 583

Park Service of a prescribed burn at Bandelier National Monument, New Mexico, on May 4, 2000.

(2) DIRECTOR.—The term “Director” means—

(A) the Director of the Federal Emergency Management Agency; or

(B) if a Manager is appointed under section 104(a)(3), the Manager. 114 STAT. 584

(3) INJURED PERSON.—The term “injured person” means—

(A) an individual, regardless of the citizenship or alien status of the individual; or

(B) an Indian tribe, corporation, tribal corporation, partnership, company, association, insurer, county, township, city, State, school district, or other non-Federal entity (including a legal representative),

that suffered injury resulting from the Cerro Grande fire.

(4) INJURY.—The term “injury” has the same meaning as the term “injury or loss of property, or personal injury or death” as used in section 1346(b)(1) of title 28, United States Code.

(5) MANAGER.—The term “Manager” means an Independent Claims Manager appointed under section 104(a)(3).

(6) OFFICE.—The term “Office” means the Office of Cerro Grande Fire Claims established by section 104(a)(2).

**SEC. 104. COMPENSATION FOR VICTIMS OF CERRO GRANDE FIRE.**

(a) IN GENERAL.—

(1) COMPENSATION.—Each injured person shall be entitled to receive from the United States—

(A) compensation for injury suffered by the injured person as a result of the Cerro Grande fire; and

(B) damages described in subsection (d)(4), as determined by the Director.

(2) OFFICE OF CERRO GRANDE FIRE CLAIMS.—

(A) IN GENERAL.—There is established within the Federal Emergency Management Agency an Office of Cerro Grande Fire Claims.

(B) PURPOSE.—The Office shall receive, process, and pay claims in accordance with this title.

(C) FUNDING.—The Office—

(i) shall be funded from funds made available to the Director under this title;

(ii) may reimburse other Federal agencies for claims processing support and assistance;

(iii) may appoint and fix the compensation of such temporary personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service;

(iv) upon the request of the Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Federal Emergency Management Agency to assist it in carrying out its duties under this title; and

(v) shall not diminish the ability of the Director to carry out the responsibilities of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act

114 STAT. 584

PUBLIC LAW 106-246—JULY 13, 2000

(42 U.S.C. 5121 et seq.), including the timely provision of disaster assistance to a State or territory, an area of which is the subject of a major disaster or emergency declaration made by the President during the period in which the Director carries out this Act.

114 STAT. 585

(3) OPTION TO APPOINT INDEPENDENT CLAIMS MANAGER.—The Director may appoint an Independent Claims Manager to—

(A) head the Office; and

(B) assume the duties of the Director under this title.

(b) SUBMISSION OF CLAIMS.—Not later than 2 years after the date on which regulations are first promulgated under subsection (f), an injured person may submit to the Director a written claim for one or more injuries suffered by the injured person in accordance with such requirements as the Director determines to be appropriate.

(c) INVESTIGATION OF CLAIMS.—

(1) IN GENERAL.—The Director shall, on behalf of the United States, investigate, consider, ascertain, adjust, determine, grant, deny, or settle any claim for money damages asserted under subsection (b).

(2) APPLICABILITY OF STATE LAW.—Except as otherwise provided in this title, the laws of the State of New Mexico shall apply to the calculation of damages under subsection (d)(4).

(3) EXTENT OF DAMAGES.—Any payment under this title—

(A) shall be limited to actual compensatory damages measured by injuries suffered; and

(B) shall not include—

(i) interest before settlement or payment of a claim;

or

(ii) punitive damages.

(d) PAYMENT OF CLAIMS.—

(1) DETERMINATION AND PAYMENT OF AMOUNT.—

(A) IN GENERAL.—

(i) PAYMENT.—Not later than 180 days after the date on which a claim is submitted under this title, the Director shall determine and fix the amount, if any, to be paid for the claim.

(ii) PRIORITY.—The Director, to the maximum extent practicable, shall pay subrogation claims submitted under this title only after paying claims submitted by injured parties that are not insurance companies seeking payment as subrogees.

(B) PARAMETERS OF DETERMINATION.—In determining and settling a claim under this title, the Director shall determine only—

(i) whether the claimant is an injured person;

(ii) whether the injury that is the subject of the claim resulted from the fire;

(iii) the amount, if any, to be allowed and paid under this title; and

(iv) the person or persons entitled to receive the amount.

(C) INSURANCE AND OTHER BENEFITS.—

(i) IN GENERAL.—In determining the amount of, and paying, a claim under this title, to prevent recovery

## PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 585

by a claimant in excess of actual compensatory damages, the Director shall reduce the amount to be paid for the claim by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature that were paid, or will be paid, with respect to the claim.

(ii) GOVERNMENT LOANS.—This subparagraph shall not apply to the receipt by a claimant of any Government loan that is required to be repaid by the claimant.

114 STAT. 586

(2) PARTIAL PAYMENT.—

(A) IN GENERAL.—At the request of a claimant, the Director may make one or more advance or partial payments before the final settlement of a claim, including final settlement on any portion or aspect of a claim that is determined to be severable.

(B) JUDICIAL DECISION.—If a claimant receives a partial payment on a claim under this title, but further payment on the claim is subsequently denied by the Director, the claimant may—

- (i) seek judicial review under subsection (i); and
- (ii) keep any partial payment that the claimant received, unless the Director determines that the claimant—

(I) was not eligible to receive the compensation; or

(II) fraudulently procured the compensation.

(3) RIGHTS OF INSURER OR OTHER THIRD PARTY.—If an insurer or other third party pays any amount to a claimant to compensate for an injury described in subsection (a), the insurer or other third party shall be subrogated to any right that the claimant has to receive any payment under this title or any other law.

(4) ALLOWABLE DAMAGES.—

(A) LOSS OF PROPERTY.—A claim that is paid for loss of property under this title may include otherwise uncompensated damages resulting from the Cerro Grande fire for—

- (i) an uninsured or underinsured property loss;
- (ii) a decrease in the value of real property;
- (iii) damage to physical infrastructure;
- (iv) a cost resulting from lost tribal subsistence from hunting, fishing, firewood gathering, timbering, grazing, or agricultural activities conducted on land damaged by the Cerro Grande fire;

(v) a cost of reforestation or revegetation on tribal or non-Federal land, to the extent that the cost of reforestation or revegetation is not covered by any other Federal program; and

(vi) any other loss that the Director determines to be appropriate for inclusion as loss of property.

(B) BUSINESS LOSS.—A claim that is paid for injury under this title may include damages resulting from the Cerro Grande fire for the following types of otherwise uncompensated business loss:

- (i) Damage to tangible assets or inventory.
- (ii) Business interruption losses.
- (iii) Overhead costs.

114 STAT. 586

PUBLIC LAW 106-246—JULY 13, 2000

(iv) Employee wages for work not performed.

(v) Any other loss that the Director determines to be appropriate for inclusion as business loss.

114 STAT. 587

(C) FINANCIAL LOSS.—A claim that is paid for injury under this title may include damages resulting from the Cerro Grande fire for the following types of otherwise uncompensated financial loss:

(i) Increased mortgage interest costs.

(ii) An insurance deductible.

(iii) A temporary living or relocation expense.

(iv) Lost wages or personal income.

(v) Emergency staffing expenses.

(vi) Debris removal and other cleanup costs.

(vii) Costs of reasonable efforts, as determined by the Director, to reduce the risk of wildfire, flood, or other natural disaster in the counties specified in section 102(a)(4), to risk levels prevailing in those counties before the Cerro Grande fire, that are incurred not later than the date that is 3 years after the date on which the regulations under subsection (f) are first promulgated.

(viii) A premium for flood insurance that is required to be paid on or before May 12, 2002, if, as a result of the Cerro Grande fire, a person that was not required to purchase flood insurance before the Cerro Grande fire is required to purchase flood insurance.

(ix) Any other loss that the Director determines to be appropriate for inclusion as financial loss.

(e) ACCEPTANCE OF AWARD.—The acceptance by a claimant of any payment under this title, except an advance or partial payment made under subsection (d)(2), shall—

(1) be final and conclusive on the claimant (but not on any subrogee of the claimant), with respect to all claims arising out of or relating to the same subject matter;

(2) constitute a complete release of all claims against the United States (including any agency or employee of the United States) under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), or any other Federal or State law, arising out of or relating to the same subject matter; and

(3) shall include a certification by the claimant, made under penalty of perjury and subject to the provisions of section 1001 of title 18, United States Code, that such claim is true and correct.

(f) REGULATIONS AND PUBLIC INFORMATION.—

Deadline.  
Federal Register,  
publication.

(1) REGULATIONS.—Notwithstanding any other provision of law, not later than 45 days after the date of the enactment of this Act, the Director shall promulgate and publish in the Federal Register interim final regulations for the processing and payment of claims under this title.

(2) PUBLIC INFORMATION.—

Publication.

(A) IN GENERAL.—At the time at which the Director promulgates regulations under paragraph (1), the Director shall publish, in newspapers of general circulation in the State of New Mexico, a clear, concise, and easily understandable explanation, in English and Spanish, of—

## PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 587

- (i) the rights conferred under this title; and
- (ii) the procedural and other requirements of the regulations promulgated under paragraph (1).

(B) DISSEMINATION THROUGH OTHER MEDIA.—The Director shall disseminate the explanation published under subparagraph (A) through brochures, pamphlets, radio, television, and other media that the Director determines are likely to reach prospective claimants.

114 STAT. 588

(g) CONSULTATION.—In administering this title, the Director shall consult with the Secretary of the Interior, the Secretary of Energy, the Secretary of Agriculture, the Administrator of the Small Business Administration, other Federal agencies, and State, local, and tribal authorities, as determined to be necessary by the Director to—

- (1) ensure the efficient administration of the claims process; and

- (2) provide for local concerns.

(h) ELECTION OF REMEDY.—

(1) IN GENERAL.—An injured person may elect to seek compensation from the United States for one or more injuries resulting from the Cerro Grande fire by—

- (A) submitting a claim under this title;

- (B) filing a claim or bringing a civil action under chapter 171 of title 28, United States Code; or

- (C) bringing an authorized civil action under any other provision of law.

(2) EFFECT OF ELECTION.—An election by an injured person to seek compensation in any manner described in paragraph (1) shall be final and conclusive on the claimant with respect to all injuries resulting from the Cerro Grande fire that are suffered by the claimant.

(3) ARBITRATION.—

(A) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Director shall establish by regulation procedures under which a dispute regarding a claim submitted under this title may be settled by arbitration.

Deadline.  
Regulations.

(B) ARBITRATION AS REMEDY.—On establishment of arbitration procedures under subparagraph (A), an injured person that submits a disputed claim under this title may elect to settle the claim through arbitration.

(C) BINDING EFFECT.—An election by an injured person to settle a claim through arbitration under this paragraph shall—

- (i) be binding; and
- (ii) preclude any exercise by the injured person of the right to judicial review of a claim described in subsection (i).

(4) NO EFFECT ON ENTITLEMENTS.—Nothing in this title affects any right of a claimant to file a claim for benefits under any Federal entitlement program.

(i) JUDICIAL REVIEW.—

(1) IN GENERAL.—Any claimant aggrieved by a final decision of the Director under this title may, not later than 60 days after the date on which the decision is issued, bring a civil action in the United States District Court for the District

114 STAT. 588

PUBLIC LAW 106-246—JULY 13, 2000

of New Mexico, to modify or set aside the decision, in whole or in part.

(2) RECORD.—The court shall hear a civil action under paragraph (1) on the record made before the Director.

114 STAT. 589

(3) STANDARD.—The decision of the Director incorporating the findings of the Director shall be upheld if the decision is supported by substantial evidence on the record considered as a whole.

(j) ATTORNEY'S AND AGENT'S FEES.—

(1) IN GENERAL.—No attorney or agent, acting alone or in combination with any other attorney or agent, shall charge, demand, receive, or collect, for services rendered in connection with a claim submitted under this title, fees in excess of 10 percent of the amount of any payment on the claim.

(2) VIOLATION.—An attorney or agent who violates paragraph (1) shall be fined not more than \$10,000.

(k) WAIVER OF REQUIREMENT FOR MATCHING FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State or local project that is determined by the Director to be carried out in response to the Cerro Grande fire under any Federal program that applies to an area affected by the Cerro Grande fire shall not be subject to any requirement for State or local matching funds to pay the cost of the project under the Federal program.

(2) FEDERAL SHARE.—The Federal share of the costs of a project described in paragraph (1) shall be 100 percent.

(l) APPLICABILITY OF DEBT COLLECTION REQUIREMENTS.—Section 3716 of title 31, United States Code, shall not apply to any payment under this title.

(m) INDIAN COMPENSATION.—Notwithstanding any other provision of law, in the case of an Indian tribe, a tribal entity, or a member of an Indian tribe that submits a claim under this title—

(1) the Bureau of Indian Affairs shall have no authority over, or any trust obligation regarding, any aspect of the submission of, or any payment received for, the claim;

(2) the Indian tribe, tribal entity, or member of an Indian tribe shall be entitled to proceed under this title in the same manner and to the same extent as any other injured person; and

(3) except with respect to land damaged by the Cerro Grande fire that is the subject of the claim, the Bureau of Indian Affairs shall have no responsibility to restore land damaged by the Cerro Grande fire.

Deadline.

(n) REPORT.—Not later than 1 year after the date of promulgation of regulations under subsection (f)(1), and annually thereafter, the Director shall submit to Congress a report that describes the claims submitted under this title during the year preceding the date of submission of the report, including, for each claim—

(1) the amount claimed;

(2) a brief description of the nature of the claim;

(3) the status or disposition of the claim, including the amount of any payment under this title; and

(4) the Comptroller General shall conduct an annual audit on the payment of all claims made under this title and shall report to the Congress on the results of this audit beginning not later than the expiration of the 1-year period beginning

## PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 589

on the date of the enactment of this Act. This report shall include a review of all subrogation claims for which insurance companies have been paid or are seeking payment as subrogees under this title.

(o) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated such sums as are necessary to carry out this Act, to remain available until expended. 114 STAT. 590

(2) FEMA FUNDS.—None of the funds provided to the Federal Emergency Management Agency for the administration of disaster relief shall be used to carry out this Act.

**SEC. 105. APPROPRIATION OF FUNDS.**

(a) CERRO GRANDE FIRE ASSISTANCE CLAIMS OFFICE.—

(1) IN GENERAL.—There is appropriated for the Office for administration of the compensation process under this title up to \$45,000,000, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The entire amount made available under subparagraph (A)—

(A) shall be available only to the extent that the President submits to Congress an official budget request for up to \$45,000,000 that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) CERRO GRANDE FIRE ASSISTANCE.—

(1) IN GENERAL.—There is appropriated for the payment of claims in accordance with this title up to \$455,000,000, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The entire amount made available under subparagraph (A)—

(A) shall be available only to the extent that the President submits to Congress an official budget request for up to \$455,000,000 that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

**SEC. 106. PERIOD OF EFFECTIVENESS.**

This title shall apply on and after the date of the enactment of this Act, without regard to any fiscal year. Applicability.

114 STAT. 590

PUBLIC LAW 106-246—JULY 13, 2000

TITLE II—CERRO GRANDE FIRE EMERGENCY  
SUPPLEMENTAL APPROPRIATIONS

## DEPARTMENT OF AGRICULTURE

## FARM SERVICE AGENCY

## EMERGENCY CONSERVATION PROGRAM

114 STAT. 591

For an additional amount for “Emergency Conservation Program”, \$10,000,000: *Provided*, That notwithstanding any other provision of law, these funds shall be available to rehabilitate farmland damaged from fires which resulted from prescribed burnings conducted by the Federal Government which subsequently resulted in unintended damage to farmlands and other lands: *Provided further*, That requirements for cost-sharing by landowners shall not apply to funds provided pursuant to this section: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for \$10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

## NATURAL RESOURCES CONSERVATION SERVICE

## WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for “Watershed and Flood Prevention Operations”, for the Emergency Watershed Protection Program, to repair damages to the waterways and watersheds resulting from fires which resulted from prescribed burnings conducted by the Federal Government, and other natural occurrences, \$4,000,000, to remain available until expended: *Provided*, That requirements for cost-sharing by project sponsors shall not apply to funds provided under this provision: *Provided further*, That the entire amount shall be available only to the extent an official budget request for \$4,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

## DEPARTMENT OF ENERGY

## ATOMIC ENERGY DEFENSE ACTIVITIES

## CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, \$138,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$138,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President



## PUBLIC LAW 106–246—JULY 13, 2000

114 STAT. 591

to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## DEPARTMENT OF THE INTERIOR

114 STAT. 592

## BUREAU OF INDIAN AFFAIRS

## OPERATION OF INDIAN PROGRAMS

For an additional amount for “Operation of Indian Programs”, \$8,982,000, to remain available until expended, for emergency restoration, rehabilitation, and reforestation of tribal lands and facilities of the Pueblo of Santa Clara and the Pueblo of San Ildefonso damaged by the Cerro Grande Fire in New Mexico: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$8,982,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

## GENERAL PROVISION—THIS TITLE

SEC. 2101. The Secretary of the Interior shall allow enrolled members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants, including the parts or products thereof, and mineral resources within the Bandelier National Monument for traditional and cultural uses. All collection activity, except quantity limitations in current regulations of the National Park Service, shall be consistent with applicable laws, and shall be subject to such conditions as the Secretary deems necessary to protect the resources and values of the Monument.

This division may be cited as the “Cerro Grande Fire Supplemental”.

Approved July 13, 2000.

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LEGISLATIVE HISTORY—H.R. 4425 (S. 2521):

HOUSE REPORTS: Nos. 106–614 (Comm. on Appropriations) and 106–710 (Comm. of Conference).

SENATE REPORTS: No. 106–290 accompanying S. 2521 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 16, considered and passed House.

May 18, considered and passed Senate, amended, in lieu of S. 2521.

June 29, House agreed to conference report.

June 30, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 13, Presidential statement.



**12. Supplemental Appropriations for FY 2001**

115 STAT. 155 PUBLIC LAW 107–20—JULY 24, 2001

Public Law 107–20  
107th Congress**An Act**July 24, 2001  
[H.R. 2216]Making supplemental appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.Supplemental  
Appropriations  
Act, 2001.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the fiscal year ending September  
30, 2001, and for other purposes, namely:

\* \* \* \* \*

115 STAT. 164

**TITLE II—OTHER SUPPLEMENTAL APPROPRIATIONS**

\* \* \* \* \*

115 STAT. 176

**CHAPTER 6****DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**NATIONAL PARK SERVICE****UNITED STATES PARK POLICE**For an additional amount for “United States Park Police”,  
\$1,700,000, to remain available until September 30, 2002, for  
unbudgeted increases in pension costs for retired United States  
Park Police officers.

\* \* \* \* \*

115 STAT. 177

**GENERAL PROVISIONS—THIS CHAPTER**SEC. 2601. Of the funds appropriated to “Operation of the  
National Park System” in Public Law 106–291, \$200,000 for comple-  
tion of a wilderness study at Apostle Islands National Lakeshore,  
Wisconsin, shall remain available until expended.SEC. 2602. (a) The unobligated balances as of September 30,  
2001, of the funds transferred to the Secretary of the Interior  
pursuant to section 311 of chapter 3 of division A of the Miscella-  
neous Appropriations Act, 2001 (as enacted into law by Public  
Law 106–554) for maintenance, protection, or preservation of the  
land and interests in land described in section 3 of the Minuteman  
Missile National Historic Site Establishment Act of 1999 (Public  
Law 106–115), are rescinded.

Effective date.

(b) Subsection (a) shall be effective on September 30, 2001.

(c) The amount rescinded pursuant to subsection (a) is appro-  
priated to the Secretary of the Interior for the purposes specified  
in such subsection, to remain available until expended.

\* \* \* \* \*

PUBLIC LAW 107–20—JULY 24, 2001

115 STAT. 193

This Act may be cited as the “Supplemental Appropriations Act, 2001”.

Approved July 24, 2001.

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**LEGISLATIVE HISTORY—H.R. 2216 (S. 1077):**

HOUSE REPORTS: Nos. 107–102 (Comm. on Appropriations) and 107–148 (Comm. of Conference).

SENATE REPORTS: No. 107–33 accompanying S. 1077 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

June 20, considered and passed House.

July 10, considered and passed Senate, amended, in lieu of S. 1077.

July 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

July 24, Presidential statement.



**13. Supplemental Appropriations for FY 2002**

116 STAT. 820

PUBLIC LAW 107–206—AUG. 2, 2002

Public Law 107–206  
107th Congress**An Act**Aug. 2, 2002  
[H.R. 4775]

Making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

2002  
Supplemental  
Appropriations  
Act for Further  
Recovery From  
and Response To  
Terrorist Attacks  
on the United  
States.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, and for other purposes, namely:**TITLE I—SUPPLEMENTAL APPROPRIATIONS**

\* \* \* \* \*

116 STAT. 835

**CHAPTER 3****DEPARTMENT OF DEFENSE**

\* \* \* \* \*

116 STAT. 839

**GENERAL PROVISIONS—THIS CHAPTER**

\* \* \* \* \*

116 STAT. 841  
Deadline.

SEC. 310. Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall obligate, from funds made available in title II of division A of Public Law 107–117 under the heading “Operation and Maintenance, Defense-Wide” (115 Stat. 2233), \$4,000,000 for a grant to support the conversion of the Naval Security Group, Winter Harbor (the naval base on Schoodic Peninsula), Maine, to utilization as a research and education center for Acadia National Park, Maine, including the preparation of a plan for the reutilization of the naval base for such purpose that will benefit communities in the vicinity of the naval base and visitors to Acadia National Park and will stimulate important research and educational activities.

\* \* \* \* \*

116 STAT. 860

**CHAPTER 7****DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**NATIONAL PARK SERVICE****OPERATION OF THE NATIONAL PARK SYSTEM**

116 STAT. 861

For an additional amount for “Operation of the National Park System”, \$1,173,000, for emergency security expenses, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the

## PUBLIC LAW 107–206—AUG. 2, 2002

116 STAT. 861

entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## CONSTRUCTION

For an additional amount for “Construction”, \$17,651,000, to remain available until expended: *Provided*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

\* \* \* \* \*

This Act may be cited as the “2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States”.

116 STAT. 925

Approved August 2, 2002.

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**LEGISLATIVE HISTORY—H.R. 4775 (S. 2551):**

HOUSE REPORTS: Nos. 107–480 (Comm. on Appropriations) and 107–593 (Comm. of Conference).

SENATE REPORTS: No. 107–156 accompanying S. 2551 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 148 (2002):

May 22–24, considered and passed House.

June 3–6, considered and passed Senate, amended.

July 23, House agreed to conference report.

July 24, Senate agreed to conference report.



**14. Transportation Appropriations Act for FY 2001**

114 STAT. 1356

PUBLIC LAW 106–346—OCT. 23, 2000

**\* Public Law 106–346**  
**106th Congress**

**An Act**

Oct. 23, 2000  
 [H.R. 4475]

Making appropriations for the Department of Transportation and related agencies  
 for the fiscal year ending September 30, 2001, 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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Incorporation by  
 reference.

SECTION 101. (a) The provisions of the following bill are hereby enacted into law, H.R. 5394 of the 106th Congress, as introduced on October 5, 2000.

Publication.  
 1 USC 112 note.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Approved October 23, 2000.

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**LEGISLATIVE HISTORY—H.R. 4475 (S. 2720):**

HOUSE REPORTS: Nos. 106–622 (Comm. on Appropriations) and 106–940 (Comm. of Conference).

SENATE REPORTS: No. 106–309 accompanying S. 2720 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 19, considered and passed House.

June 14, 15, considered and passed Senate, amended.

Oct. 6, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 23, Presidential statement.

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\*ENDNOTE: The following appendix was added pursuant to the provisions of section 101 of this Act.



## PUBLIC LAW 106-346—APPENDIX

114 STAT. 1356A-1

**APPENDIX—H.R. 5394**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

114 STAT.  
1356A-23

(INCLUDING TRANSFERS OF FUNDS)

\* \* \* \* \*

SEC. 363. Section 117(c) of title 23, United States Code, is amended by inserting before the period at the end the following: “; except that the Federal share on account of the project to be carried out under item 1419 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 309), relating to reconstruction of a road and causeway in Shiloh Military Park in Hardin County, Tennessee, shall be 100 percent of the total cost thereof”.

114 STAT.  
1356A-36

114 STAT.  
1356A-37

\* \* \* \* \*

SEC. 378. Notwithstanding any other provision of law, in addition to amounts made available in this Act or any other Act, the following sums shall be made available from the Highway Trust Fund (other than the Mass Transit Account): \$50,000,000 for the intelligent transportation infrastructure program as authorized by section 5117(b)(3) of Public Law 105-178; \$8,500,000 for construction of, and improvements to, 17th Avenue and 23d Avenue highway ramps in Denver, Colorado; \$1,000,000 for engineering, construction of, and improvements to, the Cascade Gateway Border Project in Whatcom County, Washington; \$100,000,000 for construction of, and improvements to, Corridor D on the Appalachian development highway system in the State of West Virginia; \$1,500,000 for construction of, and improvements to, the Alameda Corridor-East Gateway to American Trade corridor project, California; \$4,000,000 for construction of, and improvements to, Avenue G viaduct and connector roads in Council Bluffs, Iowa; \$34,100,000 for design and construction of the Birmingham, Alabama Northern Beltline; \$13,500,000 for construction of, and improvements to, US 231 from Bowling Green to Scottsville, Kentucky; \$150,000 for improvements to the Broad Street and Wyckoff Road intersection, including traffic light upgrades, in the Borough of Eatontown, New Jersey; \$12,000,000 for construction of road expansion and improvements to, the Broad Street Parkway in Nashua, New Hampshire; \$10,000,000 to construct interchanges US 281 at FM 2812, FM 162, FM 490, SP 122, and SH 186 in Texas; \$12,500,000 to construct interchanges US 77 at Business 77 North, FM 3186, FM 490, SP 122, and SP 413 in Texas; \$30,000,000 for construction of, and improvements to, the Cooper River Bridge in South Carolina; \$100,000,000 for construction of, and improvements to, Corridor X on the Appalachian development highway system in the State of Alabama; \$4,000,000 for construction, including related activities,

114 STAT.  
1356A-38

114 STAT.  
1356A-39

of an interchange at County Highway J and US 10 and to upgrade a segment of US 10 to a four-lane highway in Portage County, Wisconsin; \$5,000,000 for construction, including related activities, of the Craig Road overpass between I-15 and Lossee Road in the City of North Las Vegas, Nevada; \$30,200,000 for construction of, and improvements to, bridges and other projects on the Dalton Highway, Alaska; \$3,200,000 for improvements to Dayton Road in Ames, Iowa; \$15,000,000 for construction of, and improvements to, the Detroit, Michigan Ambassador Bridge Gateway project; \$24,000,000 for construction of, and improvements to, FAST Corridor in Washington; \$10,000,000 for construction of, and improvements to, the Fort Washington Way reconfiguration project, Cincinnati, Ohio; \$35,000,000 for construction of, and improvements to, the Four Bears Bridge in North Dakota; \$50,000,000 for construction of, and improvements to, the Glen Highway/George Parks Highway interchange in Alaska; \$8,000,000 for preliminary design of the Interstate Route 69 Great River Bridge crossing the Mississippi at Bolivar County, Mississippi; \$8,000,000 for reconstruction of, and other improvements to, Halls Mill Road in Freehold Township and Monmouth County, New Jersey; \$4,500,000 for construction of, and improvements to, Hamakua-Hilo corridor road and bridge projects, Hawaii; \$35,000,000 for construction, including related activities, of an extension of Highway 180 from the City of Mendota to I-5 in Fresno County, California; \$10,000,000 to upgrade Highway 36 in Marion County, Missouri, to four-lane divided highway; \$9,750,000 for widening, relocation of, and other improvements to South Carolina Highway 5, including the removal and relocation of municipal utilities, between Interstate 85 in Cherokee County, South Carolina and Interstate 77 in York County, South Carolina; \$10,000,000 for upgrading Highway 60 in Shannon and Carter counties, Missouri, to four-lane divided highway; \$6,400,000 for Hoeven Valley corridor, Sioux City, road, intersection, and rail crossing improvements in Iowa; \$20,000,000 for environmental work, design, and construction of the Hoover Dam bypass four-lane bridge; \$13,500,000 for construction of, and improvements to, I-15 between milepost 0 and milepost 16, from the Utah border to Deep Creek, Idaho; \$10,000,000 for construction of, and improvements to, the I-15 Southbound project, Nevada; \$10,000,000 for construction of, and improvements to, I-195 in Rhode Island; \$6,400,000 for municipality relocation costs for I-235 in Polk County, Iowa; \$12,000,000 for environmental work, preliminary survey and design, and reconstruction of I-35 from Des Moines to Ankeny, Iowa; \$36,000,000 for construction, including related activities, of the I-39/US 51/SH 29 corridor (Wausau Beltline) in and around Wausau, Wisconsin; \$94,000,000 for construction of, and improvements to, I-49 in the State of Arkansas; \$18,400,000 for environmental work, preliminary survey and design of I-69 in Tennessee; \$10,000,000 for construction of, and improvements to, the I-80/US 395 interchange, in Reno, Nevada; \$2,800,000 for border crossing improvements on I-87, in New York; \$8,000,000 for construction of, and improvements to, the I-95 to Transitway access project in Stamford, Connecticut; \$4,000,000 for construction of, and improvements to, U.S. Department of Transportation structure numbered 289-961-H at FAS Route 37 in Illinois; \$250,000 for improvements at the Rosedale Road and Provinceline Road intersection in the Township of Princeton, New Jersey; \$1,200,000 for improvements to County Route 605 in Delaware Township and



## PUBLIC LAW 106-346—APPENDIX 114 STAT. 1356A-40

West Amwell Township Hunterdon County, New Jersey; \$2,500,000 for improvements to the Route 9 and Route 520 intersection in Marlboro Township, New Jersey; \$5,000,000 for improvements to US 73 from State Avenue North to Marxen Road in Wyandotte County, Kansas; \$5,000,000 for installation of sound barriers along the Route 309 Expressway between Limekiln Pike and State Route 63 in Montgomery County, Pennsylvania; \$8,700,000 for construction, including related activities, of a new interchange on I-435 at Donahoo Road in Wyandotte County, Kansas; \$15,000,000 for construction of, and improvements to, the intersection at 27th Street and Airport Road in Billings, Montana; \$5,000,000 for construction of, and improvements to, Kahuku Bridges, Hawaii; \$5,500,000 for construction of, and improvements to, the Kansas Lane Connector Road alignment project in Monroe, Louisiana; \$4,000,000 for construction of, and improvements to, Kekaha, Kauai access roads, Hawaii; \$10,000,000 for planning, environmental work, and preliminary engineering of highway, pedestrian, vehicular, and bicycle access to the John F. Kennedy Center for the Performing Arts in the District of Columbia; \$2,500,000 for construction of, and improvements to, Kihei Road, Hawaii; \$10,000,000 for Lafayette Street access improvements from the US 202 Dannehower Bridge to the Pennsylvania Turnpike, including extension of Lafayette Street to the Conshohocken Road, intersection improvements and bridge reconstruction, in Norristown, Pennsylvania; \$12,400,000 for widening and overlay/guard rail work on SR 789 between Lander and Hudson, Wyoming; \$500,000 for reconstruction of Lewisville Road in Lawrence Township, New Jersey; \$3,200,000 for construction of, and improvements to, the Martin Luther King, Jr. Bridge in Toledo, Ohio; \$9,300,000 for construction of, and improvements to, the Midtown West intermodal ferry terminal, New York City, New York; \$5,000,000 for construction, including related activities, of an extension of Mississippi Highway 44, including a bridge over the Pearl River, in Lawrence County, Mississippi; \$13,000,000 for construction of, and improvements to, the Missouri River pedestrian crossing in Omaha, Nebraska; \$5,000,000 for the NJCDC Training Facility Project in Paterson, New Jersey; \$16,000,000 for construction of, and improvements to, North Shore Road in Swain County, North Carolina; \$3,500,000 for construction of, and improvements to, the Norwich, Connecticut intermodal facility project; \$1,500,000 for construction of, and improvements to, Padanaram and Little River Road bridge projects in Dartmouth, Massachusetts; \$11,000,000 for reconstruction activities on the Potee Street Bridge in Baltimore, Maryland; \$250,000 for reconstruction of Institute Street, Lockwood Avenue, First Street, Second Street, Third Street, Ford Avenue, Liberty Street and Bond Street in the Borough of Freehold, New Jersey; \$4,200,000 for relocation and related construction activities thereto of MacArthur Boulevard in Oklahoma City, Oklahoma; \$1,200,000 for grade crossing eliminations along Route 17 in Chemung County, New York; \$4,000,000 for construction of, and improvements to, Route 2 between St. Johnsbury, Vermont and the New Hampshire State Line; \$500,000 for improvements to Route 35 at Clinton Avenue and other intersections in the Borough of Eatontown, New Jersey; \$500,000 for Route 35 corridor improvements, including signal upgrades, in the Borough of Eatontown, New Jersey; \$2,600,000 for construction of, and improvements to, the Niangua Bridge on Route 5 in Camden County, Missouri; \$1,000,000 for improvements to Route 641 in

114 STAT.  
1356A-41

114 STAT. 1356A-41

PUBLIC LAW 106-346—APPENDIX

Hunterdon County, New Jersey; \$25,000,000 for construction, including related activities, of the Route 7 North bypass in Brookfield, Connecticut; \$6,000,000 for construction of, and improvements to, the Route 9 Bennington Bypass, Vermont; \$5,000,000 for construction of, and improvements to, Saddle Road, Hawaii; \$1,200,000 for reconstruction of School Road East in Marlboro Township, New Jersey; \$29,000,000 for construction of, and improvements to, a Southeast Connector Route between I-90 and SD 79 in South Dakota; \$5,000,000 for improvements, including traffic signal system upgrades, to State Route 99 in Shoreline, Washington; \$500,000 for the Township of Princeton, New Jersey municipal complex road improvements, including improvements to the Valley, Mount Lucas, Terhune and Cherry Hill roadways in the Township of Princeton, New Jersey; \$23,600,000 for construction of, and improvements to, US 12 between Aberdeen and I-29 in South Dakota; \$40,000,000 for construction of, and improvements to, US 19 in Pinellas County, Florida; \$25,000,000 for construction of, and improvements to, US 50 Parkersburg bypass in West Virginia; \$10,000,000 for construction of, and improvements to, US 63 in Jonesboro, Arkansas; \$5,000,000 for construction of, and improvements to, US 101 in Oregon; \$4,000,000 for construction of, and improvements to, US 54 in Kansas; \$100,000,000 for construction of, and improvements to, the US 82 bridge over the Mississippi River at Greenville, Mississippi; \$10,000,000 for construction of, and improvements to, including widening, of US 95 between Laughlin Cutoff and Railroad Pass, Nevada; \$1,000,000 for improvements to the Van Wyck Expressway, Queens County, New York; and \$20,000,000 for widening US 53 from two lanes to four lanes from Minnesota Highway 169 north of Virginia, Minnesota to Cook, Minnesota: *Provided*, That the amounts appropriated in this section shall remain available until expended and shall not be subject to, or computed against, any obligation limitation or contract authority set forth in this Act or any other Act.

\* \* \* \* \*

114 STAT.  
1356A-57

This Act may be cited as the “Department of Transportation  
and Related Agencies Appropriations Act, 2001”.

\* \* \* \* \*

**15. Veterans Affairs, HUD Appropriations for FY 2001**

PUBLIC LAW 106–377—OCT. 27, 2000

114 STAT. 1441

\* Public Law 106–377  
106th Congress

**An Act**

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 27, 2000

[H.R. 4635]

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

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

Incorporation by  
reference.

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

Publication.  
1 USC 112 note.

Approved October 27, 2000.

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**LEGISLATIVE HISTORY—H.R. 4635:**

HOUSE REPORTS: Nos. 106–674 (Comm. on Appropriations) and 106–988 (Comm. of Conference).

SENATE REPORTS: No. 106–410 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 19–21, considered and passed House.

Oct. 12, considered and passed Senate, amended.

Oct. 19, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 27, Presidential statement.

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\*ENDNOTE: The following appendixes were added pursuant to the provisions of section 1 of this Act.

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*The table of contents is as follows:*

APPENDIX A—H.R. 5482

APPENDIX B—H.R. 5483

## PUBLIC LAW 106-377—APPENDIX B 114 STAT. 1441A-59

**APPENDIX B—H.R. 5483**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**TITLE II**

114 STAT.  
1441A-66

\* \* \* \* \*

**GENERAL PROVISIONS**

114 STAT.  
1441A-68

**DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

SEC. 204. (a) **IN GENERAL.**—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than \$7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

114 STAT.  
1441A-69

(b) **VOLUNTARY CONTRIBUTIONS.**—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) **ACTIVITIES TO BE FUNDED.**—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) **ADDITIONAL FUNDING.**—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

\* \* \* \* \*



### III. NATIONAL PARKS

#### 1. Acadia

PUBLIC LAW 107–107—DEC. 28, 2001

115 STAT. 1012

Public Law 107–107  
107th Congress

#### An Act

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Dec. 28, 2001  
[S. 1438]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

\* \* \* \* \*

#### DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

115 STAT. 1280  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2002.

#### SEC. 2001. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.

(b) DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.—In this division, the term “Spence Act” means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1654).

\* \* \* \* \*

#### TITLE XXVIII—GENERAL PROVISIONS

115 STAT. 1303

\* \* \* \* \*

#### Subtitle D—Land Conveyances

115 STAT. 1312

\* \* \* \* \*

#### PART II—NAVY CONVEYANCES

115 STAT. 1317

\* \* \* \* \*

#### SEC. 2845. LAND TRANSFER AND CONVEYANCE, NAVAL SECURITY GROUP ACTIVITY, WINTER HARBOR, MAINE.

115 STAT. 1319

(a) TRANSFER OF JURISDICTION OF SCHOODIC POINT PROPERTY AUTHORIZED.—(1) The Secretary of the Navy may transfer to the Secretary of the Interior administrative jurisdiction of a parcel of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 26 acres as generally depicted as Tract 15–116 on the map entitled “Acadia National Park Schoodic Point Area”, numbered 123/80,418 and dated May 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

115 STAT. 1319

PUBLIC LAW 107-107—DEC. 28, 2001

(2) The transfer authorized by this subsection shall occur, if at all, concurrently with the reversion of administrative jurisdiction of a parcel of real property consisting of approximately 71 acres, as depicted as Tract 15-115 on the map referred to in paragraph (1), from the Secretary of the Navy to the Secretary of the Interior as authorized by Public Law 80-260 (61 Stat. 519) and to be executed on or about June 30, 2002.

(b) CONVEYANCE OF COREA AND WINTER HARBOR PROPERTIES AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine, all right, title, and interest of the United States in and to any of the parcels of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 485 acres and comprising the former facilities of the Naval Security Group Activity, Winter Harbor, Maine, located in Hancock County, Maine, less the real property described in subsection (a)(1), for the purpose of economic redevelopment.

(c) TRANSFER OF PERSONAL PROPERTY.—The Secretary of the Navy may transfer, without consideration, to the Secretary of the Interior in the case of the real property transferred under subsection (a), or to any recipient of such real property in the case of real property conveyed under subsection (b), any or all personal property associated with the real property so transferred or conveyed, including any personal property required to continue the maintenance of the infrastructure of such real property (including the generators for an uninterrupted power supply in building 154 at the Corea site).

(d) MAINTENANCE OF PROPERTY PENDING CONVEYANCE.—(1) The Secretary of the Navy shall maintain any real property, including any improvements thereon, appurtenances thereto, and supporting infrastructure, to be conveyed under subsection (b) in accordance with the protection and maintenance standards specified in section 101-47.4913 of title 41, Code of Federal Regulations, until the earlier of—

(A) the date of the conveyance of such real property under subsection (b); or

(B) September 30, 2003.

115 STAT. 1320

(2) The requirement in paragraph (1) shall not be construed as authority to improve the real property, improvements, and infrastructure referred to in that paragraph so as to bring such real property, improvements, or infrastructure into compliance with any zoning or property maintenance codes or to repair any damage to such improvements and infrastructure caused by natural accident or disaster.

(e) INTERIM LEASE.—(1) Until such time as any parcel of real property to be conveyed under subsection (b) is conveyed by deed under that subsection, the Secretary of the Navy may lease such parcel to any person or entity determined by the Secretary to be an appropriate lessee of such parcel.

(2) The amount of rent for a lease under paragraph (1) shall be the amount determined by the Secretary to be appropriate, and may be an amount less than the fair market value of the lease.

(f) REIMBURSEMENT FOR ENVIRONMENTAL AND OTHER ASSESSMENTS.—(1) The Secretary of the Navy may require each recipient



PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1320

of real property conveyed under subsection (b) to reimburse the Secretary for the excess costs incurred by the Secretary for any environmental assessment, study, or analysis carried out by the Secretary in connection with the conveyance of such property, if the excess costs were incurred as a result of a request by the recipient. In this paragraph, the term “excess costs” means costs in excess of those costs considered reasonable and necessary by the Secretary to comply with existing law to make the conveyance to the recipient.

(2) Section 2695(c) of title 10, United States Code, shall apply to any amount received by the Secretary under this subsection.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property transferred under subsection (a), and each parcel of real property conveyed under subsection (b), shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of any survey for real property conveyed under subsection (b) shall be borne by the recipient of the real property.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with any conveyance under subsection (b), and any lease under subsection (e), as the Secretary considers appropriate to protect the interests of the United States.

\* \* \* \* \*

Approved December 28, 2001.

115 STAT. 1393

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LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.



116 STAT. 820

PUBLIC LAW 107–206—AUG. 2, 2002

Public Law 107–206  
107th Congress

An Act

Aug. 2, 2002  
[H.R. 4775]

Making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

2002  
Supplemental  
Appropriations  
Act for Further  
Recovery From  
and Response To  
Terrorist Attacks  
on the United  
States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—SUPPLEMENTAL APPROPRIATIONS

\* \* \* \* \*

116 STAT. 835

CHAPTER 3

DEPARTMENT OF DEFENSE

\* \* \* \* \*

116 STAT. 839

GENERAL PROVISIONS—THIS CHAPTER

\* \* \* \* \*

116 STAT. 841  
Deadline.

SEC. 310. Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall obligate, from funds made available in title II of division A of Public Law 107–117 under the heading “Operation and Maintenance, Defense-Wide” (115 Stat. 2233), \$4,000,000 for a grant to support the conversion of the Naval Security Group, Winter Harbor (the naval base on Schoodic Peninsula), Maine, to utilization as a research and education center for Acadia National Park, Maine, including the preparation of a plan for the reutilization of the naval base for such purpose that will benefit communities in the vicinity of the naval base and visitors to Acadia National Park and will stimulate important research and educational activities.

116 STAT. 842

\* \* \* \* \*

116 STAT. 925

This Act may be cited as the “2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States”.

Approved August 2, 2002.

LEGISLATIVE HISTORY—H.R. 4775 (S. 2551):

HOUSE REPORTS: Nos. 107–480 (Comm. on Appropriations) and 107–593 (Comm. of Conference).

SENATE REPORTS: No. 107–156 accompanying S. 2551 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 148 (2002):

May 22–24, considered and passed House.

June 3–6, considered and passed Senate, amended.

July 23, House agreed to conference report.

July 24, Senate agreed to conference report.



PUBLIC LAW 107-248—OCT. 23, 2002

116 STAT. 1519

Public Law 107-248  
107th Congress

## An Act

Making appropriations for the Department of Defense for the fiscal year ending  
September 30, 2003, and for other purposes.

Oct. 23, 2002

[H.R. 5010]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of  
Defense  
Appropriations  
Act, 2003.

\* \* \* \* \*

## TITLE VIII

116 STAT. 1536

## GENERAL PROVISIONS

\* \* \* \* \*

SEC. 8146. The Secretary of Defense may modify the grant made to the State of Maine pursuant to section 310 of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States (Public Law 107-206) such that the modified grant is for purposes of supporting community adjustment activities relating to the closure of the Naval Security Group Activity, Winter Harbor, Maine (the naval base on Schoodic Point, within Acadia National Park), and the reuse of such Activity, including reuse as a research and education center the activities of which may be consistent with the purposes of Acadia National Park, as determined by the Secretary of the Interior. The grant may be so modified not later than 60 days after the date of the enactment of this Act.

116 STAT. 1572

Deadline.

\* \* \* \* \*

This Act may be cited as the “Department of Defense Appropriations Act, 2003”.

116 STAT. 1577

Approved October 23, 2002.

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LEGISLATIVE HISTORY—H.R. 5010:

HOUSE REPORTS: Nos. 107-532 (Comm. on Appropriations) and 107-732 (Comm. of Conference).

SENATE REPORTS: No. 107-213 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 148 (2002):

June 27, considered and passed House.

July 31, Aug. 1, considered and passed Senate, amended.

Oct. 10, House agreed to conference report.

Oct. 16, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Oct. 23, Presidential remarks and statement.



**2. Arches**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

\* \* \* \* \*

114 STAT. 32

**SEC. 302. ARCHES NATIONAL PARK EXPANSION ACT OF 1998.**

Section 8 of Public Law 92–155 (16 U.S.C. 272g), as added by section 2(e)(2) of the Arches National Park Expansion Act of 1998 (Public Law 105–329; 112 Stat. 3062), is amended as follows:

(1) In subsection (b)(2), by striking “, described as lots 1 through 12 located in the S½N½ and the N½N½N½S½ of section 1, Township 25 South, Range 18 East, Salt Lake base and meridian.” and inserting “located in section 1, Township 25 South, Range 18 East, Salt Lake base and meridian, and more fully described as follows:

“**(A)** Lots 1 through 12.“**(B)** The S½N½ of such section.“**(C)** The N½N½N½S½ of such section.”; and

(2) By striking subsection (d).

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:****HOUSE REPORTS:** No. 106–17 (Comm. on Resources).**SENATE REPORTS:** No. 106–125 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**3. Biscayne**

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2763

\* Public Law 106–554  
106th Congress

**An Act**

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Dec. 21, 2000  
[H.R. 4577]

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

Publication.  
1 USC 112 note.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the infor-  
mation required by that section, the Director of the Office of Man-  
agement and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

114 STAT. 2764

PUBLIC LAW 106–554—DEC. 21, 2000

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

114 STAT. 2763A–171 PUBLIC LAW 106–554—APPENDIX D

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
2763A–214**DIVISION B****TITLE I**

\* \* \* \* \*

114 STAT.  
2763A–230

SEC. 129. The Secretary of the Interior shall extend until March 31, 2001, the “Extension of Standstill Agreement,” entered into on November 22, 1999, by the United States of America and the holders of interests in seven campsite leases in Biscayne Bay, Miami-Dade County, Florida collectively known as “Stiltsville”.

\* \* \* \* \*



#### 4. Black Canyon of the Gunnison

PUBLIC LAW 106–76—OCT. 21, 1999

113 STAT. 1126

Public Law 106–76  
106th Congress

#### An Act

To redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

Oct. 21, 1999  
[S. 323]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999”.

Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999. Colorado. 16 USC 410fff note. 16 USC 410fff.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) Black Canyon of the Gunnison National Monument was established for the preservation of its spectacular gorges and additional features of scenic, scientific, and educational interest;

(2) the Black Canyon of the Gunnison and adjacent upland include a variety of unique ecological, geological, scenic, historical, and wildlife components enhanced by the serenity and rural western setting of the area;

(3) the Black Canyon of the Gunnison and adjacent land provide extensive opportunities for educational and recreational activities, and are publicly used for hiking, camping, and fishing, and for wilderness value, including solitude;

(4) adjacent public land downstream of the Black Canyon of the Gunnison National Monument has wilderness value and offers unique geological, paleontological, scientific, educational, and recreational resources;

(5) public land adjacent to the Black Canyon of the Gunnison National Monument contributes to the protection of the wildlife, viewshed, and scenic qualities of the Black Canyon;

(6) some private land adjacent to the Black Canyon of the Gunnison National Monument has exceptional natural and scenic value that would be threatened by future development pressures;

(7) the benefits of designating public and private land surrounding the national monument as a national park include greater long-term protection of the resources and expanded visitor use opportunities; and

(8) land in and adjacent to the Black Canyon of the Gunnison Gorge is—

(A) recognized for offering exceptional multiple use opportunities;

113 STAT. 1127

PUBLIC LAW 106-76—OCT. 21, 1999

(B) recognized for offering natural, cultural, scenic, wilderness, and recreational resources; and

(C) worthy of additional protection as a national conservation area, and with respect to the Gunnison Gorge itself, as a component of the national wilderness system.

16 USC 410fff-1. **SEC. 3. DEFINITIONS.**

In this Act:

(1) CONSERVATION AREA.—The term “Conservation Area” means the Gunnison Gorge National Conservation Area, consisting of approximately 57,725 acres surrounding the Gunnison Gorge as depicted on the Map.

(2) MAP.—The term “Map” means the map entitled “Black Canyon of the Gunnison National Park and Gunnison Gorge NCA—1/22/99”. The map shall be on file and available for public inspection in the offices of the Department of the Interior.

(3) PARK.—The term “Park” means the Black Canyon of the Gunnison National Park established under section 4 and depicted on the Map.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

16 USC 410fff-2. **SEC. 4. ESTABLISHMENT OF BLACK CANYON OF THE GUNNISON NATIONAL PARK.**

(a) ESTABLISHMENT.—There is hereby established the Black Canyon of the Gunnison National Park in the State of Colorado as generally depicted on the map identified in section 3. The Black Canyon of the Gunnison National Monument is hereby abolished as such, the lands and interests therein are incorporated within and made part of the new Black Canyon of the Gunnison National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

(b) ADMINISTRATION.—Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management which are identified on the map for inclusion in the park to the administrative jurisdiction of the National Park Service. The Secretary shall administer the park in accordance with this Act and laws 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 (16 U.S.C. 1, 2–4), and 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. 461 et seq.).

(c) MAPS AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file maps and a legal description of the park with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such legal description and maps. The maps and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) WITHDRAWAL.—Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from

PUBLIC LAW 106-76—OCT. 21, 1999

113 STAT. 1128

location, entry, and patent under the mining laws; and from disposition under all laws relating to mineral and geothermal leasing, and all amendments thereto.

(e) GRAZING.—(1)(A) Consistent with the requirements of this subsection, including the limitation in paragraph (3), the Secretary shall allow the grazing of livestock within the park to continue where authorized under permits or leases in existence as of the date of the enactment of this Act. Grazing shall be at no more than the current level, and subject to applicable laws and National Park Service regulations.

(B) Nothing in this subsection shall be construed as extending grazing privileges for any party or their assignee in any area of the park where, prior to the date of the enactment of this Act, such use was scheduled to expire according to the terms of a settlement by the United States Claims Court affecting property incorporated into the boundary of the Black Canyon of the Gunnison National Monument.

(C) Nothing in this subsection shall prohibit the Secretary from accepting the voluntary termination of leases or permits for grazing within the park.

(2) Within areas of the park designated as wilderness, the grazing of livestock, where authorized under permits in existence as of the date of the enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies, and practices as the Secretary deems necessary, consistent with this Act, the Wilderness Act, and other applicable laws and National Park Service regulations.

(3) With respect to the grazing permits and leases referenced in this subsection, the Secretary shall allow grazing to continue, subject to periodic renewal—

(A) with respect to a permit or lease issued to an individual, for the lifetime of the individual who was the holder of the permit or lease on the date of the enactment of this Act; and

(B) with respect to a permit or lease issued to a partnership, corporation, or other legal entity, for a period which shall terminate on the same date that the last permit or lease held under subparagraph (A) terminates, unless the partnership, corporation, or legal entity dissolves or terminates before such time, in which case the permit or lease shall terminate with the partnership, corporation, or legal entity.

**SEC. 5. ACQUISITION OF PROPERTY AND MINOR BOUNDARY ADJUSTMENTS.** 16 USC 410fff-3.

(a) ADDITIONAL ACQUISITIONS.—

(1) IN GENERAL.—The Secretary may acquire land or interests in land depicted on the Map as proposed additions.

(2) METHOD OF ACQUISITION.—

(A) IN GENERAL.—Land or interests in land may be acquired by—

(i) donation;

(ii) transfer;

(iii) purchase with donated or appropriated funds;

or

(iv) exchange.

(B) CONSENT.—No land or interest in land may be acquired without the consent of the owner of the land.

113 STAT. 1129

PUBLIC LAW 106-76—OCT. 21, 1999

(b) **BOUNDARY REVISION.**—After acquiring land for the Park, the Secretary shall—

(1) revise the boundary of the Park to include newly-acquired land within the boundary; and

(2) administer newly-acquired land subject to applicable laws (including regulations).

(c) **BOUNDARY SURVEY.**—As soon as practicable and subject to the availability of funds the Secretary shall complete an official boundary survey of the Park.

(d) **HUNTING ON PRIVATELY OWNED LANDS.**—

(1) **IN GENERAL.**—The Secretary may permit hunting on privately owned land added to the Park under this Act, subject to limitations, conditions, or regulations that may be prescribed by the Secretary.

(2) **TERMINATION OF AUTHORITY.**—On the date that the Secretary acquires fee ownership of any privately owned land added to the Park under this Act, the authority under paragraph (1) shall terminate with respect to the privately owned land acquired.

16 USC 410fff-4,  
1132 note.

**SEC. 6. EXPANSION OF THE BLACK CANYON OF THE GUNNISON WILDERNESS.**

(a) **EXPANSION OF BLACK CANYON OF THE GUNNISON WILDERNESS.**—The Black Canyon of the Gunnison Wilderness, as established by subsection (b) of the first section of Public Law 94-567 (90 Stat. 2692), is expanded to include the parcel of land depicted on the Map as “Tract A” and consisting of approximately 4,419 acres.

(b) **ADMINISTRATION.**—The Black Canyon of the Gunnison Wilderness shall be administered as a component of the Park.

16 USC 410fff-5.

**SEC. 7. ESTABLISHMENT OF THE GUNNISON GORGE NATIONAL CONSERVATION AREA.**

(a) **IN GENERAL.**—There is established the Gunnison Gorge National Conservation Area, consisting of approximately 57,725 acres as generally depicted on the Map.

(b) **MANAGEMENT OF CONSERVATION AREA.**—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the Conservation Area to protect the resources of the Conservation Area in accordance with—

(1) this Act;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable provisions of law.

(c) **WITHDRAWAL.**—Subject to valid existing rights, all Federal lands within the Conservation Area are hereby withdrawn from all forms of entry, appropriation or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under all laws relating to mineral and geothermal leasing, and all amendments thereto.

(d) **HUNTING, TRAPPING, AND FISHING.**—

(1) **IN GENERAL.**—The Secretary shall permit hunting, trapping, and fishing within the Conservation Area in accordance with applicable laws (including regulations) of the United States and the State of Colorado.

(2) **EXCEPTION.**—The Secretary, after consultation with the Colorado Division of Wildlife, may issue regulations designating

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113 STAT. 1130

zones where and establishing periods when no hunting or trapping shall be permitted for reasons concerning—

- (A) public safety;
- (B) administration; or
- (C) public use and enjoyment.

(e) **USE OF MOTORIZED VEHICLES.**—In addition to the use of motorized vehicles on established roadways, the use of motorized vehicles in the Conservation Area shall be allowed to the extent the use is compatible with off-highway vehicle designations as described in the management plan in effect on the date of the enactment of this Act.

(f) **CONSERVATION AREA MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 4 years after the date of the enactment of this Act, the Secretary shall— Deadline.

(A) develop a comprehensive plan for the long-range protection and management of the Conservation Area; and

(B) transmit the plan to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Resources of the House of Representatives.

(2) **CONTENTS OF PLAN.**—The plan—

(A) shall describe the appropriate uses and management of the Conservation Area in accordance with this Act;

(B) may incorporate appropriate decisions contained in any management or activity plan for the area completed prior to the date of the enactment of this Act;

(C) may incorporate appropriate wildlife habitat management plans or other plans prepared for the land within or adjacent to the Conservation Area prior to the date of the enactment of this Act;

(D) shall be prepared in close consultation with appropriate Federal, State, county, and local agencies; and

(E) may use information developed prior to the date of the enactment of this Act in studies of the land within or adjacent to the Conservation Area.

(g) **BOUNDARY REVISIONS.**—The Secretary may make revisions to the boundary of the Conservation Area following acquisition of land necessary to accomplish the purposes for which the Conservation Area was designated.

## **SEC. 8. DESIGNATION OF WILDERNESS WITHIN THE CONSERVATION AREA.**

16 USC 410fff-6,  
1132 note.

(a) **GUNNISON GORGE WILDERNESS.**—

(1) **IN GENERAL.**—Within the Conservation Area, there is designated as wilderness, and as a component of the National Wilderness Preservation System, the Gunnison Gorge Wilderness, consisting of approximately 17,700 acres, as generally depicted on the Map.

(2) **ADMINISTRATION.**—

(A) **WILDERNESS STUDY AREA EXEMPTION.**—The approximately 300-acre portion of the wilderness study area depicted on the Map for release from section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) shall not be subject to section 603(c) of that Act.

113 STAT. 1131

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(B) INCORPORATION INTO NATIONAL CONSERVATION AREA.—The portion of the wilderness study area described in subparagraph (A) shall be incorporated into the Conservation Area.

(b) ADMINISTRATION.—Subject to valid rights in existence on the date of the enactment of this Act, the wilderness areas designated under this Act shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) 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 Act and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

(c) STATE RESPONSIBILITY.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act or in the Wilderness Act shall affect the jurisdiction or responsibilities of the State of Colorado with respect to wildlife and fish on the public land located in that State.

(d) MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this section, the Secretary of the Interior shall file a map and a legal description of the Gunnison Gorge Wilderness with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. This map and description shall have the same force and effect as if included in this Act. The Secretary of the Interior may correct clerical and typographical errors in the map and legal description. The map and legal description shall be on file and available in the office of the Director of the Bureau of Land Management (BLM).

16 USC 410fff-7.

**SEC. 9. WITHDRAWAL.**

Subject to valid existing rights, the Federal lands identified on the Map as “BLM Withdrawal (Tract B)” (comprising approximately 1,154 acres) are hereby withdrawn from all forms of entry, appropriation or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under all laws relating to mineral and geothermal leasing, and all amendments thereto.

16 USC 410fff-8.

**SEC. 10. WATER RIGHTS.**

(a) EFFECT ON WATER RIGHTS.—Nothing in this Act shall—

(1) constitute an express or implied reservation of water for any purpose; or

(2) affect any water rights in existence prior to the date of the enactment of this Act, including any water rights held by the United States.

(b) ADDITIONAL WATER RIGHTS.—Any new water right that the Secretary determines is necessary for the purposes of this Act shall be established in accordance with the procedural and substantive requirements of the laws of the State of Colorado.

16 USC 410fff-9.

**SEC. 11. STUDY OF LANDS WITHIN AND ADJACENT TO CURECANTI NATIONAL RECREATION AREA.**

Deadline.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary, acting through the Director of the National Park Service, shall conduct a study concerning land protection and open space within and adjacent to the area administered as the Curecanti National Recreation Area.

## PUBLIC LAW 106–76—OCT. 21, 1999

113 STAT. 1132

(b) PURPOSE OF STUDY.—The study required to be completed under subsection (a) shall—

(1) assess the natural, cultural, recreational and scenic resource value and character of the land within and surrounding the Curecanti National Recreation Area (including open vistas, wildlife habitat, and other public benefits);

(2) identify practicable alternatives that protect the resource value and character of the land within and surrounding the Curecanti National Recreation Area;

(3) recommend a variety of economically feasible and viable tools to achieve the purposes described in paragraphs (1) and (2); and

(4) estimate the costs of implementing the approaches recommended by the study.

(c) SUBMISSION OF REPORT.—Not later than 3 years from the date of the enactment of this Act, the Secretary shall submit a report to Congress that— Deadline.

(1) contains the findings of the study required by subsection (a);

(2) makes recommendations to Congress with respect to the findings of the study required by subsection (a); and

(3) makes recommendations to Congress regarding action that may be taken with respect to the land described in the report.

(d) ACQUISITION OF ADDITIONAL LAND AND INTERESTS IN LAND.—

(1) IN GENERAL.—Prior to the completion of the study required by subsection (a), the Secretary may acquire certain private land or interests in land as depicted on the Map entitled “Proposed Additions to the Curecanti National Recreation Area”, dated 01/25/99, totaling approximately 1,065 acres and entitled “Hall and Fitti properties”.

(2) METHOD OF ACQUISITION.—

(A) IN GENERAL.—Land or an interest in land under paragraph (1) may be acquired by—

(i) donation;

(ii) purchase with donated or appropriated funds;  
or

(iii) exchange.

(B) CONSENT.—No land or interest in land may be acquired without the consent of the owner of the land.

(C) BOUNDARY REVISIONS FOLLOWING ACQUISITION.—Following the acquisition of land under paragraph (1), the Secretary shall—

(i) revise the boundary of the Curecanti National Recreation Area to include newly-acquired land; and

(ii) administer newly-acquired land according to applicable laws (including regulations).

113 STAT. 1133

PUBLIC LAW 106–76—OCT. 21, 1999

16 USC 410fff–  
10.**SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved October 21, 1999.

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**LEGISLATIVE HISTORY—S. 323:****HOUSE REPORTS:** No. 106–307 (Comm. on Resources).**SENATE REPORTS:** No. 106–69 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD**, Vol. 145 (1999):

July 1, considered and passed Senate.

Sept. 27, considered and passed House, amended.

Oct. 1, Senate concurred in House amendment.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 35 (1999):

Oct. 21, Presidential statement.





**5. Channel Islands**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 119. ROBERT J. LAGOMARSINO VISITOR CENTER.**

114 STAT. 28

Section 809(b) of division I of the Omnibus Parks Act (110 Stat. 4189; 16 U.S.C. 410ff note) is amended by striking “section 301” and inserting “subsection (a)”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



## 6. Cuyahoga Valley

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

### Public Law 106–291 106th Congress

#### An Act

Oct. 11, 2000  
[H.R. 4578]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

#### TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 941

#### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 956  
16 USC 460ff  
note.

SEC. 149. REDESIGNATION OF CUYAHOGA VALLEY NATIONAL RECREATION AREA AS CUYAHOGA VALLEY NATIONAL PARK. (a) REDESIGNATION.—The Cuyahoga Valley National Recreation Area is redesignated as Cuyahoga Valley National Park.

16 USC 460ff  
note.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Cuyahoga Valley National Recreation Area is deemed to be a reference to Cuyahoga Valley National Park.

(c) CONFORMING AMENDMENTS.—The Act entitled “An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area” (Public Law 93–555; 16 U.S.C. 460ff et seq.), approved December 27, 1974, is amended—

16 USC 460ff.

(1) in section 1 by striking “National Recreation Area” and inserting “National Park”; and

(2) by striking “recreation area” each place it appears and inserting “park”.

(d) CLERICAL AMENDMENTS.—Section 5 of such Act (16 U.S.C. 460ff–4) is repealed, and section 6 of such Act (16 U.S.C. 460ff–5) is redesignated as section 5.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

#### LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



PUBLIC LAW 107–63—NOV. 5, 2001

115 STAT. 414

Public Law 107–63  
107th Congress

## An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.

Nov. 5, 2001

[H.R. 2217]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.

## TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

## NATIONAL PARK SERVICE

115 STAT. 423

\* \* \* \* \*

## ADMINISTRATIVE PROVISIONS

115 STAT. 426

\* \* \* \* \*

Notwithstanding any other provision of law, the National Park Service may convey a leasehold or freehold interest in Cuyahoga NP to allow for the development of utilities and parking needed to support the historic Everett Church in the village of Everett, Ohio.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”. 115 STAT. 473

Approved November 5, 2001.

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LEGISLATIVE HISTORY—H.R. 2217:HOUSE REPORTS: No. 107–103 (Comm. on Appropriations) and 107–234  
(Comm. of Conference).

SENATE REPORTS: No. 107–36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



## 7. Death Valley

114 STAT. 1875

PUBLIC LAW 106–423—NOV. 1, 2000

### Public Law 106–423 106th Congress

#### An Act

Nov. 1, 2000  
[S. 2102]

To provide to the Timbisha Shoshone Tribe a permanent land base within its  
aboriginal homeland, and for other purposes.

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

Timbisha  
Shoshone  
Homeland Act.  
California.  
Nevada.  
Historic  
preservation.  
16 USC 410aaa  
note.  
16 USC 410aaa  
note.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Timbisha Shoshone Homeland  
Act”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Since time immemorial, the Timbisha Shoshone Tribe has lived in portions of California and Nevada. The Tribe’s ancestral homeland includes the area that now comprises Death Valley National Park and other areas of California and Nevada now administered by the Bureau of Land Management.

(2) Since 1936, the Tribe has lived and governed the affairs of the Tribe on approximately 40 acres of land near Furnace Creek in the Park.

(3) The Tribe achieved Federal recognition in 1983 but does not have a land base within the Tribe’s ancestral homeland.

(4) Since the Tribe commenced use and occupancy of the Furnace Creek area, the Tribe’s membership has grown. Tribal members have a desire and need for housing, government and administrative facilities, cultural facilities, and sustainable economic development to provide decent, safe, and healthy conditions for themselves and their families.

(5) The interests of both the Tribe and the National Park Service would be enhanced by recognizing their coexistence on the same land and by establishing partnerships for compatible land uses and for the interpretation of the Tribe’s history and culture for visitors to the Park.

(6) The interests of both the Tribe and the United States would be enhanced by the establishment of a land base for the Tribe and by further delineation of the rights and obligations of each with respect to the Furnace Creek area and to the Park as a whole.

16 USC 410aaa  
note.

#### SEC. 3. PURPOSES.

Consistent with the recommendations of the report required by section 705(b) of the California Desert Protection Act of 1994 (Public Law 103–433; 108 Stat. 4498), the purposes of this Act are—

## PUBLIC LAW 106–423—NOV. 1, 2000

114 STAT. 1876

(1) to provide in trust to the Tribe land on which the Tribe can live permanently and govern the Tribe's affairs in a modern community within the ancestral homeland of the Tribe outside and within the Park;

(2) to formally recognize the contributions by the Tribe to the history, culture, and ecology of the Park and surrounding area;

(3) to ensure that the resources within the Park are protected and enhanced by—

(A) cooperative activities within the Tribe's ancestral homeland; and

(B) partnerships between the Tribe and the National Park Service and partnerships involving the Bureau of Land Management;

(4) to ensure that such activities are not in derogation of the purposes and values for which the Park was established;

(5) to provide opportunities for a richer visitor experience at the Park through direct interactions between visitors and the Tribe including guided tours, interpretation, and the establishment of a tribal museum and cultural center;

(6) to provide appropriate opportunities for economically viable and ecologically sustainable visitor-related development, by the Tribe within the Park, that is not in derogation of the purposes and values for which the Park was established; and

(7) to provide trust lands for the Tribe in 4 separate parcels of land that is now managed by the Bureau of Land Management and authorize the purchase of 2 parcels now held in private ownership to be taken into trust for the Tribe.

**SEC. 4. DEFINITIONS.**

16 USC 410aaa  
note.

In this Act:

(1) **PARK.**—The term “Park” means Death Valley National Park, including any additions to that Park.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior or the designee of the Secretary.

(3) **TRIBAL.**—The term “tribal” means of or pertaining to the Tribe.

(4) **TRIBE.**—The term “Tribe” means the Timbisha Shoshone Tribe, a tribe of American Indians recognized by the United States pursuant to part 83 of title 25, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(5) **TRUST LANDS.**—The term “trust lands” means those lands taken into trust pursuant to this Act.

**SEC. 5. TRIBAL RIGHTS AND AUTHORITY ON THE TIMBISHA SHOSHONE HOMELAND.**

16 USC 410aaa  
note.

(a) **IN GENERAL.**—Subject to valid existing rights (existing on the date of enactment of this Act), all right, title, and interest of the United States in and to the lands, including improvements and appurtenances, described in subsection (b) are declared to be held in trust by the United States for the benefit of the Tribe. All maps referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Bureau of Land Management.

(b) **PARK LANDS AND BUREAU OF LAND MANAGEMENT LANDS DESCRIBED.**—

(1) IN GENERAL.—The following lands and water shall be held in trust for the Tribe pursuant to subsection (a):

(A) Furnace Creek, Death Valley National Park, California, an area of 313.99 acres for community development, residential development, historic restoration, and visitor-related economic development, depicted as Tract 37 on the map of Township 27 North, Range 1 East, of the San Bernardino Meridian, California, numbered Map #1 and dated December 2, 1999, together with 92 acre feet per annum of surface and ground water for the purposes associated with the transfer of such lands. This area shall include a 25-acre, nondevelopment zone at the north end of the area and an Adobe Restoration zone containing several historic adobe homes, which shall be managed by the Tribe as a tribal historic district.

(B) Death Valley Junction, California, an area of approximately 1,000 acres, as generally depicted on the map entitled “Death Valley Junction, California”, numbered Map #2 and dated April 12, 2000, together with 15.1 acre feet per annum of ground water for the purposes associated with the transfer of such lands.

(C)(i) Centennial, California, an area of approximately 640 acres, as generally depicted on the map entitled “Centennial, California”, numbered Map #3 and dated April 12, 2000, together with an amount of ground water not to exceed 10 acre feet per annum for the purposes associated with the transfer of such lands.

(ii) If the Secretary determines that there is insufficient ground water available on the lands described in clause (i) to satisfy the Tribe’s right to ground water to fulfill the purposes associated with the transfer of such lands, then the Tribe and the Secretary shall, within 2 years of such determination, identify approximately 640 acres of land that are administered by the Bureau of Land Management in that portion of Inyo County, California, to the north and east of the China Lake Naval Weapons Center, to be a mutually agreed upon substitute for the lands described in clause (i). If the Secretary determines that sufficient water is available to fulfill the purposes associated with the transfer of the lands described in the preceding sentence, then the Tribe shall request that the Secretary accept such lands into trust for the benefit of the Timbisha Shoshone Tribe, and the Secretary shall accept such lands, together with an amount of water not to exceed 10 acre feet per annum, into trust for the Tribe as a substitute for the lands described in clause (i).

(D) Scotty’s Junction, Nevada, an area of approximately 2,800 acres, as generally depicted on the map entitled “Scotty’s Junction, Nevada”, numbered Map #4 and dated April 12, 2000, together with 375.5 acre feet per annum of ground water for the purposes associated with the transfer of such lands.

(E) Lida, Nevada, Community Parcel, an area of approximately 3,000 acres, as generally depicted on the map entitled “Lida, Nevada, Community Parcel”, numbered Map #5 and dated April 12, 2000, together with 14.7 acre

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114 STAT. 1878

feet per annum of ground water for the purposes associated with the transfer of such lands.

(2) WATER RIGHTS.—The priority date of the Federal water rights described in subparagraphs (A) through (E) of paragraph (1) shall be the date of enactment of this Act, and such Federal water rights shall be junior to Federal and State water rights existing on such date of enactment. Such Federal water rights shall not be subject to relinquishment, forfeiture or abandonment.

(3) LIMITATIONS ON FURNACE CREEK AREA DEVELOPMENT.—

(A) DEVELOPMENT.—Recognizing the mutual interests and responsibilities of the Tribe and the National Park Service in and for the conservation and protection of the resources in the area described in paragraph (1), development in the area shall be limited to—

(i) for purposes of community and residential development—

(I) a maximum of 50 single-family residences; and

(II) a tribal community center with space for tribal offices, recreation facilities, a multipurpose room and kitchen, and senior and youth facilities;

(ii) for purposes of economic development—

(I) a small-to-moderate desert inn; and

(II) a tribal museum and cultural center with a gift shop; and

(iii) the infrastructure necessary to support the level of development described in clauses (i) and (ii).

(B) EXCEPTION.—Notwithstanding the provisions of subparagraph (A)(ii), the National Park Service and the Tribe are authorized to negotiate mutually agreed upon, visitor-related economic development in lieu of the development set forth in that subparagraph if such alternative development will have no greater environmental impact than the development set forth in that subparagraph.

(C) RIGHT-OF-WAY.—The Tribe shall have a right-of-way for ingress and egress on Highway 190 in California.

(4) LIMITATIONS ON IMPACT ON MINING CLAIMS.—Nothing in this Act shall be construed as terminating any valid mining claim existing on the date of enactment of this Act on the land described in paragraph (1)(E). Any person with such an existing mining claim shall have all the rights incident to mining claims, including the rights of ingress and egress on the land described in paragraph (1)(E). Any person with such an existing mining claim shall have the right to occupy and use so much of the surface of the land as is required for all purposes reasonably necessary to mine and remove the minerals from the land, including the removal of timber for mining purposes. Such a mining claim shall terminate when the claim is determined to be invalid or is abandoned.

(c) LEGAL DESCRIPTIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall file a legal description of the areas described in subsection (b) with the Committee on Resources of the House of Representatives and with the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate. Such legal description shall have the

Deadline.

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same force and effect as if the information contained in the description were included in that subsection except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in the legal description. The legal description shall be on file and available for public inspection in the offices of the National Park Service and the Bureau of Land Management.

(d) **ADDITIONAL TRUST RESOURCES.**—The Secretary may purchase from willing sellers the following parcels and appurtenant water rights, or the water rights separately, to be taken into trust for the Tribe:

(1) Indian Rancheria Site, California, an area of approximately 120 acres, as generally depicted on the map entitled “Indian Rancheria Site, California” numbered Map #6 and dated December 3, 1999.

(2) Lida Ranch, Nevada, an area of approximately 2,340 acres, as generally depicted on the map entitled “Lida Ranch” numbered Map #7 and dated April 6, 2000, or another parcel mutually agreed upon by the Secretary and the Tribe.

(e) **SPECIAL USE AREAS.**—

(1) **IN GENERAL.**—The areas described in this subsection shall be nonexclusive special use areas for the Tribe, subject to other Federal law. Members of the Tribe are authorized to use these areas for low impact, ecologically sustainable, traditional practices pursuant to a jointly established management plan mutually agreed upon by the Tribe, and by the National Park Service or the Bureau of Land Management, as appropriate. All maps referred to in paragraph (4) shall be on file and available for public inspection in the offices of the National Park Service and Bureau of Land Management.

(2) **RECOGNITION OF THE HISTORY AND CULTURE OF THE TRIBE.**—In the special use areas, in recognition of the significant contributions the Tribe has made to the history, ecology, and culture of the Park and to ensure that the visitor experience in the Park will be enhanced by the increased and continued presence of the Tribe, the Secretary shall permit the Tribe’s continued use of Park resources for traditional tribal purposes, practices, and activities.

(3) **RESOURCE USE BY THE TRIBE.**—In the special use areas, any use of Park resources by the Tribe for traditional purposes, practices, and activities shall not include the taking of wildlife and shall not be in derogation of purposes and values for which the Park was established.

(4) **SPECIFIC AREAS.**—The following areas are designated special use areas pursuant to paragraph (1):

(A) **MESQUITE USE AREA.**—The area generally depicted on the map entitled “Mesquite Use Area” numbered Map #8 and dated April 12, 2000. The Tribe may use this area for processing mesquite using traditional plant management techniques such as thinning, pruning, harvesting, removing excess sand, and removing exotic species. The National Park Service may limit and condition, but not prohibit entirely, public use of this area or parts of this area, in consultation with the Tribe. This area shall be managed in accordance with the jointly established management plan referred to in paragraph (1).



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114 STAT. 1880

(B) **BUFFER AREA.**—An area of approximately 1,500 acres, as generally depicted on the map entitled “Buffer Area” numbered Map #8 and dated April 12, 2000. The National Park Service shall restrict visitor use of this area to protect the privacy of the Tribe and to provide an opportunity for the Tribe to conduct community affairs without undue disruption from the public.

(C) **TIMBISHA SHOSHONE NATURAL AND CULTURAL PRESERVATION AREA.**—An area that primarily consists of Park lands and also a small portion of Bureau of Land Management land in California, as generally depicted on the map entitled “Timbisha Shoshone Natural and Cultural Preservation Area” numbered Map #9 and dated April 12, 2000.

(5) **ADDITIONAL PROVISIONS.**—With respect to the Timbisha Shoshone Natural and Cultural Preservation Area designated in paragraph (4)(C)—

(A) the Tribe may establish and maintain a tribal resource management field office, garage, and storage area, all within the area of the existing ranger station at Wildrose (existing as of the date of enactment of this Act);

(B) the Tribe also may use traditional camps for tribal members at Wildrose and Hunter Mountain in accordance with the jointly established management plan referred to in paragraph (1);

(C) the area shall be depicted on maps of the Park and Bureau of Land Management that are provided for general visitor use;

(D) the National Park Service and the Bureau of Land Management shall accommodate access by the Tribe to and use by the Tribe of—

(i) the area (including portions described in subparagraph (E)) for traditional cultural and religious activities, in a manner consistent with the purpose and intent of Public Law 95-341 (commonly known as the “American Indian Religious Freedom Act”) (42 U.S.C. 1996 et seq.); and

(ii) areas designated as wilderness (including portions described in subparagraph (E)), in a manner consistent with the purpose and intent of the Wilderness Act (16 U.S.C. 1131 et seq.); and

(E)(i) on the request of the Tribe, the National Park Service and the Bureau of Land Management shall temporarily close to the general public, 1 or more specific portions of the area in order to protect the privacy of tribal members engaging in traditional cultural and religious activities in those portions; and

(ii) any such closure shall be made in a manner that affects the smallest practicable area for the minimum period necessary for the purposes described in clause (i).

(f) **ACCESS AND USE.**—Members of the Tribe shall have the right to enter and use the Park without payment of any fee for admission into the Park.

(g) **ADMINISTRATION.**—The trust lands shall constitute the Timbisha Shoshone Reservation and shall be administered pursuant to the laws and regulations applicable to other Indian trust lands, except as otherwise provided in this Act.

114 STAT. 1881

PUBLIC LAW 106-423—NOV. 1, 2000

16 USC 410aaa  
note.

**SEC. 6. IMPLEMENTATION PROCESS.**

(a) GOVERNMENT-TO-GOVERNMENT AGREEMENTS.—In order to fulfill the purposes of this Act and to establish cooperative partnerships for purposes of this Act, the National Park Service, the Bureau of Land Management, and the Tribe shall enter into government-to-government consultations and shall develop protocols to review planned development in the Park. The National Park Service and the Bureau of Land Management are authorized to enter into cooperative agreements with the Tribe for the purpose of providing training on the interpretation, management, protection, and preservation of the natural and cultural resources of the areas designated for special uses by the Tribe in section 5(e)(4).

(b) STANDARDS.—The National Park Service and the Tribe shall develop mutually agreed upon standards for size, impact, and design for use in planning, resource protection, and development of the Furnace Creek area and for the facilities at Wildrose. The standards shall be based on standards for recognized best practices for environmental sustainability and shall not be less restrictive than the environmental standards applied within the National Park System at any given time. Development in the area shall be conducted in a manner consistent with the standards, which shall be reviewed periodically and revised as necessary.

(c) WATER MONITORING.—The Secretary and the Tribe shall develop mutually agreed upon standards for a water monitoring system to assess the effects of water use at Scotty's Junction and at Death Valley Junction on the tribal trust lands described in subparagraphs (A), (B), and (D) of section 5(b)(1), and on the Park. Water monitoring shall be conducted in a manner that is consistent with such standards, which shall be reviewed periodically and revised as necessary.

16 USC 410aaa  
note.

**SEC. 7. MISCELLANEOUS PROVISIONS.**

(a) TRIBAL EMPLOYMENT.—In employing individuals to perform any construction, maintenance, interpretation, or other service in the Park, the Secretary shall, insofar as practicable, give first preference to qualified members of the Tribe.

(b) GAMING.—Gaming as defined and regulated by the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall be prohibited on trust lands within the Park.

(c) INITIAL RESERVATION.—Lands taken into trust for the Tribe pursuant to section 5, except for the Park land described in subsections (b)(1)(A) and (d)(1) of such section, shall be considered to be the Tribe's initial reservation for purposes of section 20(b)(1)(B)(ii) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(ii)).

Effective date.

(d) TRIBAL JURISDICTION OVER TRUST LANDS.—All trust lands that are transferred under this Act and located within California shall be exempt from section 1162 of title 18, United States Code, and section 1360 of title 28, United States Code, upon the certification by the Secretary, after consultation with the Attorney General, that the law enforcement system in place for such lands will be adequate to provide for the public safety and the public interest, except that no such certification may take effect until the expiration of the 3-year period beginning on the date of enactment of this Act.

PUBLIC LAW 106–423—NOV. 1, 2000

114 STAT. 1882

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**16 USC 410aaa  
note.

There are authorized to be appropriated to carry out this Act such sums as may be necessary.

Approved November 1, 2000.

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**LEGISLATIVE HISTORY—S. 2102:****SENATE REPORTS:** No. 106–327 (Comm. on Indian Affairs).**CONGRESSIONAL RECORD,** Vol. 146 (2000):

July 19, considered and passed Senate.

Oct. 17, considered and passed House.



**8. Everglades**

113 STAT. 269

PUBLIC LAW 106–53—AUG. 17, 1999

Public Law 106–53  
106th Congress

## An Act

Aug. 17, 1999  
[S. 507]

To provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Water Resources  
Development Act  
of 1999.  
Inter-  
governmental  
relations.  
33 USC 2201  
note.

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Development Act of 1999”.

\* \* \* \* \*

113 STAT. 273  
33 USC 2201  
note.

**SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term “Secretary” means the Secretary of the Army.

\* \* \* \* \*

113 STAT. 285

**TITLE II—GENERAL PROVISIONS**

\* \* \* \* \*

113 STAT. 286

**SEC. 208. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION.**

(a) **EXTENSION OF PROGRAM.**—Section 528(b)(3) of the Water Resources Development Act of 1996 is amended—

(1) in subparagraph (B) (110 Stat. 3769), by striking “1999” and inserting “2003”; and

(2) in subparagraph (C)(i) (110 Stat. 3769), by striking “1999” and inserting “2003”.

(b) **CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.**—Section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768) is amended by adding at the end the following:

“(D) **CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.**—The Secretary may provide credit to or reimburse the non-Federal project sponsor (using funds authorized by subparagraph (C)) for the reasonable costs of any work that has been performed or will be performed in connection with a study or activity meeting the requirements of subparagraph (A) if—

“(i) the Secretary determines that—

“(I) the work performed by the non-Federal project sponsor will substantially expedite completion of a critical restoration project; and

## PUBLIC LAW 106–53—AUG. 17, 1999

113 STAT. 286

“(II) the work is necessary for a critical restoration project; and

“(ii) the credit or reimbursement is granted pursuant to a project-specific agreement that prescribes the terms and conditions of the credit or reimbursement.”. 113 STAT. 287

(c) CALOOSAHATCHEE RIVER BASIN, FLORIDA.—Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended in the first sentence by inserting before the period at the end the following: “if the Secretary determines that the acquisition is compatible with and an integral component of the Everglades and South Florida ecosystem restoration, including potential acquisition of land or interests in land in the Caloosahatchee River basin or other areas”.

(d) IN-KIND WORK.—Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended—

(1) by striking “Regardless” and inserting the following:

“(1) LAND ACQUISITION.—Regardless”; and

(2) by adding at the end the following:

“(2) IN-KIND WORK.—

“(A) IN GENERAL.—During the preconstruction, engineering, and design phase and the construction phase of the Central and Southern Florida Project, the Secretary shall allow credit against the non-Federal share of the cost of activities described in subsection (b) for work performed by non-Federal interests at the request of the Secretary in furtherance of the design of features included in the comprehensive plan under that subsection.

“(B) AUDITS.—In-kind work to be credited under subparagraph (A) shall be subject to audit.”.

\* \* \* \* \*

#### SEC. 210. AQUATIC ECOSYSTEM RESTORATION.

Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(1) in subsection (b)—

(A) by striking “Non-Federal” and inserting the following:

“(1) IN GENERAL.—Non-Federal”; and

(B) by adding at the end the following:

“(2) FORM.—Before October 1, 2003, the Federal share of the cost of a project under this section may be provided in the form of reimbursements of project costs.”; and

(2) in subsection (c)—

(A) by striking “Construction” and inserting the following:

“(1) IN GENERAL.—Construction”; and

(B) by adding at the end the following:

“(2) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest 113 STAT. 288

113 STAT. 288

PUBLIC LAW 106–53—AUG. 17, 1999

may include a nonprofit entity, with the consent of the affected local government.”.

\* \* \* \* \*

113 STAT. 397

Approved August 17, 1999.

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LEGISLATIVE HISTORY—S. 507 (H.R. 1480):

HOUSE REPORTS: Nos. 106–106, Pt. 1 accompanying H.R. 1480 (Comm. on Transportation and Infrastructure) and 106–298 (Comm. of Conference).

SENATE REPORTS: No. 106–34 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Apr. 19, considered and passed Senate.

July 22, considered and passed House, amended, in lieu of H.R. 1480.

Aug. 5, Senate and House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Aug. 17, Presidential statement.



PUBLIC LAW 106–541—DEC. 11, 2000

114 STAT. 2572

Public Law 106–541  
106th Congress

An Act

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Dec. 11, 2000  
[S. 2796]

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Development Act of 2000”.

\* \* \* \* \*

**SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term “Secretary” means the Secretary of the Army.

\* \* \* \* \*

**TITLE VI—COMPREHENSIVE  
EVERGLADES RESTORATION**

**SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.**

(a) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **CENTRAL AND SOUTHERN FLORIDA PROJECT.**—

(A) **IN GENERAL.**—The term “Central and Southern Florida Project” means the project for Central and Southern Florida authorized under the heading “CENTRAL AND SOUTHERN FLORIDA” in section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(B) **INCLUSION.**—The term “Central and Southern Florida Project” includes any modification to the project authorized by this section or any other provision of law.

(2) **GOVERNOR.**—The term “Governor” means the Governor of the State of Florida.

(3) **NATURAL SYSTEM.**—

(A) **IN GENERAL.**—The term “natural system” means all land and water managed by the Federal Government or the State within the South Florida ecosystem.

(B) **INCLUSIONS.**—The term “natural system” includes—

- (i) water conservation areas;
- (ii) sovereign submerged land;
- (iii) Everglades National Park;
- (iv) Biscayne National Park;
- (v) Big Cypress National Preserve;
- (vi) other Federal or State (including a political subdivision of a State) land that is designated and managed for conservation purposes; and
- (vii) any tribal land that is designated and managed for conservation purposes, as approved by the tribe.

Water Resources  
Development Act  
of 2000.  
Inter-  
governmental  
relations.  
33 USC 2201  
note.

114 STAT. 2575  
33 USC 2201  
note.

114 STAT. 2680  
Florida.

114 STAT. 2680

PUBLIC LAW 106-541—DEC. 11, 2000

(4) PLAN.—The term “Plan” means the Comprehensive Everglades Restoration Plan contained in the “Final Integrated Feasibility Report and Programmatic Environmental Impact Statement”, dated April 1, 1999, as modified by this section.

(5) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term “South Florida ecosystem” means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term “South Florida ecosystem” includes—

- (i) the Everglades;
- (ii) the Florida Keys; and
- (iii) the contiguous near-shore coastal water of South Florida.

(6) STATE.—The term “State” means the State of Florida.

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) APPROVAL.—

114 STAT. 2681

(A) IN GENERAL.—Except as modified by this section, the Plan is approved as a framework for modifications and operational changes to the Central and Southern Florida Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, and the improvement of the environment of the South Florida ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(B) INTEGRATION.—In carrying out the Plan, the Secretary shall integrate the activities described in subparagraph (A) with ongoing Federal and State projects and activities in accordance with section 528(c) of the Water Resources Development Act of 1996 (110 Stat. 3769). Unless specifically provided herein, nothing in this section shall be construed to modify any existing cost share or responsibility for projects as listed in subsection (c) or (e) of section 528 of the Water Resources Development Act of 1996 (110 Stat. 3769).

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D), and (E).

(ii) CONSIDERATIONS.—In carrying out activities described in the Plan, the Secretary shall—

(I) take into account the protection of water quality by considering applicable State water quality standards; and

(II) include such features as the Secretary determines are necessary to ensure that all ground water and surface water discharges from any project feature authorized by this subsection will



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114 STAT. 2681

meet all applicable water quality standards and applicable water quality permitting requirements.

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B), the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of \$69,000,000, with an estimated Federal cost of \$34,500,000 and an estimated non-Federal cost of \$34,500,000:

(i) Caloosahatchee River (C-43) Basin ASR, at a total cost of \$6,000,000, with an estimated Federal cost of \$3,000,000 and an estimated non-Federal cost of \$3,000,000.

(ii) Lake Belt In-Ground Reservoir Technology, at a total cost of \$23,000,000, with an estimated Federal cost of \$11,500,000 and an estimated non-Federal cost of \$11,500,000.

(iii) L-31N Seepage Management, at a total cost of \$10,000,000, with an estimated Federal cost of \$5,000,000 and an estimated non-Federal cost of \$5,000,000.

114 STAT. 2682

(iv) Wastewater Reuse Technology, at a total cost of \$30,000,000, with an estimated Federal cost of \$15,000,000 and an estimated non-Federal cost of \$15,000,000.

(C) INITIAL PROJECTS.—The following projects are authorized for implementation, after review and approval by the Secretary, subject to the conditions stated in subparagraph (D), at a total cost of \$1,100,918,000, with an estimated Federal cost of \$550,459,000 and an estimated non-Federal cost of \$550,459,000:

(i) C-44 Basin Storage Reservoir, at a total cost of \$112,562,000, with an estimated Federal cost of \$56,281,000 and an estimated non-Federal cost of \$56,281,000.

(ii) Everglades Agricultural Area Storage Reservoirs—Phase I, at a total cost of \$233,408,000, with an estimated Federal cost of \$116,704,000 and an estimated non-Federal cost of \$116,704,000.

(iii) Site 1 Impoundment, at a total cost of \$38,535,000, with an estimated Federal cost of \$19,267,500 and an estimated non-Federal cost of \$19,267,500.

(iv) Water Conservation Areas 3A/3B Levee Seepage Management, at a total cost of \$100,335,000, with an estimated Federal cost of \$50,167,500 and an estimated non-Federal cost of \$50,167,500.

(v) C-11 Impoundment and Stormwater Treatment Area, at a total cost of \$124,837,000, with an estimated Federal cost of \$62,418,500 and an estimated non-Federal cost of \$62,418,500.

(vi) C-9 Impoundment and Stormwater Treatment Area, at a total cost of \$89,146,000, with an estimated Federal cost of \$44,573,000 and an estimated non-Federal cost of \$44,573,000.

114 STAT. 2682

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(vii) Taylor Creek/Nubbin Slough Storage and Treatment Area, at a total cost of \$104,027,000, with an estimated Federal cost of \$52,013,500 and an estimated non-Federal cost of \$52,013,500.

(viii) Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3, at a total cost of \$26,946,000, with an estimated Federal cost of \$13,473,000 and an estimated non-Federal cost of \$13,473,000.

(ix) North New River Improvements, at a total cost of \$77,087,000, with an estimated Federal cost of \$38,543,500 and an estimated non-Federal cost of \$38,543,500.

(x) C-111 Spreader Canal, at a total cost of \$94,035,000, with an estimated Federal cost of \$47,017,500 and an estimated non-Federal cost of \$47,017,500.

114 STAT. 2683

(xi) Adaptive Assessment and Monitoring Program, at a total cost of \$100,000,000, with an estimated Federal cost of \$50,000,000 and an estimated non-Federal cost of \$50,000,000.

(D) CONDITIONS.—

(i) PROJECT IMPLEMENTATION REPORTS.—Before implementation of a project described in any of clauses (i) through (x) of subparagraph (C), the Secretary shall review and approve for the project a project implementation report prepared in accordance with subsections (f) and (h).

(ii) SUBMISSION OF REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the project implementation report required by subsections (f) and (h) for each project under this paragraph (including all relevant data and information on all costs).

(iii) FUNDING CONTINGENT ON APPROVAL.—No appropriation shall be made to construct any project under this paragraph if the project implementation report for the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(iv) MODIFIED WATER DELIVERY.—No appropriation shall be made to construct the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement Project (including component AA, Additional S-345 Structures; component QQ Phase 1, Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within WCA 3; component QQ Phase 2, WCA 3 Decompartmentalization and Sheetflow Enhancement; and component SS, North New River Improvements) or the Central Lakebelt Storage Project (including components S and EEE, Central Lake Belt Storage Area) until the completion of the project to improve water deliveries to Everglades National Park

PUBLIC LAW 106-541—DEC. 11, 2000

114 STAT. 2683

authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8).

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection. Applicability.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) IN GENERAL.—To expedite implementation of the Plan, the Secretary may implement modifications to the Central and Southern Florida Project that—

(A) are described in the Plan; and

(B) will produce a substantial benefit to the restoration, preservation and protection of the South Florida ecosystem.

(2) PROJECT IMPLEMENTATION REPORTS.—Before implementation of any project feature authorized under this subsection, the Secretary shall review and approve for the project feature a project implementation report prepared in accordance with subsections (f) and (h). 114 STAT. 2684

(3) FUNDING.—

(A) INDIVIDUAL PROJECT FUNDING.—

(i) FEDERAL COST.—The total Federal cost of each project carried out under this subsection shall not exceed \$12,500,000.

(ii) OVERALL COST.—The total cost of each project carried out under this subsection shall not exceed \$25,000,000.

(B) AGGREGATE COST.—The total cost of all projects carried out under this subsection shall not exceed \$206,000,000, with an estimated Federal cost of \$103,000,000 and an estimated non-Federal cost of \$103,000,000.

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) IN GENERAL.—Except for a project authorized by subsection (b) or (c), any project included in the Plan shall require a specific authorization by Congress.

(2) SUBMISSION OF REPORT.—Before seeking congressional authorization for a project under paragraph (1), the Secretary shall submit to Congress—

(A) a description of the project; and

(B) a project implementation report for the project prepared in accordance with subsections (f) and (h).

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of carrying out a project authorized by subsection (b), (c), or (d) shall be 50 percent.

(2) NON-FEDERAL RESPONSIBILITIES.—The non-Federal sponsor with respect to a project described in subsection (b), (c), or (d), shall be—

(A) responsible for all land, easements, rights-of-way, and relocations necessary to implement the Plan; and

(B) afforded credit toward the non-Federal share of the cost of carrying out the project in accordance with paragraph (5)(A).

(3) FEDERAL ASSISTANCE.—

(A) IN GENERAL.—The non-Federal sponsor with respect to a project authorized by subsection (b), (c), or

114 STAT. 2684

PUBLIC LAW 106-541—DEC. 11, 2000

(d) may use Federal funds for the purchase of any land, easement, rights-of-way, or relocation that is necessary to carry out the project if any funds so used are credited toward the Federal share of the cost of the project.

(B) AGRICULTURE FUNDS.—Funds provided to the non-Federal sponsor under the Conservation Restoration and Enhancement Program (CREP) and the Wetlands Reserve Program (WRP) for projects in the Plan shall be credited toward the non-Federal share of the cost of the Plan if the Secretary of Agriculture certifies that the funds provided may be used for that purpose. Funds to be credited do not include funds provided under section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1022).

114 STAT. 2685

(4) OPERATION AND MAINTENANCE.—Notwithstanding section 528(e)(3) of the Water Resources Development Act of 1996 (110 Stat. 3770), the non-Federal sponsor shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities authorized under this section. Furthermore, the Seminole Tribe of Florida shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities for the Big Cypress Seminole Reservation Water Conservation Plan Project.

(5) CREDIT.—

(A) IN GENERAL.—Notwithstanding section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) and regardless of the date of acquisition, the value of lands or interests in lands and incidental costs for land acquired by a non-Federal sponsor in accordance with a project implementation report for any project included in the Plan and authorized by Congress shall be—

(i) included in the total cost of the project; and

(ii) credited toward the non-Federal share of the cost of the project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; or

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

(ii) the design agreement or the project cooperation agreement prescribes the terms and conditions of the credit; and

(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.

(C) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over

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114 STAT. 2685

between authorized projects in accordance with subparagraph (D).

(D) PERIODIC MONITORING.—

(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each 5-year period, beginning with commencement of design of the Plan, the Secretary shall, for each project—

(I) monitor the non-Federal provision of cash, in-kind services, and land; and

(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase.

(E) AUDITS.—Credit for land (including land value and incidental costs) or work provided under this subsection shall be subject to audit by the Secretary.

114 STAT. 2686

(f) EVALUATION OF PROJECTS.—

(1) IN GENERAL.—Before implementation of a project authorized by subsection (c) or (d) or any of clauses (i) through (x) of subsection (b)(2)(C), the Secretary, in cooperation with the non-Federal sponsor, shall complete, after notice and opportunity for public comment and in accordance with subsection (h), a project implementation report for the project.

Reports.

(2) PROJECT JUSTIFICATION.—

(A) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962-2) or any other provision of law, in carrying out any activity authorized under this section or any other provision of law to restore, preserve, or protect the South Florida ecosystem, the Secretary may determine that—

(i) the activity is justified by the environmental benefits derived by the South Florida ecosystem; and

(ii) no further economic justification for the activity is required, if the Secretary determines that the activity is cost-effective.

(B) APPLICABILITY.—Subparagraph (A) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the natural system.

(g) EXCLUSIONS AND LIMITATIONS.—The following Plan components are not approved for implementation:

(1) WATER INCLUDED IN THE PLAN.—

(A) IN GENERAL.—Any project that is designed to implement the capture and use of the approximately 245,000 acre-feet of water described in section 7.7.2 of the Plan shall not be implemented until such time as—

(i) the project-specific feasibility study described in subparagraph (B) on the need for and physical delivery of the approximately 245,000 acre-feet of water, conducted by the Secretary, in cooperation with the non-Federal sponsor, is completed;

(ii) the project is favorably recommended in a final report of the Chief of Engineers; and

114 STAT. 2686

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(iii) the project is authorized by Act of Congress.

(B) PROJECT-SPECIFIC FEASIBILITY STUDY.—The project-specific feasibility study referred to in subparagraph (A) shall include—

(i) a comprehensive analysis of the structural facilities proposed to deliver the approximately 245,000 acre-feet of water to the natural system;

(ii) an assessment of the requirements to divert and treat the water;

(iii) an assessment of delivery alternatives;

(iv) an assessment of the feasibility of delivering the water downstream while maintaining current levels of flood protection to affected property; and

(v) any other assessments that are determined by the Secretary to be necessary to complete the study.

(2) WASTEWATER REUSE.—

114 STAT. 2687  
Reports.

(A) IN GENERAL.—On completion and evaluation of the wastewater reuse pilot project described in subsection (b)(2)(B)(iv), the Secretary, in an appropriately timed 5-year report, shall describe the results of the evaluation of advanced wastewater reuse in meeting, in a cost-effective manner, the requirements of restoration of the natural system.

(B) SUBMISSION.—The Secretary shall submit to Congress the report described in subparagraph (A) before congressional authorization for advanced wastewater reuse is sought.

(3) PROJECTS APPROVED WITH LIMITATIONS.—The following projects in the Plan are approved for implementation with limitations:

(A) LOXAHATCHEE NATIONAL WILDLIFE REFUGE.—The Federal share for land acquisition in the project to enhance existing wetland systems along the Loxahatchee National Wildlife Refuge, including the Stazzulla tract, should be funded through the budget of the Department of the Interior.

(B) SOUTHERN CORKSCREW REGIONAL ECOSYSTEM.—The Southern Corkscrew regional ecosystem watershed addition should be accomplished outside the scope of the Plan.

(h) ASSURANCE OF PROJECT BENEFITS.—

(1) IN GENERAL.—The overarching objective of the Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, the improvement of the environment of the South Florida Ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(2) AGREEMENT.—

(A) IN GENERAL.—In order to ensure that water generated by the Plan will be made available for the restoration of the natural system, no appropriations, except for any pilot project described in subsection (b)(2)(B), shall be made for the construction of a project contained in

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114 STAT. 2687

the Plan until the President and the Governor enter into a binding agreement under which the State shall ensure, by regulation or other appropriate means, that water made available by each project in the Plan shall not be permitted for a consumptive use or otherwise made unavailable by the State until such time as sufficient reservations of water for the restoration of the natural system are made under State law in accordance with the project implementation report for that project and consistent with the Plan.

(B) ENFORCEMENT.—

(i) IN GENERAL.—Any person or entity that is aggrieved by a failure of the United States or any other Federal Government instrumentality or agency, or the Governor or any other officer of a State instrumentality or agency, to comply with any provision of the agreement entered into under subparagraph (A) may bring a civil action in United States district court for an injunction directing the United States or any other Federal Government instrumentality or agency or the Governor or any other officer of a State instrumentality or agency, as the case may be, to comply with the agreement.

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(ii) LIMITATIONS ON COMMENCEMENT OF CIVIL ACTION.—No civil action may be commenced under clause (i)—

(I) before the date that is 60 days after the Secretary and the Governor receive written notice of a failure to comply with the agreement; or

(II) if the United States has commenced and is diligently prosecuting an action in a court of the United States or a State to redress a failure to comply with the agreement.

(C) TRUST RESPONSIBILITIES.—In carrying out his responsibilities under this subsection with respect to the restoration of the South Florida ecosystem, the Secretary of the Interior shall fulfill his obligations to the Indian tribes in South Florida under the Indian trust doctrine as well as other applicable legal obligations.

(3) PROGRAMMATIC REGULATIONS.—

(A) ISSUANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, after notice and opportunity for public comment, with the concurrence of the Governor and the Secretary of the Interior, and in consultation with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and other Federal, State, and local agencies, promulgate programmatic regulations to ensure that the goals and purposes of the Plan are achieved.

Deadline.

(B) CONCURRENCY STATEMENT.—The Secretary of the Interior and the Governor shall, not later than 180 days from the end of the public comment period on proposed programmatic regulations, provide the Secretary with a written statement of concurrence or nonconcurrence. A failure to provide a written statement of concurrence or nonconcurrence within such time frame will be deemed as meeting the concurrency requirements of subparagraph

Deadline.

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(A)(i). A copy of any concurrency or nonconcurrency statements shall be made a part of the administrative record and referenced in the final programmatic regulations. Any nonconcurrency statement shall specifically detail the reason or reasons for the nonconcurrency.

(C) CONTENT OF REGULATIONS.—

(i) IN GENERAL.—Programmatic regulations promulgated under this paragraph shall establish a process—

(I) for the development of project implementation reports, project cooperation agreements, and operating manuals that ensure that the goals and objectives of the Plan are achieved;

(II) to ensure that new information resulting from changed or unforeseen circumstances, new scientific or technical information or information that is developed through the principles of adaptive management contained in the Plan, or future authorized changes to the Plan are integrated into the implementation of the Plan; and

(III) to ensure the protection of the natural system consistent with the goals and purposes of the Plan, including the establishment of interim goals to provide a means by which the restoration success of the Plan may be evaluated throughout the implementation process.

(ii) LIMITATION ON APPLICABILITY OF PROGRAMMATIC REGULATIONS.—Programmatic regulations promulgated under this paragraph shall expressly prohibit the requirement for concurrence by the Secretary of the Interior or the Governor on project implementation reports, project cooperation agreements, operating manuals for individual projects undertaken in the Plan, and any other documents relating to the development, implementation, and management of individual features of the Plan, unless such concurrence is provided for in other Federal or State laws.

(D) SCHEDULE AND TRANSITION RULE.—

(i) IN GENERAL.—All project implementation reports approved before the date of promulgation of the programmatic regulations shall be consistent with the Plan.

(ii) PREAMBLE.—The preamble of the programmatic regulations shall include a statement concerning the consistency with the programmatic regulations of any project implementation reports that were approved before the date of promulgation of the regulations.

(E) REVIEW OF PROGRAMMATIC REGULATIONS.—Whenever necessary to attain Plan goals and purposes, but not less often than every 5 years, the Secretary, in accordance with subparagraph (A), shall review the programmatic regulations promulgated under this paragraph.

(4) PROJECT-SPECIFIC ASSURANCES.—

(A) PROJECT IMPLEMENTATION REPORTS.—

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114 STAT. 2689

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop project implementation reports in accordance with section 10.3.1 of the Plan.

(ii) COORDINATION.—In developing a project implementation report, the Secretary and the non-Federal sponsor shall coordinate with appropriate Federal, State, tribal, and local governments.

(iii) REQUIREMENTS.—A project implementation report shall—

(I) be consistent with the Plan and the programmatic regulations promulgated under paragraph (3);

(II) describe how each of the requirements stated in paragraph (3)(B) is satisfied;

(III) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(IV) identify the appropriate quantity, timing, and distribution of water dedicated and managed for the natural system;

(V) identify the amount of water to be reserved or allocated for the natural system necessary to implement, under State law, subclauses (IV) and (VI);

(VI) comply with applicable water quality standards and applicable water quality permitting requirements under subsection (b)(2)(A)(ii);

(VII) be based on the best available science; and

(VIII) include an analysis concerning the cost-effectiveness and engineering feasibility of the project.

(B) PROJECT COOPERATION AGREEMENTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall execute project cooperation agreements in accordance with section 10 of the Plan.

(ii) CONDITION.—The Secretary shall not execute a project cooperation agreement until any reservation or allocation of water for the natural system identified in the project implementation report is executed under State law.

(C) OPERATING MANUALS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop and issue, for each project or group of projects, an operating manual that is consistent with the water reservation or allocation for the natural system described in the project implementation report and the project cooperation agreement for the project or group of projects.

(ii) MODIFICATIONS.—Any significant modification by the Secretary and the non-Federal sponsor to an operating manual after the operating manual is issued shall only be carried out subject to notice and opportunity for public comment.

(5) SAVINGS CLAUSE.—

(A) NO ELIMINATION OR TRANSFER.—Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is

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available to replace the water to be lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water, including those for—

- (i) an agricultural or urban water supply;
  - (ii) allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e);
  - (iii) the Miccosukee Tribe of Indians of Florida;
  - (iv) water supply for Everglades National Park;
- or
- (v) water supply for fish and wildlife.

(B) MAINTENANCE OF FLOOD PROTECTION.—Implementation of the Plan shall not reduce levels of service for flood protection that are—

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- (i) in existence on the date of enactment of this Act; and
- (ii) in accordance with applicable law.

(C) NO EFFECT ON TRIBAL COMPACT.—Nothing in this section amends, alters, prevents, or otherwise abrogates rights of the Seminole Indian Tribe of Florida under the compact among the Seminole Tribe of Florida, the State, and the South Florida Water Management District, defining the scope and use of water rights of the Seminole Tribe of Florida, as codified by section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e).

(i) DISPUTE RESOLUTION.—

Deadline.  
Contracts.

(1) IN GENERAL.—The Secretary and the Governor shall within 180 days from the date of enactment of this Act develop an agreement for resolving disputes between the Corps of Engineers and the State associated with the implementation of the Plan. Such agreement shall establish a mechanism for the timely and efficient resolution of disputes, including—

(A) a preference for the resolution of disputes between the Jacksonville District of the Corps of Engineers and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of the Corps of Engineers or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

(C) the establishment of appropriate timeframes and intermediate steps for the elevation of disputes to the Governor and the Secretary; and

Deadline.

(D) a mechanism for the final resolution of disputes, within 180 days from the date that the dispute resolution process is initiated under subparagraph (B).

(2) CONDITION FOR REPORT APPROVAL.—The Secretary shall not approve a project implementation report under this section until the agreement established under this subsection has been executed.

(3) NO EFFECT ON LAW.—Nothing in the agreement established under this subsection shall alter or amend any existing Federal or State law, or the responsibility of any party to the agreement to comply with any Federal or State law.

(j) INDEPENDENT SCIENTIFIC REVIEW.—

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(1) IN GENERAL.—The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review the Plan's progress toward achieving the natural system restoration goals of the Plan. Establishment.

(2) REPORT.—The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

(k) OUTREACH AND ASSISTANCE.—

(1) SMALL BUSINESS CONCERNS OWNED AND OPERATED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—In executing the Plan, the Secretary shall ensure that small business concerns owned and controlled by socially and economically disadvantaged individuals are provided opportunities to participate under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

114 STAT. 2692

(2) COMMUNITY OUTREACH AND EDUCATION.—

(A) IN GENERAL.—The Secretary shall ensure that impacts on socially and economically disadvantaged individuals, including individuals with limited English proficiency, and communities are considered during implementation of the Plan, and that such individuals have opportunities to review and comment on its implementation.

(B) PROVISION OF OPPORTUNITIES.—The Secretary shall ensure, to the maximum extent practicable, that public outreach and educational opportunities are provided, during implementation of the Plan, to the individuals of South Florida, including individuals with limited English proficiency, and in particular for socially and economically disadvantaged communities.

(l) REPORT TO CONGRESS.—Beginning on October 1, 2005, and periodically thereafter until October 1, 2036, the Secretary and the Secretary of the Interior, in consultation with the Environmental Protection Agency, the Department of Commerce, and the State of Florida, shall jointly submit to Congress a report on the implementation of the Plan. Such reports shall be completed not less often than every 5 years. Such reports shall include a description of planning, design, and construction work completed, the amount of funds expended during the period covered by the report (including a detailed analysis of the funds expended for adaptive assessment under subsection (b)(2)(C)(xi)), and the work anticipated over the next 5-year period. In addition, each report shall include—

Effective date.  
Termination  
date.

(1) the determination of each Secretary, and the Administrator of the Environmental Protection Agency, concerning the benefits to the natural system and the human environment achieved as of the date of the report and whether the completed projects of the Plan are being operated in a manner that is consistent with the requirements of subsection (h);

(2) progress toward interim goals established in accordance with subsection (h)(3)(B); and

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(3) a review of the activities performed by the Secretary under subsection (k) as they relate to socially and economically disadvantaged individuals and individuals with limited English proficiency.

Deadline.

(m) **REPORT ON AQUIFER STORAGE AND RECOVERY PROJECT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing a determination as to whether the ongoing Biscayne Aquifer Storage and Recovery Program located in Miami-Dade County has a substantial benefit to the restoration, preservation, and protection of the South Florida ecosystem.

President.

(n) **FULL DISCLOSURE OF PROPOSED FUNDING.**—

(1) **FUNDING FROM ALL SOURCES.**—The President, as part of the annual budget of the United States Government, shall display under the heading “Everglades Restoration” all proposed funding for the Plan for all agency programs.

114 STAT. 2693

(2) **FUNDING FROM CORPS OF ENGINEERS CIVIL WORKS PROGRAM.**—The President, as part of the annual budget of the United States Government, shall display under the accounts “Construction, General” and “Operation and Maintenance, General” of the title “Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil”, the total proposed funding level for each account for the Plan and the percentage such level represents of the overall levels in such accounts. The President shall also include an assessment of the impact such funding levels for the Plan would have on the budget year and long-term funding levels for the overall Corps of Engineers civil works program.

(o) **SURPLUS FEDERAL LANDS.**—Section 390(f)(2)(A)(i) of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1023) is amended by inserting after “on or after the date of enactment of this Act” the following: “and before the date of enactment of the Water Resources Development Act of 2000”.

(p) **SEVERABILITY.**—If any provision or remedy provided by this section is found to be unconstitutional or unenforceable by any court of competent jurisdiction, any remaining provisions in this section shall remain valid and enforceable.

**SEC. 602. SENSE OF CONGRESS CONCERNING HOMESTEAD AIR FORCE BASE.**

(a) **FINDINGS.**—Congress finds that—

(1) the Everglades is an American treasure and includes uniquely-important and diverse wildlife resources and recreational opportunities;

(2) the preservation of the pristine and natural character of the South Florida ecosystem is critical to the regional economy;

(3) as this legislation demonstrates, Congress believes it to be a vital national mission to restore and preserve this ecosystem and accordingly is authorizing a significant Federal investment to do so;

(4) Congress seeks to have the remaining property at the former Homestead Air Base conveyed and reused as expeditiously as possible, and several options for base reuse are being considered, including as a commercial airport; and

(5) Congress is aware that the Homestead site is located in a sensitive environmental location, and that Biscayne

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National Park is only approximately 1.5 miles to the east, Everglades National Park approximately 8 miles to the west, and the Florida Keys National Marine Sanctuary approximately 10 miles to the south.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) development at the Homestead site could potentially cause significant air, water, and noise pollution and result in the degradation of adjacent national parks and other protected Federal resources;

(2) in their decisionmaking, the Federal agencies charged with determining the reuse of the remaining property at the Homestead base should carefully consider and weigh all available information concerning potential environmental impacts of various reuse options;

(3) the redevelopment of the former base should be consistent with restoration goals, provide desirable numbers of jobs and economic redevelopment for the community, and be consistent with other applicable laws;

114 STAT. 2694

(4) consistent with applicable laws, the Secretary of the Air Force should proceed as quickly as practicable to issue a final SEIS and Record of Decision so that reuse of the former air base can proceed expeditiously;

(5) following conveyance of the remaining surplus property, the Secretary, as part of his oversight for Everglades restoration, should cooperate with the entities to which the various parcels of surplus property were conveyed so that the planned use of those properties is implemented in such a manner as to remain consistent with the goals of the Everglades restoration plan; and

(6) not later than August 1, 2002, the Secretary should submit a report to the appropriate committees of Congress on actions taken and make any recommendations for consideration by Congress.

Deadline.  
Reports.

\* \* \* \* \*

Approved December 11, 2000.

114 STAT. 2712

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**LEGISLATIVE HISTORY—S. 2796:**

HOUSE REPORTS: No. 106-1020 (Comm. of Conference).

SENATE REPORTS: No. 106-362 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 21, 25 considered and passed Senate.

Oct. 19, considered and passed House, amended.

Oct. 31, Senate agreed to conference report.

Nov. 3, House agreed to conference report.



## 9. Grand Canyon

114 STAT. 61

PUBLIC LAW 106–181—APR. 5, 2000

### Public Law 106–181 106th Congress

#### An Act

Apr. 5, 2000  
[H.R. 1000]

To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

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

Wendell H. Ford  
Aviation  
Investment and  
Reform Act for  
the 21st Century.  
49 USC 40101  
note.

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century”.

\* \* \* \* \*

114 STAT. 64

#### SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

49 USC 106 note.

#### SEC. 3. APPLICABILITY.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply only to fiscal years beginning after September 30, 1999.

49 USC 40102  
note.

#### SEC. 4. DEFINITIONS.

Except as otherwise provided in this Act, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

\* \* \* \* \*

114 STAT. 185  
National Parks  
Air Tour  
Management Act  
of 2000.  
114 STAT. 186  
49 USC 40128  
note.

### TITLE VIII—NATIONAL PARKS AIR TOUR MANAGEMENT

\* \* \* \* \*

#### SEC. 803. AIR TOUR MANAGEMENT PLANS FOR NATIONAL PARKS.

(a) IN GENERAL.—Chapter 401 (as amended by section 706(a) of this Act) is further amended by adding at the end the following:

##### “§ 40128. Overflights of national parks

“(a) IN GENERAL.—

“(1) GENERAL REQUIREMENTS.—A commercial air tour operator may not conduct commercial air tour operations over a national park or tribal lands except—

“(A) in accordance with this section;

“(B) in accordance with conditions and limitations prescribed for that operator by the Administrator; and

“(C) in accordance with any applicable air tour management plan for the park or tribal lands.

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“(2) APPLICATION FOR OPERATING AUTHORITY.—

“(A) APPLICATION REQUIRED.—Before commencing commercial air tour operations over a national park or tribal lands, a commercial air tour operator shall apply to the Administrator for authority to conduct the operations over the park or tribal lands.

“(B) COMPETITIVE BIDDING FOR LIMITED CAPACITY PARKS.—Whenever an air tour management plan limits the number of commercial air tour operations over a national park during a specified time frame, the Administrator, in cooperation with the Director, shall issue operation specifications to commercial air tour operators that conduct such operations. The operation specifications shall include such terms and conditions as the Administrator and the Director find necessary for management of commercial air tour operations over the park. The Administrator, in cooperation with the Director, shall develop an open competitive process for evaluating proposals from persons interested in providing commercial air tour operations over the park. In making a selection from among various proposals submitted, the Administrator, in cooperation with the Director, shall consider relevant factors, including—

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“(i) the safety record of the person submitting the proposal or pilots employed by the person;

“(ii) any quiet aircraft technology proposed to be used by the person submitting the proposal;

“(iii) the experience of the person submitting the proposal with commercial air tour operations over other national parks or scenic areas;

“(iv) the financial capability of the person submitting the proposal;

“(v) any training programs for pilots provided by the person submitting the proposal; and

“(vi) responsiveness of the person submitting the proposal to any relevant criteria developed by the National Park Service for the affected park.

“(C) NUMBER OF OPERATIONS AUTHORIZED.—In determining the number of authorizations to issue to provide commercial air tour operations over a national park, the Administrator, in cooperation with the Director, shall take into consideration the provisions of the air tour management plan, the number of existing commercial air tour operators and current level of service and equipment provided by any such operators, and the financial viability of each commercial air tour operation.

“(D) COOPERATION WITH NPS.—Before granting an application under this paragraph, the Administrator, in cooperation with the Director, shall develop an air tour management plan in accordance with subsection (b) and implement such plan.

“(E) TIME LIMIT ON RESPONSE TO ATMP APPLICATIONS.—The Administrator shall make every effort to act on any application under this paragraph and issue a decision on the application not later than 24 months after it is received or amended.

Deadline.

“(F) PRIORITY.—In acting on applications under this paragraph to provide commercial air tour operations over

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a national park, the Administrator shall give priority to an application under this paragraph in any case in which a new entrant commercial air tour operator is seeking operating authority with respect to that national park.

“(3) EXCEPTION.—Notwithstanding paragraph (1), commercial air tour operators may conduct commercial air tour operations over a national park under part 91 of the title 14, Code of Federal Regulations if—

“(A) such activity is permitted under part 119 of such title;

“(B) the operator secures a letter of agreement from the Administrator and the national park superintendent for that national park describing the conditions under which the operations will be conducted; and

“(C) the total number of operations under this exception is limited to not more than five flights in any 30-day period over a particular park.

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Deadlines.

“(4) SPECIAL RULE FOR SAFETY REQUIREMENTS.—Notwithstanding subsection (c), an existing commercial air tour operator shall apply, not later than 90 days after the date of the enactment of this section, for operating authority under part 119, 121, or 135 of title 14, Code of Federal Regulations. A new entrant commercial air tour operator shall apply for such authority before conducting commercial air tour operations over a national park or tribal lands. The Administrator shall make every effort to act on any such application for a new entrant and issue a decision on the application not later than 24 months after it is received or amended.

“(b) AIR TOUR MANAGEMENT PLANS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, shall establish an air tour management plan for any national park or tribal land for which such a plan is not in effect whenever a person applies for authority to conduct a commercial air tour operation over the park. The air tour management plan shall be developed by means of a public process in accordance with paragraph (4).

“(B) OBJECTIVE.—The objective of any air tour management plan shall be to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands.

“(2) ENVIRONMENTAL DETERMINATION.—In establishing an air tour management plan under this subsection, the Administrator and the Director shall each sign the environmental decision document required by section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) which may include a finding of no significant impact, an environmental assessment, or an environmental impact statement and the record of decision for the air tour management plan.

“(3) CONTENTS.—An air tour management plan for a national park—

“(A) may prohibit commercial air tour operations in whole or in part;



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“(B) may establish conditions for the conduct of commercial air tour operations, including commercial air tour routes, maximum or minimum altitudes, time-of-day restrictions, restrictions for particular events, maximum number of flights per unit of time, intrusions on privacy on tribal lands, and mitigation of noise, visual, or other impacts;

“(C) shall apply to all commercial air tour operations within  $\frac{1}{2}$  mile outside the boundary of a national park;

“(D) shall include incentives (such as preferred commercial air tour routes and altitudes, relief from caps and curfews) for the adoption of quiet aircraft technology by commercial air tour operators conducting commercial air tour operations at the park;

“(E) shall provide for the initial allocation of opportunities to conduct commercial air tour operations if the plan includes a limitation on the number of commercial air tour operations for any time period; and

“(F) shall justify and document the need for measures taken pursuant to subparagraphs (A) through (E) and include such justifications in the record of decision.

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“(4) PROCEDURE.—In establishing an air tour management plan for a national park or tribal lands, the Administrator and the Director shall—

“(A) hold at least one public meeting with interested parties to develop the air tour management plan;

Public information.

“(B) publish the proposed plan in the Federal Register for notice and comment and make copies of the proposed plan available to the public;

Federal Register, publication.

“(C) comply with the regulations set forth in sections 1501.3 and 1501.5 through 1501.8 of title 40, Code of Federal Regulations (for purposes of complying with the regulations, the Federal Aviation Administration shall be the lead agency and the National Park Service is a cooperating agency); and

“(D) solicit the participation of any Indian tribe whose tribal lands are, or may be, overflowed by aircraft involved in a commercial air tour operation over the park or tribal lands to which the plan applies, as a cooperating agency under the regulations referred to in subparagraph (C).

Native Americans.

“(5) JUDICIAL REVIEW.—An air tour management plan developed under this subsection shall be subject to judicial review.

“(6) AMENDMENTS.—The Administrator, in cooperation with the Director, may make amendments to an air tour management plan. Any such amendments shall be published in the Federal Register for notice and comment. A request for amendment of an air tour management plan shall be made in such form and manner as the Administrator may prescribe.

Federal Register, publication.

“(c) INTERIM OPERATING AUTHORITY.—

“(1) IN GENERAL.—Upon application for operating authority, the Administrator shall grant interim operating authority under this subsection to a commercial air tour operator for commercial air tour operations over a national park or tribal lands for which the operator is an existing commercial air tour operator.

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“(2) REQUIREMENTS AND LIMITATIONS.—Interim operating authority granted under this subsection—

“(A) shall provide annual authorization only for the greater of—

“(i) the number of flights used by the operator to provide the commercial air tour operations within the 12-month period prior to the date of the enactment of this section; or

“(ii) the average number of flights per 12-month period used by the operator to provide such operations within the 36-month period prior to such date of enactment, and, for seasonal operations, the number of flights so used during the season or seasons covered by that 12-month period;

“(B) may not provide for an increase in the number of commercial air tour operations conducted during any time period by the commercial air tour operator above the number that the air tour operator was originally granted unless such an increase is agreed to by the Administrator and the Director;

“(C) shall be published in the Federal Register to provide notice and opportunity for comment;

“(D) may be revoked by the Administrator for cause;

“(E) shall terminate 180 days after the date on which an air tour management plan is established for the park or tribal lands;

“(F) shall promote protection of national park resources, visitor experiences, and tribal lands;

“(G) shall promote safe commercial air tour operations;

“(H) shall promote the adoption of quiet technology, as appropriate; and

“(I) shall allow for modifications of the interim operating authority based on experience if the modification improves protection of national park resources and values and of tribal lands.

“(3) NEW ENTRANT AIR TOUR OPERATORS.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, may grant interim operating authority under this paragraph to an air tour operator for a national park or tribal lands for which that operator is a new entrant air tour operator if the Administrator determines the authority is necessary to ensure competition in the provision of commercial air tour operations over the park or tribal lands.

“(B) SAFETY LIMITATION.—The Administrator may not grant interim operating authority under subparagraph (A) if the Administrator determines that it would create a safety problem at the park or on the tribal lands, or the Director determines that it would create a noise problem at the park or on the tribal lands.

“(C) ATMP LIMITATION.—The Administrator may grant interim operating authority under subparagraph (A) of this paragraph only if the air tour management plan for the park or tribal lands to which the application relates has not been developed within 24 months after the date of the enactment of this section.

“(d) EXEMPTIONS.—This section shall not apply to—

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Federal Register,  
publication.Termination  
date.

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“(1) the Grand Canyon National Park; or

“(2) tribal lands within or abutting the Grand Canyon National Park.

“(e) LAKE MEAD.—This section shall not apply to any air tour operator while flying over or near the Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) COMMERCIAL AIR TOUR OPERATOR.—The term ‘commercial air tour operator’ means any person who conducts a commercial air tour operation.

“(2) EXISTING COMMERCIAL AIR TOUR OPERATOR.—The term ‘existing commercial air tour operator’ means a commercial air tour operator that was actively engaged in the business of providing commercial air tour operations over a national park at any time during the 12-month period ending on the date of the enactment of this section.

“(3) NEW ENTRANT COMMERCIAL AIR TOUR OPERATOR.—The term ‘new entrant commercial air tour operator’ means a commercial air tour operator that—

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“(A) applies for operating authority as a commercial air tour operator for a national park or tribal lands; and

“(B) has not engaged in the business of providing commercial air tour operations over the national park or tribal lands in the 12-month period preceding the application.

“(4) COMMERCIAL AIR TOUR OPERATION.—

“(A) IN GENERAL.—The term ‘commercial air tour operation’ means any flight, conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over a national park, within ½ mile outside the boundary of any national park, or over tribal lands, during which the aircraft flies—

“(i) below a minimum altitude, determined by the Administrator in cooperation with the Director, above ground level (except solely for purposes of takeoff or landing, or necessary for safe operation of an aircraft as determined under the rules and regulations of the Federal Aviation Administration requiring the pilot-in-command to take action to ensure the safe operation of the aircraft); or

“(ii) less than 1 mile laterally from any geographic feature within the park (unless more than ½ mile outside the boundary).

“(B) FACTORS TO CONSIDER.—In making a determination of whether a flight is a commercial air tour operation for purposes of this section, the Administrator may consider—

“(i) whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

“(ii) whether a narrative that referred to areas or points of interest on the surface below the route of the flight was provided by the person offering the flight;

“(iii) the area of operation;

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“(iv) the frequency of flights conducted by the person offering the flight;

“(v) the route of flight;

“(vi) the inclusion of sightseeing flights as part of any travel arrangement package offered by the person offering the flight;

“(vii) whether the flight would have been canceled based on poor visibility of the surface below the route of the flight; and

“(viii) any other factors that the Administrator and the Director consider appropriate.

“(5) NATIONAL PARK.—The term ‘national park’ means any unit of the National Park System.

“(6) TRIBAL LANDS.—The term ‘tribal lands’ means Indian country (as that term is defined in section 1151 of title 18) that is within or abutting a national park.

“(7) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Aviation Administration.

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“(8) DIRECTOR.—The term ‘Director’ means the Director of the National Park Service.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 401 (as amended by section 706(b) of this Act) is further amended by adding at the end the following:

“40128. Overflights of national parks.”.

(c) COMPLIANCE WITH OTHER REGULATIONS.—For purposes of section 40126 of title 49, United States Code—

(1) regulations issued by the Secretary of Transportation and the Administrator under section 3 of Public Law 100-91 (16 U.S.C. 1a-1 note); and

(2) commercial air tour operations carried out in compliance with the requirements of those regulations, shall be deemed to meet the requirements of such section 40126.

Arizona.  
Nevada.  
Deadline.

#### SEC. 804. QUIET AIRCRAFT TECHNOLOGY FOR GRAND CANYON.

Reports.

(a) QUIET TECHNOLOGY REQUIREMENTS.—Within 12 months after the date of the enactment of this Act, the Administrator shall designate reasonably achievable requirements for fixed-wing and helicopter aircraft necessary for such aircraft to be considered as employing quiet aircraft technology for purposes of this section. If the Administrator determines that the Administrator will not be able to make such designation before the last day of such 12-month period, the Administrator shall transmit to Congress a report on the reasons for not meeting such time period and the expected date of such designation.

Regulations.

(b) ROUTES OR CORRIDORS.—In consultation with the Director and the advisory group established under section 805, the Administrator shall establish, by rule, routes or corridors for commercial air tour operations (as defined in section 40126(e)(4) of title 49, United States Code) by fixed-wing and helicopter aircraft that employ quiet aircraft technology for—

(1) tours of the Grand Canyon originating in Clark County, Nevada; and

(2) “local loop” tours originating at the Grand Canyon National Park Airport, in Tusayan, Arizona,

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provided that such routes or corridors can be located in areas that will not negatively impact the substantial restoration of natural quiet, tribal lands, or safety.

(c) **OPERATIONAL CAPS.**—Commercial air tour operations by any fixed-wing or helicopter aircraft that employs quiet aircraft technology and that replaces an existing aircraft shall not be subject to the operational flight allocations that apply to other commercial air tour operations of the Grand Canyon, provided that the cumulative impact of such operations does not increase noise at the Grand Canyon.

(d) **MODIFICATION OF EXISTING AIRCRAFT TO MEET STANDARDS.**—A commercial air tour operation by a fixed-wing or helicopter aircraft in a commercial air tour operator's fleet on the date of the enactment of this Act that meets the requirements designated under subsection (a), or is subsequently modified to meet the requirements designated under subsection (a), may be used for commercial air tour operations under the same terms and conditions as a replacement aircraft under subsection (c) without regard to whether it replaces an existing aircraft.

(e) **MANDATE TO RESTORE NATURAL QUIET.**—Nothing in this Act shall be construed to relieve or diminish—

(1) the statutory mandate imposed upon the Secretary of the Interior and the Administrator of the Federal Aviation Administration under Public Law 100–91 (16 U.S.C. 1a–1 note) to achieve the substantial restoration of the natural quiet and experience at the Grand Canyon National Park; and

(2) the obligations of the Secretary and the Administrator to promulgate forthwith regulations to achieve the substantial restoration of the natural quiet and experience at the Grand Canyon National Park.

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**SEC. 805. ADVISORY GROUP.**

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly establish an advisory group to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks.

49 USC 40128  
note.  
Deadline.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The advisory group shall be composed of—

(A) a balanced group of—

(i) representatives of general aviation;

(ii) representatives of commercial air tour operators;

(iii) representatives of environmental concerns; and

(iv) representatives of Indian tribes;

(B) a representative of the Federal Aviation Administration; and

(C) a representative of the National Park Service.

(2) **EX OFFICIO MEMBERS.**—The Administrator (or the designee of the Administrator) and the Director (or the designee of the Director) shall serve as ex officio members.

(3) **CHAIRPERSON.**—The representative of the Federal Aviation Administration and the representative of the National Park Service shall serve alternating 1-year terms as chairman of the advisory group, with the representative of the Federal

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Aviation Administration serving initially until the end of the calendar year following the year in which the advisory group is first appointed.

(c) DUTIES.—The advisory group shall provide advice, information, and recommendations to the Administrator and the Director—

(1) on the implementation of this title and the amendments made by this title;

(2) on commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) on other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) at the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands.

(d) COMPENSATION; SUPPORT; FACA.—

(1) COMPENSATION AND TRAVEL.—Members of the advisory group who are not officers or employees of the United States, while attending conferences or meetings of the group or otherwise engaged in its business, or while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(2) ADMINISTRATIVE SUPPORT.—The Federal Aviation Administration and the National Park Service shall jointly furnish to the advisory group clerical and other assistance.

(3) NONAPPLICATION OF FACA.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the advisory group.

\* \* \* \* \*

Deadlines.  
49 USC 40128  
note.

#### SEC. 807. REPORTS.

(a) OVERFLIGHT FEE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall transmit to Congress a report on the effects overflight fees are likely to have on the commercial air tour operation industry. The report shall include, but shall not be limited to—

(1) the viability of a tax credit for the commercial air tour operators equal to the amount of any overflight fees charged by the National Park Service; and

(2) the financial effects proposed offsets are likely to have on Federal Aviation Administration budgets and appropriations.

(b) QUIET AIRCRAFT TECHNOLOGY REPORT.—Not later than 2 years after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly transmit a report to Congress on the effectiveness of this title in providing incentives for the development and use of quiet aircraft technology.

49 USC 40128  
note.

#### SEC. 808. METHODOLOGIES USED TO ASSESS AIR TOUR NOISE.

Any methodology adopted by a Federal agency to assess air tour noise in any unit of the national park system (including the

## PUBLIC LAW 106–181—APR. 5, 2000

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Grand Canyon and Alaska) shall be based on reasonable scientific methods.

\* \* \* \* \*

Approved April 5, 2000.

114 STAT. 197

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LEGISLATIVE HISTORY—H.R. 1000 (S. 82) (S. 1467):

HOUSE REPORTS: Nos. 106–167 and Pt. 2 (Comm. on Transportation and Infrastructure) and 106–513 (Comm. of Conference).

SENATE REPORTS: No. 106–9 accompanying S. 82 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD:

Vol. 145 (1999): June 15, considered and passed House.  
Oct. 5, considered and passed Senate, amended, in lieu of S. 82.

Vol. 146 (2000): Mar. 8, Senate agreed to conference report.  
Mar. 15, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):  
Apr. 5, Presidential statement.



114 STAT. 1441

PUBLIC LAW 106–377—OCT. 27, 2000

\* Public Law 106–377  
106th Congress

An Act

Oct. 27, 2000  
[H.R. 4635]

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

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

Incorporation by  
reference.

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

Approved October 27, 2000.

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LEGISLATIVE HISTORY—H.R. 4635:

HOUSE REPORTS: Nos. 106–674 (Comm. on Appropriations) and 106–988 (Comm. of Conference).

SENATE REPORTS: No. 106–410 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 19–21, considered and passed House.

Oct. 12, considered and passed Senate, amended.

Oct. 19, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 27, Presidential statement.

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\*ENDNOTE: The following appendixes were added pursuant to the provisions of section 1 of this Act.





## TABLE OF CONTENTS

*The table of contents is as follows:*

APPENDIX A—H.R. 5482

APPENDIX B—H.R. 5483

\* \* \* \* \*

114 STAT. 1441A-59 PUBLIC LAW 106-377—APPENDIX B

**APPENDIX B—H.R. 5483**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
1441A-66**TITLE II**

\* \* \* \* \*

114 STAT.  
1441A-68**GENERAL PROVISIONS****DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT.  
1441A-69

SEC. 204. (a) **IN GENERAL.**—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than \$7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(b) **VOLUNTARY CONTRIBUTIONS.**—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) **ACTIVITIES TO BE FUNDED.**—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) **ADDITIONAL FUNDING.**—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

\* \* \* \* \*

**10. Great Smoky Mountains**

PUBLIC LAW 107–223—AUG. 21, 2002

116 STAT. 1338

Public Law 107–223  
107th Congress

**An Act**

To authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of Great Smoky Mountains National Park.

Aug. 21, 2002  
[H.R. 3380]

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

**SECTION 1. PERMITS FOR EXISTING NATURAL GAS PIPELINES.**

16 USC 403 note.

(a) IN GENERAL.—The Secretary of the Interior may issue right-of-way permits for natural gas pipelines that exist as of September 1, 2001, within the boundary of Great Smoky Mountains National Park.

(b) TERMS AND CONDITIONS.—A permit issued under subsection (a) shall be—

(1) issued consistent with laws and regulations generally applicable to utility rights-of-way within units of the National Park System; and

(2) subject to any terms and conditions that the Secretary deems necessary.

**SEC. 2. PERMITS FOR PROPOSED NATURAL GAS PIPELINES.**

16 USC 403 note.

(a) IN GENERAL.—The Secretary of the Interior may issue right-of-way permits for natural gas pipelines within the boundary of Great Smoky Mountains National Park that are proposed to be constructed across the following:

(1) The Foothills Parkway.

(2) The Foothills Parkway Spur between Pigeon Forge and Gatlinburg.

(3) The Gatlinburg Bypass.

(b) TERMS AND CONDITIONS.—A permit issued under subsection (a) shall be—

(1) issued consistent with laws and regulations generally applicable to utility rights-of-way within units of the National Park System; and

(2) subject to any terms and conditions that the Secretary deems necessary, including—

(A) provisions for the protection and restoration of park resources that are disturbed by pipeline construction; and

116 STAT. 1339

PUBLIC LAW 107-223—AUG. 21, 2002

(B) assurances that construction and operation of the pipeline will not adversely affect Great Smoky Mountains National Park.

Approved August 21, 2002.

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LEGISLATIVE HISTORY—H.R. 3380 (S. 1097):

HOUSE REPORTS: No. 107-491 (Comm. on Resources).

SENATE REPORTS: No. 107-72 accompanying S. 1097 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

July 8, considered and passed House.

Aug. 1, considered and passed Senate.



**11. Hawaii Volcanoes**

PUBLIC LAW 106–510—NOV. 13, 2000

114 STAT. 2363

Public Law 106–510  
106th Congress**An Act**To eliminate restrictions on the acquisition of certain land contiguous to Hawaii  
Volcanoes National Park, and for other purposes.

Nov. 13, 2000

[S. 938]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*Hawaii Volcanoes  
National Park  
Adjustment Act  
of 2000.  
16 USC 1 note.**SECTION 1. SHORT TITLE.**This Act may be cited as the “Hawaii Volcanoes National Park  
Adjustment Act of 2000”.**SEC. 2. ELIMINATION OF RESTRICTIONS ON LAND ACQUISITION.**

The first section of the Act entitled “An Act to add certain lands on the island of Hawaii to the Hawaii National Park, and for other purposes”, approved June 20, 1938 (16 U.S.C. 391b), is amended by striking “park: *Provided,*” and all that follows and inserting “park. Land (including the land depicted on the map entitled ‘NPS–PAC 1997HW’) may be acquired by the Secretary through donation, exchange, or purchase with donated or appropriated funds.”.

**SEC. 3. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL PARKS.****(a) HAWAI’I VOLCANOES NATIONAL PARK.—**

(1) IN GENERAL.—Public Law 87–278 (75 Stat. 577) is amended by striking “Hawaii Volcanoes National Park” each place it appears and inserting “Hawai’i Volcanoes National Park”.

16 USC 391d.

(2) REFERENCES.—Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to “Hawaii Volcanoes National Park” shall be considered a reference to “Hawai’i Volcanoes National Park”.

16 USC 391d  
note.

\* \* \* \* \*

**SEC. 4. CONFORMING AMENDMENTS.**

114 STAT. 2364

(a) Section 401(8) of the National Parks and Recreation Act of 1978 (Public Law 95–625; 92 Stat. 3489) is amended by striking “Hawaii Volcanoes” each place it appears and inserting “Hawai’i Volcanoes”.

16 USC 1132  
note.

\* \* \* \* \*

Approved November 13, 2000.

**LEGISLATIVE HISTORY—S. 938:**

SENATE REPORTS: No. 106–92 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Oct. 14, considered and passed Senate.

Vol. 146 (2000): Oct. 24, considered and passed House.



**12. Haleakala**

114 STAT. 2363

PUBLIC LAW 106–510—NOV. 13, 2000

**Public Law 106–510  
106th Congress****An Act**Nov. 13, 2000  
[S. 938]To eliminate restrictions on the acquisition of certain land contiguous to Hawaii  
Volcanoes National Park, and for other purposes.Hawaii Volcanoes  
National Park  
Adjustment Act  
of 2000.  
16 USC 1 note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

\* \* \* \* \*

**SECTION 1. SHORT TITLE.**This Act may be cited as the “Hawaii Volcanoes National Park  
Adjustment Act of 2000”.

\* \* \* \* \*

**SEC. 3. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL  
PARKS.**

\* \* \* \* \*

**(b) HALEAKALĀ NATIONAL PARK.—**16 USC 396b,  
396c.(1) IN GENERAL.—Public Law 86–744 (74 Stat. 881) is  
amended by striking “Haleakala National Park” and inserting  
“Haleakalā National Park”.16 USC 396b  
note.(2) REFERENCES.—Any reference in any law (other than  
this Act), regulation, document, record, map, or other paper  
of the United States to “Haleakala National Park” shall be  
considered a reference to “Haleakalā National Park”.

\* \* \* \* \*

114 STAT. 2364

**SEC. 4. CONFORMING AMENDMENTS.**

\* \* \* \* \*

16 USC 1132  
note.(b) The first section of Public Law 94–567 (90 Stat. 2692)  
is amended in subsection (e) by striking “Haleakala” each place  
it appears and inserting “Haleakalā”.

Approved November 13, 2000.

**LEGISLATIVE HISTORY—S. 938:****SENATE REPORTS:** No. 106–92 (Comm. on Energy and Natural Resources).  
**CONGRESSIONAL RECORD:**Vol. 145 (1999): Oct. 14, considered and passed Senate.  
Vol. 146 (2000): Oct. 24, considered and passed House.

**13. Kenai Fjords**

PUBLIC LAW 106–246—JULY 13, 2000

114 STAT. 511

Public Law 106–246  
106th Congress**An Act**

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

July 13, 2000  
[H.R. 4425]

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

\* \* \* \* \*

**DIVISION B—FISCAL YEAR 2000 SUPPLEMENTAL  
APPROPRIATIONS**

114 STAT. 525  
Emergency  
Supplemental  
Act, 2000.

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE II**

114 STAT. 540

**NATURAL DISASTER ASSISTANCE AND OTHER  
SUPPLEMENTAL APPROPRIATIONS**

\* \* \* \* \*

**CHAPTER 2**

114 STAT. 542

\* \* \* \* \*

**GENERAL PROVISIONS—THIS CHAPTER**

114 STAT. 545

\* \* \* \* \*

SEC. 2204. NORTH PACIFIC MARINE RESEARCH INSTITUTE.— Public Law 101–380, as amended, is further amended by—

(1) inserting after section 5007 the following new section:

**“SEC. 5008. NORTH PACIFIC MARINE RESEARCH INSTITUTE.**

Alaska.  
33 USC 2738.

“(a) INSTITUTE ESTABLISHED.—The Secretary of Commerce shall establish a North Pacific Marine Research Institute (hereafter in this section referred to as the ‘Institute’) to be administered at the Alaska SeaLife Center by the North Pacific Research Board.

“(b) FUNCTIONS.—The Institute shall—

“(1) conduct research and carry out education and demonstration projects on or relating to the North Pacific marine ecosystem with particular emphasis on marine mammal, sea bird, fish, and shellfish populations in the Bering Sea and Gulf of Alaska including populations located in or near Kenai Fjords National Park and the Alaska Maritime National Wildlife Refuge; and

“(2) lease, maintain, operate, and upgrade the necessary research equipment and related facilities necessary to conduct such research at the Alaska SeaLife Center.

114 STAT. 546

PUBLIC LAW 106-246—JULY 13, 2000

“(c) EVALUATION AND AUDIT.—The Secretary of Commerce may periodically evaluate the activities of the Institute to ensure that funds received by the Institute are used in a manner consistent with this section. The Comptroller General of the United States, and any of his or her duly authorized representatives, shall have access, for purposes of audit and examination, to any books, documents, papers, and records of the Institute that are pertinent to the funds received and expended by the Institute.

“(d) STATUS OF EMPLOYEES.—Employees of the Institute shall not, by reason of such employment, be considered to be employees of the Federal Government for any purpose.

“(e) USE OF FUNDS.—No funds made available to carry out this section may be used to initiate litigation, or for the acquisition of real property (other than facilities leased at the Alaska SeaLife Center). No more than 10 percent of the funds made available to carry out subsection (b)(1) may be used to administer the Institute.

Publication.

114 STAT. 547

“(f) AVAILABILITY OF RESEARCH.—The Institute shall publish and make available to any person on request the results of all research, educational, and demonstration projects conducted by the Institute. The Institute shall provide a copy of all research, educational, and demonstration projects conducted by the Institute to the National Park Service, the United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration.”; and

33 USC 2736.

(2) in section 5006 by inserting at the end the following new subsection:

“(c) SECTION 5008.—Amounts in the Fund shall be available, without further appropriation and without fiscal year limitation, to carry out section 5008(b), in an amount not to exceed \$5,000,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.”.

\* \* \* \* \*

114 STAT. 592

Approved July 13, 2000.

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LEGISLATIVE HISTORY—H.R. 4425 (S. 2521):

HOUSE REPORTS: Nos. 106-614 (Comm. on Appropriations) and 106-710 (Comm. of Conference).

SENATE REPORTS: No. 106-290 accompanying S. 2521 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 16, considered and passed House.

May 18, considered and passed Senate, amended, in lieu of S. 2521.

June 29, House agreed to conference report.

June 30, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 13, Presidential statement.





**14. Kobuk Valley**

PUBLIC LAW 106–488—NOV. 9, 2000

114 STAT. 2205

Public Law 106–488  
106th Congress

**An Act**

To improve Native hiring and contracting by the Federal Government within the  
State of Alaska, and for other purposes.

Nov. 9, 2000

[S. 748]

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

**SECTION 1. REPORT.**

(a) Within six months after the enactment of this Act the Secretary of the Interior (hereinafter referred to as the “Secretary” shall submit a report detailing the progress the Department has made in the implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall include a detailed action plan on the future implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall describe, in detail, the measures and actions that will be taken, along with a description of the anticipated results to be achieved during the next three fiscal years. The report shall focus on lands under the jurisdiction of the Department of the Interior in Alaska and shall also address any laws, rules, regulations and policies which act as a deterrent to hiring Native Alaskans or contracting with Native Alaskans to perform and conduct activities and programs of those agencies and bureaus under the jurisdiction of the Department of the Interior.

Deadline.

(b) The report shall be completed within existing appropriations and shall be transmitted to the Committee on Resources of the United States Senate, and the Committee on Resources of the United States House of Representatives.

**SEC. 2. PILOT PROGRAM.**16 USC 3198  
note.

(a) In furtherance of the goals of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall—

(1) implement pilot programs to employ residents of local communities at the following units of the National Park System located in northwest Alaska—

- (A) Bering Land Bridge National Preserve,
- (B) Cape Krusenstern National Monument,
- (C) Kobuk Valley National Park, and
- (D) Noatak National Preserve; and

114 STAT. 2206

PUBLIC LAW 106–488—NOV. 9, 2000

(2) report on the results of the programs within one year to the Committee on Energy and Natural Resources of the United States and the Committee on Resources of the House of Representatives.

(b) In implementing the programs, the Secretary shall consult with the Native Corporations, nonprofit organizations, and Tribal entities in the immediate vicinity of such units and shall also, to the extent practicable, involve such groups in the development of interpretive materials and the pilot programs relating to such units.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 748:

SENATE REPORTS: No. 106–72 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



**15. National Park of American Samoa**

PUBLIC LAW 107–336—DEC. 16, 2002

116 STAT. 2882

Public Law 107–336  
107th Congress

**An Act**

To authorize the Secretary of the Interior to make adjustments to the boundary of the National Park of American Samoa to include certain portions of the islands of Ofu and Olosega within the park, and for other purposes.

Dec. 16, 2002  
[H.R. 1712]

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

**SECTION 1. BOUNDARY ADJUSTMENT OF THE NATIONAL PARK OF AMERICAN SAMOA.**

Section 2(b) of the Act entitled “An Act to establish the National Park of American Samoa” (16 U.S.C. 410qq–1(b)), approved October 31, 1988, is amended—

(1) by striking “(1)”, “(2)”, and “(3)” and inserting “(A)”, “(B)”, and “(C)”, respectively;

(2) by inserting “(1)” after “INCLUDED.—”; and

(3) by adding at the end the following new paragraph:

“(2) The Secretary may make adjustments to the boundary of the park to include within the park certain portions of the islands of Ofu and Olosega, as depicted on the map entitled ‘National Park of American Samoa, Proposed Boundary Adjustment’, numbered 82,035 and dated February 2002, pursuant to an agreement with the Governor of American Samoa and contingent upon the lease to the Secretary of the newly added lands. As soon as practicable after a boundary adjustment under this paragraph, the Secretary shall modify the maps referred to in paragraph (1) accordingly.”.

Approved December 16, 2002.

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**LEGISLATIVE HISTORY—H.R. 1712:**

HOUSE REPORTS: No. 107–372 (Comm. on Resources).

SENATE REPORTS: No. 107–270 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Mar. 19, considered and passed House.

Nov. 19, considered and passed Senate.



**16. Rocky Mountain**

114 STAT. 61

PUBLIC LAW 106–181—APR. 5, 2000

**Public Law 106–181  
106th Congress****An Act**Apr. 5, 2000  
[H.R. 1000]

To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*Wendell H. Ford  
Aviation  
Investment and  
Reform Act for  
the 21st Century.  
49 USC 40101  
note.**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**(a) **SHORT TITLE.**—This Act may be cited as the “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century”.

\* \* \* \* \*

114 STAT. 64

**SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

49 USC 106 note.

**SEC. 3. APPLICABILITY.**

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply only to fiscal years beginning after September 30, 1999.

49 USC 40102  
note.**SEC. 4. DEFINITIONS.**

Except as otherwise provided in this Act, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Aviation Administration.(2) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

\* \* \* \* \*

114 STAT. 185  
National Parks  
Air Tour  
Management Act  
of 2000.**TITLE VIII—NATIONAL PARKS AIR  
TOUR MANAGEMENT**

\* \* \* \* \*

114 STAT. 194  
49 USC 40128  
note.**SEC. 806. PROHIBITION OF COMMERCIAL AIR TOUR OPERATIONS OVER  
THE ROCKY MOUNTAIN NATIONAL PARK.**

Effective date.

Effective beginning on the date of the enactment of this Act, no commercial air tour operation may be conducted in the airspace over the Rocky Mountain National Park notwithstanding any other

## PUBLIC LAW 106–181—APR. 5, 2000

114 STAT. 194

provision of this Act or section 40126 of title 49, United States Code.

\* \* \* \* \*

Approved April 5, 2000.

114 STAT. 197

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**LEGISLATIVE HISTORY—H.R. 1000 (S. 82) (S. 1467):**

**HOUSE REPORTS:** Nos. 106–167 and Pt. 2 (Comm. on Transportation and Infrastructure) and 106–513 (Comm. of Conference).

**SENATE REPORTS:** No. 106–9 accompanying S. 82 (Comm. on Commerce, Science, and Transportation).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): June 15, considered and passed House.  
Oct. 5, considered and passed Senate, amended, in lieu of S. 82.

Vol. 146 (2000): Mar. 8, Senate agreed to conference report.  
Mar. 15, House agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 36 (2000):  
Apr. 5, Presidential statement.



**17. Sequoia**

114 STAT. 3062

PUBLIC LAW 106–574—DEC. 28, 2000

**Public Law 106–574  
106th Congress****An Act**Dec. 28, 2000  
[H.R. 4020]

To authorize the addition of land to Sequoia National Park, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*California.  
16 USC 45g.**SECTION 1. ADDITION TO SEQUOIA NATIONAL PARK.**

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall acquire by donation, purchase with donated or appropriated funds, or exchange, all interest in and to the land described in subsection (b) for addition to Sequoia National Park, California.

(b) LAND ACQUIRED.—The land referred to in subsection (a) is the land depicted on the map entitled “Dillonwood”, numbered 102/80,044, and dated September 1999.

(c) ADDITION TO PARK.—Upon acquisition of the land under subsection (a)—

(1) the Secretary of the Interior shall—

(A) modify the boundaries of Sequoia National Park to include the land within the park; and

(B) administer the land as part of Sequoia National Park in accordance with all applicable laws; and

(2) the Secretary of Agriculture shall modify the boundaries of the Sequoia National Forest to exclude the land from the forest boundaries.

Approved December 28, 2000.

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**LEGISLATIVE HISTORY—H.R. 4020 (S. 2279):****SENATE REPORTS:** No. 106–377 accompanying S. 2279 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD**, Vol. 146 (2000):

Oct. 30, 31, considered and passed House.

Dec. 15, considered and passed Senate, amended. House agreed to Senate amendment.



**18. Zion**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–154**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–171

SEC. 143. USE OF NATIONAL PARK SERVICE TRANSPORTATION SERVICE CONTRACT FEES. Section 412 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5961) is amended—

(1) by inserting “(a) IN GENERAL.—” before “Notwithstanding”; and

(2) by adding at the end the following:

“(b) OBLIGATION OF FUNDS.—Notwithstanding any other provision of law, with respect to a service contract for the provision solely of transportation services at Zion National Park, the Secretary may obligate the expenditure of fees received in fiscal year 2000 under section 501 before the fees are received.”.

\* \* \* \* \*



PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

## An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000

[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

## TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

\* \* \* \* \*

SEC. 139. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking “2000” and inserting “2001”.

114 STAT. 949

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



115 STAT. 414

PUBLIC LAW 107–63—NOV. 5, 2001

Public Law 107–63  
107th Congress

An Act

Nov. 5, 2001  
[H.R. 2217]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2002,  
and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

115 STAT. 436

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

115 STAT. 440

SEC. 122. Section 412(b) of the National Parks Omnibus  
Management Act of 1998, as amended (16 U.S.C. 5961) is amended  
by striking “2001” and inserting “2002”.

\* \* \* \* \*

115 STAT. 473

This Act may be cited as the “Department of the Interior  
and Related Agencies Appropriations Act, 2002”.

Approved November 5, 2001.

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LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107–103 (Comm. on Appropriations) and 107–234  
(Comm. of Conference).

SENATE REPORTS: No. 107–36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



## IV. NATIONAL PARKS AND PRESERVES

### 1. Glacier Bay

PUBLIC LAW 108–293—AUG. 9, 2004

118 STAT. 1028

Public Law 108–293  
108th Congress

#### An Act

An Act to authorize appropriations for the Coast Guard for fiscal year 2005, to amend various laws administered by the Coast Guard, and for other purposes.

Aug. 9, 2004

[H.R. 2443]

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

#### SECTION 1. SHORT TITLE.

This Act may be referred to as the “Coast Guard and Maritime Transportation Act of 2004”.

Coast Guard and  
Maritime  
Transportation  
Act of 2004.  
14 USC 1 note.

\* \* \* \* \*

#### TITLE VI—MISCELLANEOUS

118 STAT. 1050

\* \* \* \* \*

#### SEC. 616. CERTAIN VESSELS TO BE TOUR VESSELS.

118 STAT. 1061

(a) VESSELS DEEMED TOUR VESSELS.—Notwithstanding any other law, a passenger vessel that is not less than 100 gross tons and not greater than 300 gross tons is deemed to be a tour vessel for the purpose of permit allocation regulations under section 3(h) of Public Law 91–383 (16 U.S.C. 1a–2(h)) and section 3 of the Act of August 25, 1916 (16 U.S.C. 3), with respect to vessel operations in Glacier Bay National Park and Preserve, Alaska (in this section referred to as “Glacier Bay”), if the Secretary of the department in which the Coast Guard is operating determines that the vessel—

Alaska.

- (1) has equipment installed that permits all graywater and blackwater to be stored on board for at least 24 hours;
- (2) has a draft of not greater than 15 feet;
- (3) has propulsion equipment of not greater than 5,000 horsepower; and
- (4) is documented under the laws of the United States.

#### (b) REALLOCATION OF PERMITS.—

(1) REALLOCATION REQUIRED.—Subject to paragraph (2), the Secretary of the Interior, upon application by the operator of a passenger vessel deemed to be a tour vessel under subsection (a), shall reallocate to that vessel any available tour vessel concession permit not used by another vessel, if at the time of application that permit is not sought by a tour vessel of less than 100 gross tons.

(2) LIMITATIONS.—No more than three passenger vessels that are deemed to be a tour vessel under subsection (a) may hold a tour vessel concession permit at any given time, and no more than one such vessel may enter Glacier Bay on any particular date.

#### (c) COMPLIANCE WITH VESSEL REQUIREMENTS.—

(1) REQUIREMENT TO COMPLY.—Except as otherwise provided in this section, a vessel reallocated a tour vessel concession permit under this section shall comply with all regulations

118 STAT. 1061

## PUBLIC LAW 108–293—AUG. 9, 2004

and requirements for Glacier Bay applicable to vessels of at least 100 gross tons.

(2) REVOCATION OF PERMIT.—The Secretary of the Interior may revoke a tour vessel concession permit reallocated to a vessel under this section if that vessel—

(A) discharges graywater or blackwater in Glacier Bay;

or

118 STAT. 1062

(B) violates a vessel operating requirement for Glacier Bay that applies to vessels that are at least 100 gross tons, including restrictions pertaining to speed, route, and closed waters.

(d) TREATMENT OF ENTRIES INTO GLACIER BAY.—An entry into Glacier Bay by a vessel reallocated a tour vessel concession permit under this section shall count against the daily vessel quota and seasonal-use days applicable to entries by tour vessels and shall not count against the daily vessel quota or seasonal-use days of any other class of vessel.

\* \* \* \* \*

118 STAT. 1088

Approved August 9, 2004.

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LEGISLATIVE HISTORY—H.R. 2443 (S. 733):

HOUSE REPORTS: Nos. 108–233 (Comm. on Transportation and Infrastructure) and 108–617 (Comm. of Conference).

SENATE REPORTS: No. 108–202 accompanying S. 733 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD:

Vol. 149 (2003): Nov. 5, considered and passed House.

Vol. 150 (2004): Mar. 30, considered and passed Senate, amended.

July 21, House agreed to conference report.

July 22, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 40 (2004):

Aug. 9, Presidential statement.

## V. NATIONAL PRESERVES

### 1. Bering Land Bridge

PUBLIC LAW 106–488—NOV. 9, 2000

114 STAT. 2205

Public Law 106–488  
106th Congress

#### An Act

To improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes.

Nov. 9, 2000

[S. 748]

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

#### SECTION 1. REPORT.

(a) Within six months after the enactment of this Act the Secretary of the Interior (hereinafter referred to as the “Secretary” shall submit a report detailing the progress the Department has made in the implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall include a detailed action plan on the future implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall describe, in detail, the measures and actions that will be taken, along with a description of the anticipated results to be achieved during the next three fiscal years. The report shall focus on lands under the jurisdiction of the Department of the Interior in Alaska and shall also address any laws, rules, regulations and policies which act as a deterrent to hiring Native Alaskans or contracting with Native Alaskans to perform and conduct activities and programs of those agencies and bureaus under the jurisdiction of the Department of the Interior.

Deadline.

(b) The report shall be completed within existing appropriations and shall be transmitted to the Committee on Resources of the United States Senate, and the Committee on Resources of the United States House of Representatives.

#### SEC. 2. PILOT PROGRAM.

16 USC 3198  
note.

(a) In furtherance of the goals of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall—

(1) implement pilot programs to employ residents of local communities at the following units of the National Park System located in northwest Alaska—

- (A) Bering Land Bridge National Preserve,
- (B) Cape Krusenstern National Monument,
- (C) Kobuk Valley National Park, and
- (D) Noatak National Preserve; and

114 STAT. 2206

PUBLIC LAW 106–488—NOV. 9, 2000

(2) report on the results of the programs within one year to the Committee on Energy and Natural Resources of the United States and the Committee on Resources of the House of Representatives.

(b) In implementing the programs, the Secretary shall consult with the Native Corporations, nonprofit organizations, and Tribal entities in the immediate vicinity of such units and shall also, to the extent practicable, involve such groups in the development of interpretive materials and the pilot programs relating to such units.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 748:

SENATE REPORTS: No. 106–72 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



**2. Big Thicket**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 104. BIG THICKET NATIONAL PRESERVE.**

114 STAT. 25

Section 306 of division I of the Omnibus Parks Act (110 Stat. 4132; 16 U.S.C. 698 note) is amended as follows:

(1) In subsection (d), by striking “until the earlier of the consummation of the exchange of July 1, 1998,” and inserting “until the earlier of the consummation of the exchange or July 1, 1998,”.

(2) In subsection (f)(2), by striking “in Menard” and inserting “in the Menard”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



### 3. Craters of the Moon

116 STAT. 1052

PUBLIC LAW 107–213—AUG. 21, 2002

Public Law 107–213  
107th Congress

#### An Act

Aug. 21, 2002  
[H.R. 601]

To redesignate certain lands within the Craters of the Moon 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,*

16 USC 431 note,  
698w.

#### **SECTION 1. SPECIAL MANAGEMENT REQUIREMENTS FOR FEDERAL LANDS RECENTLY ADDED TO CRATERS OF THE MOON NATIONAL MONUMENT, IDAHO.**

(a) REDESIGNATION.—The approximately 410,000 acres of land added to the Craters of the Moon National Monument by Presidential Proclamation 7373 of November 9, 2000, and identified on the map accompanying the Proclamation for administration by the National Park Service, shall, on and after the date of enactment of this Act, be known as the “Craters of the Moon National Preserve”.

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided by paragraph (2), the Craters of the Moon National Preserve shall be administered in accordance with—

(A) Presidential Proclamation 7373 of November 9, 2000;

(B) the Act of June 8, 1906, (commonly referred to as the “Antiquities Act”; 34 Stat. 225; 16 U.S.C. 431); and

(C) the laws 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 (16 U.S.C. 1 et seq.).

(2) HUNTING.—The Secretary of the Interior shall permit hunting on lands within the Craters of the Moon National Preserve in accordance with the applicable laws of the United States and the State of Idaho. The Secretary, in consultation with the State of Idaho, may designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of the area’s resources, administration, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting shall be put into effect only after consultation with the State of Idaho.

Approved August 21, 2002.

#### **LEGISLATIVE HISTORY—H.R. 601:**

HOUSE REPORTS: No. 107–34 (Comm. on Resources).

SENATE REPORTS: No. 107–181 (Comm. on Energy and Natural Resources).

#### **CONGRESSIONAL RECORD:**

Vol. 147 (2001): May 1, considered and passed House.

Vol. 148 (2002): Aug. 1, considered and passed Senate.





**4. Mojave**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):Nov. 3, considered and passed House; considered and passed Senate, amend-  
ed.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–154

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–159

SEC. 123. A grazing permit or lease that expires (or is transferred) during fiscal year 2000 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

113 STAT.  
1501A–160

\* \* \* \* \*

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

## An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Oct. 11, 2000  
[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

## TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

\* \* \* \* \*

SEC. 116. A grazing permit or lease that expires (or is transferred) during fiscal year 2001 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

114 STAT. 943

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



114 STAT. 1404

PUBLIC LAW 106-362—OCT. 27, 2000

Public Law 106-362  
106th Congress

An Act

Oct. 27, 2000  
[H.R. 1695]

To provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

Ivanpah Valley  
Airport Public  
Lands Transfer  
Act.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Ivanpah Valley Airport Public Lands Transfer Act”.

**SEC. 2. CONVEYANCE OF LANDS TO CLARK COUNTY, NEVADA.**

(a) **IN GENERAL.**—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712 and 1713), but subject to subsection (b) of this section and valid existing rights, the Secretary shall convey to the County all right, title, and interest of the United States in and to the Federal public lands identified for disposition on the map entitled “Ivanpah Valley, Nevada-Airport Selections” numbered 01, and dated April 1999, for the purpose of developing an airport facility and related infrastructure. The Secretary shall keep such map on file and available for public inspection in the offices of the Director of the Bureau of Land Management and in the district office of the Bureau located in Las Vegas, Nevada.

(b) **CONDITIONS.**—The Secretary shall make no conveyance under subsection (a) until each of the following conditions are fulfilled:

(1) The County has conducted an airspace assessment, using the airspace management plan required by section 4(a), to identify any potential adverse effects on access to the Las Vegas Basin under visual flight rules that would result from the construction and operation of a commercial or primary airport, or both, on the land to be conveyed.

(2) The Federal Aviation Administration has made a certification under section 4(b).

(3) The County has entered into an agreement with the Secretary to retain ownership of Jean Airport, located at Jean, Nevada, and to maintain and operate such airport for general aviation purposes.

(c) **PAYMENT.**—

(1) **IN GENERAL.**—As consideration for the conveyance of each parcel, the County shall pay to the United States an amount equal to the fair market value of the parcel.

## PUBLIC LAW 106-362—OCT. 27, 2000

114 STAT. 1405

(2) DEPOSIT IN SPECIAL ACCOUNT.—(A) The Secretary shall deposit the payments received under paragraph (1) into the special account described in section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345). Such funds may be expended only for the acquisition of private inholdings in the Mojave National Preserve and for the protection and management of the petroglyph resources in Clark County, Nevada. The second sentence of section 4(f) of such Act (112 Stat. 2346) shall not apply to interest earned on amounts deposited under this paragraph.

(B) The Secretary may not expend funds pursuant to this section until—

(i) the provisions of section 5 of this Act have been completed; and

(ii) a final Record of Decision pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued which permits development of an airport at the Ivanpah site.

(d) REVERSION AND REENTRY.—If, following completion of compliance with section 5 of this Act and in accordance with the findings made by the actions taken in compliance with such section, the Federal Aviation Administration and the County determine that an airport should not be constructed on the conveyed lands—

(1) the Secretary of the Interior shall immediately refund to the County all payments made to the United States for such lands under subsection (c); and

(2) upon such payment—

(A) all right, title, and interest in the lands conveyed to the County under this Act shall revert to the United States; and

(B) the Secretary may reenter such lands.

**SEC. 3. MINERAL ENTRY FOR LANDS ELIGIBLE FOR CONVEYANCE.**

The public lands referred to in section 2(a) are withdrawn from mineral entry under the Act of May 10, 1872 (30 U.S.C. 22 et seq.; popularly known as the Mining Law of 1872) and the Mineral Leasing Act (30 U.S.C. 181 et seq.).

**SEC. 4. ACTIONS BY THE DEPARTMENT OF TRANSPORTATION.**

(a) DEVELOPMENT OF AIRSPACE MANAGEMENT PLAN.—The Secretary of Transportation shall, in consultation with the Secretary, prior to the conveyance of the land referred to in section 2(a), develop an airspace management plan for the Ivanpah Valley Airport that shall, to the maximum extent practicable and without adversely impacting safety considerations, restrict aircraft arrivals and departures over the Mojave Desert Preserve in California.

(b) CERTIFICATION OF ASSESSMENT.—The Administrator of the Federal Aviation Administration shall certify to the Secretary that the assessment made by the County under section 2(b)(1) is thorough and that alternatives have been developed to address each adverse effect identified in the assessment, including alternatives that ensure access to the Las Vegas Basin under visual flight rules at a level that is equal to or better than existing access.

114 STAT. 1406

PUBLIC LAW 106-362—OCT. 27, 2000

**SEC. 5. COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 REQUIRED.**

Prior to construction of an airport facility on lands conveyed under section 2, all actions required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to initial planning and construction shall be completed by the Secretary of Transportation and the Secretary of the Interior as joint lead agencies. Any actions conducted in accordance with this section shall specifically address any impacts on the purposes for which the Mojave National Preserve was created.

**SEC. 6. DEFINITIONS.**

In this Act—

- (1) the term “County” means Clark County, Nevada; and
- (2) the term “Secretary” means the Secretary of the Interior.

Approved October 27, 2000.

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**LEGISLATIVE HISTORY—H.R. 1695:**

HOUSE REPORTS: No. 106-471 (Comm. on Resources).

SENATE REPORTS: No. 106-394 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 146 (2000): Mar. 9, considered and passed House.

Oct. 5, considered and passed Senate, amended.

Oct. 17, House concurred in Senate amendments.



PUBLIC LAW 107–117—JAN. 10, 2002

115 STAT. 2230

Public Law 107–117  
107th Congress

## An Act

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

Jan. 10, 2002

[H.R. 3338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002. Department of Defense Appropriations Act, 2002.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS,  
2002

\* \* \* \* \*

## TITLE VIII

115 STAT. 2247

## GENERAL PROVISIONS—DEPARTMENT OF DEFENSE

\* \* \* \* \*

SEC. 8137. (a) DESIGNATION OF NATIONAL MEMORIAL.—The five-foot-tall white cross first erected by the Veterans of Foreign Wars of the United States in 1934 along Cima Road in San Bernardino County, California, and now located within the boundary of the Mojave National Preserve, as well as a limited amount of adjoining Preserve property to be designated by the Secretary of the Interior, is hereby designated as a national memorial commemorating United States participation in World War I and honoring the American veterans of that war.

115 STAT. 2278  
California.  
16 USC 431 note.

(b) LEGAL DESCRIPTION.—The memorial cross referred to in subsection (a) is located at latitude 35.316 North and longitude 115.548 West. The exact acreage and legal description of the property to be included by the Secretary of the Interior in the national World War I memorial shall be determined by a survey prepared by the Secretary.

(c) REINSTALLATION OF MEMORIAL PLAQUE.—The Secretary of the Interior shall use not more than \$10,000 of funds available for the administration of the Mojave National Preserve to acquire a replica of the original memorial plaque and cross placed at the national World War I memorial designated by subsection (a) and to install the plaque in a suitable location on the grounds of the memorial.

115 STAT. 2279

\* \* \* \* \*

115 STAT. 2355

PUBLIC LAW 107–117—JAN. 10, 2002

This Act may be cited as the “Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002”.

Approved January 10, 2002.

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LEGISLATIVE HISTORY—H.R. 3338:

HOUSE REPORTS: Nos. 107–298 (Comm. on Appropriations) and 107–350 (Comm. of Conference).

SENATE REPORTS: No. 107–109 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Nov. 28, considered and passed House.

Dec. 6, 7, considered and passed Senate, amended.

Dec. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Jan. 10, Presidential remarks and statement.





**5. Noatak**

PUBLIC LAW 106–488—NOV. 9, 2000

114 STAT. 2205

Public Law 106–488  
106th Congress

**An Act**

To improve Native hiring and contracting by the Federal Government within the  
State of Alaska, and for other purposes.

Nov. 9, 2000

[S. 748]

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

**SECTION 1. REPORT.**

(a) Within six months after the enactment of this Act the Secretary of the Interior (hereinafter referred to as the “Secretary” shall submit a report detailing the progress the Department has made in the implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall include a detailed action plan on the future implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall describe, in detail, the measures and actions that will be taken, along with a description of the anticipated results to be achieved during the next three fiscal years. The report shall focus on lands under the jurisdiction of the Department of the Interior in Alaska and shall also address any laws, rules, regulations and policies which act as a deterrent to hiring Native Alaskans or contracting with Native Alaskans to perform and conduct activities and programs of those agencies and bureaus under the jurisdiction of the Department of the Interior.

Deadline.

(b) The report shall be completed within existing appropriations and shall be transmitted to the Committee on Resources of the United States Senate, and the Committee on Resources of the United States House of Representatives.

**SEC. 2. PILOT PROGRAM.**

(a) In furtherance of the goals of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall—

16 USC 3198  
note.

(1) implement pilot programs to employ residents of local communities at the following units of the National Park System located in northwest Alaska—

- (A) Bering Land Bridge National Preserve,
- (B) Cape Krusenstern National Monument,
- (C) Kobuk Valley National Park, and
- (D) Noatak National Preserve; and

114 STAT. 2206

PUBLIC LAW 106–488—NOV. 9, 2000

(2) report on the results of the programs within one year to the Committee on Energy and Natural Resources of the United States and the Committee on Resources of the House of Representatives.

(b) In implementing the programs, the Secretary shall consult with the Native Corporations, nonprofit organizations, and Tribal entities in the immediate vicinity of such units and shall also, to the extent practicable, involve such groups in the development of interpretive materials and the pilot programs relating to such units.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 748:

SENATE REPORTS: No. 106–72 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



**6. Tallgrass Prairie**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 122. TALLGRASS PRAIRIE NATIONAL PRESERVE.**

114 STAT. 29

Subtitle A of title X of division I of the Omnibus Parks Act is amended as follows:

(1) In section 1002(a)(4)(A) (110 Stat. 4204; 16 U.S.C. 689u(a)(4)(A)), by striking “to purchase” and inserting “to acquire”.

16 USC 698u.

(2) In section 1004(b) (110 Stat. 4205; 16 U.S.C. 689u–2(b)), by striking “of June 3, 1994,” and inserting “on June 3, 1994,”.

16 USC 698u–2.

(3) In section 1005 (110 Stat. 4205; 16 U.S.C. 689u–3)—  
(A) in subsection (d)(1), by striking “this Act” and inserting “this subtitle”; and

16 USC 698u–3.

(B) in subsection (g)(3)(A), by striking “the tall grass prairie” and inserting “the tallgrass prairie”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.





## VI. NATIONAL HISTORICAL PARKS

### 1. Cedar Creek and Belle Grove

PUBLIC LAW 107–373—DEC. 19, 2002

116 STAT. 3104

Public Law 107–373  
107th Congress

#### An Act

To designate the Cedar Creek and Belle Grove National Historical Park as a unit of the National Park System, and for other purposes.

Dec. 19, 2002  
[H.R. 4944]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Cedar Creek and Belle Grove National Historical Park Act”.

Cedar Creek and  
Belle Grove  
National  
Historical Park  
Act.  
Virginia.  
16 USC 410iii  
note.  
USC 410iii.

#### SEC. 2. PURPOSE.

The purpose of this Act is to establish the Cedar Creek and Belle Grove National Historical Park in order to—

- (1) help preserve, protect, and interpret a nationally significant Civil War landscape and antebellum plantation for the education, inspiration, and benefit of present and future generations;
- (2) tell the rich story of Shenandoah Valley history from early settlement through the Civil War and beyond, and the Battle of Cedar Creek and its significance in the conduct of the war in the Shenandoah Valley;
- (3) preserve the significant historic, natural, cultural, military, and scenic resources found in the Cedar Creek Battlefield and Belle Grove Plantation areas through partnerships with local landowners and the community; and
- (4) serve as a focal point to recognize and interpret important events and geographic locations within the Shenandoah Valley Battlefields National Historic District representing key Civil War battles in the Shenandoah Valley, including those battlefields associated with the Thomas J. (Stonewall) Jackson campaign of 1862 and the decisive campaigns of 1864.

#### SEC. 3. FINDINGS.

16 USC 410iii–1.

Congress finds the following:

(1) The Battle of Cedar Creek, also known as the battle of Belle Grove, was a major event of the Civil War and the history of this country. It represented the end of the Civil War’s Shenandoah Valley campaign of 1864 and contributed to the reelection of President Abraham Lincoln and the eventual outcome of the war.

(2) 2,500 acres of the Cedar Creek Battlefield and Belle Grove Plantation were designated a national historic landmark in 1969 because of their ability to illustrate and interpret important eras and events in the history of the United States. The Cedar Creek Battlefield, Belle Grove Manor House, the

Heater House, and Harmony Hall (a National Historic Landmark) are also listed on the Virginia Landmarks Register.

(3) The Secretary of the Interior has approved the Shenandoah Valley Battlefields National Historic District Management Plan and the National Park Service Special Resource Study, both of which recognized Cedar Creek Battlefield as the most significant Civil War resource within the historic district. The management plan, which was developed with extensive public participation over a 3-year period and is administered by the Shenandoah Valley Battlefields Foundation, recommends that Cedar Creek Battlefield be established as a new unit of the National Park System.

(4) The Cedar Creek Battlefield Foundation, organized in 1988 to preserve and interpret the Cedar Creek Battlefield and the 1864 Valley Campaign, has acquired 308 acres of land within the boundaries of the National Historic Landmark. The foundation annually hosts a major reenactment and living history event on the Cedar Creek Battlefield.

(5) Belle Grove Plantation is a Historic Site of the National Trust for Historic Preservation that occupies 383 acres within the National Historic Landmark. The Belle Grove Manor House was built by Isaac Hite, a Revolutionary War patriot married to the sister of President James Madison, who was a frequent visitor at Belle Grove. President Thomas Jefferson assisted with the design of the house. During the Civil War Belle Grove was at the center of the decisive battle of Cedar Creek. Belle Grove is managed locally by Belle Grove, Incorporated, and has been open to the public since 1967. The house has remained virtually unchanged since it was built in 1797, offering visitors an experience of the life and times of the people who lived there in the 18th and 19th centuries.

(6) The panoramic views of the mountains, natural areas, and waterways provide visitors with an inspiring setting of great natural beauty. The historic, natural, cultural, military, and scenic resources found in the Cedar Creek Battlefield and Belle Grove Plantation areas are nationally and regionally significant.

(7) The existing, independent, not-for-profit organizations dedicated to the protection and interpretation of the resources described above provide the foundation for public-private partnerships to further the success of protecting, preserving, and interpreting these resources.

(8) None of these resources, sites, or stories of the Shenandoah Valley are protected by or interpreted within the National Park System.

16 USC 410iii-2. **SEC. 4. DEFINITIONS.**

In this Act:

(1) COMMISSION.—The term “Commission” means the Cedar Creek and Belle Grove National Historical Park Advisory Commission established by section 9.

(2) MAP.—The term “Map” means the map entitled “Boundary Map Cedar Creek and Belle Grove National Historical Park”, numbered CEBE-80,001, and dated September 2002.

(3) PARK.—The term “Park” means the Cedar Creek and Belle Grove National Historical Park established under section 5 and depicted on the Map.

## PUBLIC LAW 107-373—DEC. 19, 2002

116 STAT. 3106

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 5. ESTABLISHMENT OF CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK.** 16 USC 410iii-3.

(a) ESTABLISHMENT.—There is established the Cedar Creek and Belle Grove National Historical Park, consisting of approximately 3,000 acres, as generally depicted on the Map.

(b) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

**SEC. 6. ACQUISITION OF PROPERTY.** 16 USC 410iii-4.

(a) REAL PROPERTY.—The Secretary may acquire land or interests in land within the boundaries of the Park, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange.

(b) BOUNDARY REVISION.—After acquiring land for the Park, the Secretary shall—

(1) revise the boundary of the Park to include newly acquired land within the boundary; and

(2) administer newly acquired land subject to applicable laws (including regulations).

(c) PERSONAL PROPERTY.—The Secretary may acquire personal property associated with, and appropriate for, interpretation of the Park.

(d) CONSERVATION EASEMENTS AND COVENANTS.—The Secretary is authorized to acquire conservation easements and enter into covenants regarding lands in or adjacent to the Park from willing sellers only. Such conservation easements and covenants shall have the effect of protecting the scenic, natural, and historic resources on adjacent lands and preserving the natural or historic setting of the Park when viewed from within or outside the Park.

(e) SUPPORT FACILITIES.—The National Park Service is authorized to acquire from willing sellers, land outside the Park boundary but in close proximity to the Park, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

**SEC. 7. ADMINISTRATION.** 16 USC 410iii-5.

The Secretary shall administer the Park in accordance with this Act and the provisions of law generally applicable to units of the National Park System, including—

(1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) 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. 461 et seq.).

**SEC. 8. MANAGEMENT OF PARK.** 16 USC 410iii-6.

(a) MANAGEMENT PLAN.—The Secretary, in consultation with the Commission, shall prepare a management plan for the Park. In particular, the management plan shall contain provisions to address the needs of owners of non-Federal land, including independent nonprofit organizations within the boundaries of the Park.

(b) SUBMISSION OF PLAN TO CONGRESS.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall

Deadline.

116 STAT. 3107

PUBLIC LAW 107-373—DEC. 19, 2002

submit the management plan for the Park to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

16 USC 410iii-7. **SEC. 9. CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.**

(a) **ESTABLISHMENT.**—There is established the Cedar Creek and Belle Grove National Historical Park Advisory Commission.

(b) **DUTIES.**—The Commission shall—

(1) advise the Secretary in the preparation and implementation of a general management plan described in section 8; and

(2) advise the Secretary with respect to the identification of sites of significance outside the Park boundary deemed necessary to fulfill the purposes of this Act.

(c) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of 15 members appointed by the Secretary so as to include the following:

(A) 1 representative from the Commonwealth of Virginia.

(B) 1 representative each from the local governments of Strasburg, Middletown, Frederick County, Shenandoah County, and Warren County.

(C) 2 representatives of private landowners within the Park.

(D) 1 representative from a citizen interest group.

(E) 1 representative from the Cedar Creek Battlefield Foundation.

(F) 1 representative from Belle Grove, Incorporated.

(G) 1 representative from the National Trust for Historic Preservation.

(H) 1 representative from the Shenandoah Valley Battlefields Foundation.

(I) 1 ex-officio representative from the National Park Service.

(J) 1 ex-officio representative from the United States Forest Service.

(2) **CHAIRPERSON.**—The Chairperson of the Commission shall be elected by the members to serve a term of one year renewable for one additional year.

(3) **VACANCIES.**—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(4) **TERMS OF SERVICE.**—

(A) **IN GENERAL.**—Each member shall be appointed for a term of 3 years and may be reappointed for not more than 2 successive terms.

(B) **INITIAL MEMBERS.**—Of the members first appointed under paragraph (1), the Secretary shall appoint—

(i) 4 members for a term of 1 year;

(ii) 5 members for a term of 2 years; and

(iii) 6 members for a term of 3 years.

(5) **EXTENDED SERVICE.**—A member may serve after the expiration of that member's term until a successor has taken office.



## PUBLIC LAW 107-373—DEC. 19, 2002

116 STAT. 3108

(6) MAJORITY RULE.—The Commission shall act and advise by affirmative vote of a majority of its members.

(7) MEETINGS.—The Commission shall meet at least quarterly at the call of the chairperson or a majority of the members of the Commission.

(8) QUORUM.—8 members shall constitute a quorum.

(d) COMPENSATION.—Members shall serve without pay. Members who are full-time officers or employees of the United States, the Commonwealth of Virginia, or any political subdivision thereof shall receive no additional pay on account of their service on the Commission.

(e) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of service for the Commission, members 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.

(f) HEARINGS; PUBLIC INVOLVEMENT.—The Commission may, for purposes of carrying out this Act, hold such hearings, sit and act at such times and places, take such public testimony, and receive such evidence, as the Commission considers appropriate. The Commission may not issue subpoenas or exercise any subpoena authority.

**SEC. 10. CONSERVATION OF CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK.** 16 USC 410iii–8.

(a) ENCOURAGEMENT OF CONSERVATION.—The Secretary and the Commission shall encourage conservation of the historic and natural resources within and in proximity of the Park by landowners, local governments, organizations, and businesses.

(b) PROVISION OF TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to local governments, in cooperative efforts which complement the values of the Park.

(c) COOPERATION BY FEDERAL AGENCIES.—Any Federal entity conducting or supporting activities directly affecting the Park shall consult, cooperate, and, to the maximum extent practicable, coordinate its activities with the Secretary in a manner that—

(1) is consistent with the purposes of this Act and the standards and criteria established pursuant to the general management plan developed pursuant to section 8;

(2) is not likely to have an adverse effect on the resources of the Park; and

(3) is likely to provide for full public participation in order to consider the views of all interested parties.

**SEC. 11. ENDOWMENT.** 16 USC 410iii–9.

(a) IN GENERAL.—In accordance with the provisions of subsection (b), the Secretary is authorized to receive and expend funds from an endowment to be established with the National Park Foundation, or its successors and assigns.

(b) CONDITIONS.—Funds from the endowment referred to in subsection (a) shall be expended exclusively as the Secretary, in consultation with the Commission, may designate for the interpretation, preservation, and maintenance of the Park resources and public access areas. No expenditure shall be made pursuant to this section unless the Secretary determines that such expenditure is consistent with the purposes of this Act.

116 STAT. 3109

PUBLIC LAW 107-373—DEC. 19, 2002

16 USC  
410iii-10.**SEC. 12. COOPERATIVE AGREEMENTS.**

(a) IN GENERAL.—In order to further the purposes of this Act, the Secretary is authorized to enter into cooperative agreements with interested public and private entities and individuals (including the National Trust for Historic Preservation, Belle Grove, Inc., the Cedar Creek Battlefield Foundation, the Shenandoah Valley Battlefields Foundation, and the Counties of Frederick, Shenandoah, and Warren), through technical and financial assistance, including encouraging the conservation of historic and natural resources of the Park.

(b) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide to any person, organization, or governmental entity technical and financial assistance for the purposes of this Act, including the following:

- (1) Preserving historic structures within the Park.
- (2) Maintaining the natural or cultural landscape of the Park.
- (3) Local preservation planning, interpretation, and management of public visitation for the Park.
- (4) Furthering the goals of the Shenandoah Valley Battlefields Foundation related to the Park.

16 USC  
410iii-11.**SEC. 13. ROLES OF KEY PARTNER ORGANIZATIONS.**

(a) IN GENERAL.—In recognition that central portions of the Park are presently owned and operated for the benefit of the public by key partner organizations, the Secretary shall acknowledge and support the continued participation of these partner organizations in the management of the Park.

(b) PARK PARTNERS.—Roles of the current key partners include the following:

(1) CEDAR CREEK BATTLEFIELD FOUNDATION.—The Cedar Creek Battlefield Foundation may—

(A) continue to own, operate, and manage the lands acquired by the Foundation within the Park;

(B) continue to conduct reenactments and other events within the Park; and

(C) transfer ownership interest in portions of their land to the National Park Service by donation, sale, or other means that meet the legal requirements of National Park Service land acquisitions.

(2) NATIONAL TRUST FOR HISTORIC PRESERVATION AND BELLE GROVE INCORPORATED.—The National Trust for Historic Preservation and Belle Grove Incorporated may continue to own, operate, and manage Belle Grove Plantation and its structures and grounds within the Park boundary. Belle Grove Incorporated may continue to own the house and grounds known as Bowman's Fort or Harmony Hall for the purpose of permanent preservation, with a long-term goal of opening the property to the public.

(3) SHENANDOAH COUNTY.—Shenandoah County may continue to own, operate, and manage the Keister park site within the Park for the benefit of the public.

(4) PARK COMMUNITY PARTNERS.—The Secretary shall cooperate with the Park's adjacent historic towns of Strasburg and Middletown, Virginia, as well as Frederick, Shenandoah, and Warren counties in furthering the purposes of the Park.

PUBLIC LAW 107-373—DEC. 19, 2002

116 STAT. 3110

(5) SHENANDOAH VALLEY BATTLEFIELDS FOUNDATION.—The Shenandoah Valley Battlefields Foundation may continue to administer and manage the Shenandoah Valley Battlefields National Historic District in partnership with the National Park Service and in accordance with the Management Plan for the District in which the Park is located.

**SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**16 USC  
410iii-12.

There is authorized to be appropriated such sums as are necessary to carry out this Act.

Approved December 19, 2002.

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**LEGISLATIVE HISTORY—H.R. 4944 (S. 2623):**

HOUSE REPORTS: No. 107-713 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 148 (2002):

Oct. 1, considered and passed House.  
Nov. 19, considered and passed Senate.



## 2. Chesapeake and Ohio Canal

114 STAT. 2763

PUBLIC LAW 106–554—DEC. 21, 2000

### \* Public Law 106–554 106th Congress

#### An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

---

LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

APPENDIX D—H.R. 5666

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

DIVISION B

114 STAT.  
2763A–214

TITLE I

\* \* \* \* \*

SEC. 134. Section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y–4(g)) is amended by striking “thirty” and inserting “40”.

114 STAT.  
2763A–230

\* \* \* \* \*

**3. Colonial**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000. (a)** The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).





APPENDIX C—H.R. 3423

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR 113 STAT.  
1501A–154

\* \* \* \* \*

SEC. 122. Section 211(d) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4110; 16 U.S.C. 81p) is amended by striking “depicted on the map dated August 1993, numbered 333/80031A,” and inserting “depicted on the map dated August 1996, numbered 333/80031B,”. 113 STAT.  
1501A–159

\* \* \* \* \*

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

Public Law 106–176  
106th Congress

An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I

\* \* \* \* \*

114 STAT. 25

**SEC. 102. COLONIAL NATIONAL HISTORICAL PARK.**

Section 211(d) of division I of the Omnibus Parks Act (110 Stat. 4110; 16 U.S.C. 81p) is amended by striking “depicted on the map dated August 1993, numbered 333/80031A,” and inserting “depicted on the map dated August 1996, numbered 333/80031B,”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



#### 4. Dayton Aviation

PUBLIC LAW 106–356—OCT. 24, 2000

114 STAT. 1391

Public Law 106–356  
106th Congress

#### An Act

To amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park.

Oct. 24, 2000  
[H.R. 5036]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Dayton Aviation Heritage Preservation Amendments Act of 2000”.

Dayton Aviation  
Heritage  
Preservation  
Amendments Act  
of 2000.  
16 USC 410ww  
note.

#### SEC. 2. REVISION OF DAYTON AVIATION HERITAGE PRESERVATION ACT OF 1992.

(a) AREAS INCLUDED IN PARK.—Section 101(b) of the Dayton Aviation Heritage Preservation Act of 1992 (16 U.S.C. 410ww(b)) is amended to read as follows:

“(b) AREAS INCLUDED.—The park shall consist of the following sites, as generally depicted on a map entitled ‘Dayton Aviation Heritage National Historical Park’, numbered 362–80,010 and dated September 1, 2000:

Ohio.

“(1) A core parcel in Dayton, Ohio, which shall consist of the Wright Cycle Company building, Hoover Block, and lands between.

“(2) The Setzer building property (also known as the Aviation Trail building property), Dayton, Ohio.

“(3) The residential properties at 26 South Williams Street and at 30 South Williams Street, Dayton, Ohio.

“(4) Huffman Prairie Flying Field, located at Wright-Patterson Air Force Base, Ohio.

“(5) The Wright 1905 Flyer III and Wright Hall, including constructed additions and attached structures, known collectively as the John W. Berry, Sr. Wright Brothers Aviation Center, Dayton, Ohio.

“(6) The Paul Laurence Dunbar State Memorial, Dayton, Ohio.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 109 of such Act (16 U.S.C. 410ww–8) is amended by striking the colon after “title” and all that follows through the end of the sentence and inserting a period.

114 STAT. 1392

PUBLIC LAW 106-356—OCT. 24, 2000

(c) TECHNICAL CORRECTION.—Section 107 of such Act (16 U.S.C. 410ww-6) is amended by striking “Secretary of Interior” and inserting “Secretary of the Interior”.

Approved October 24, 2000.

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LEGISLATIVE HISTORY—H.R. 5036 (S. 2959):

HOUSE REPORTS: No. 106-896 (Comm. on Resources).

SENATE REPORTS: No. 106-443 accompanying S. 2959 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 26, considered and passed House.

Oct. 5, considered and passed Senate.



**5. Harper's Ferry**

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 511

Public Law 106-246  
106th Congress**An Act**

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

July 13, 2000  
[H.R. 4425]

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

\* \* \* \* \*

**DIVISION B—FISCAL YEAR 2000 SUPPLEMENTAL  
APPROPRIATIONS**

114 STAT. 525  
Emergency  
Supplemental  
Act, 2000.

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE II**

114 STAT. 540

**NATURAL DISASTER ASSISTANCE AND OTHER  
SUPPLEMENTAL APPROPRIATIONS**

\* \* \* \* \*

**CHAPTER 7**

114 STAT. 560

**DEPARTMENT OF THE TREASURY****DEPARTMENTAL OFFICES****SALARIES AND EXPENSES**

For an additional amount, \$24,900,000 for the Secretary of the Treasury to establish and operate an in-service firearms training facility for the United States Customs Service and other agencies, to remain available until expended: *Provided*, That the Secretary is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and to conduct training: *Provided further*, That the land identified as the Sleepy Hollow Partnership and Marcus Enterprises tract (44,-R), Harpers Ferry Magisterial District, Jefferson County, West Virginia, together with a forty-five foot right-of-way over the lands of Valley Blox, Inc., as described in the deed from Joel T. Broyhill Enterprises, Inc., to Sleepy Hollow Partnership, et al., in a Deed dated March 29, 1989, and recorded in the Jefferson County Clerk's Office in Deed Book 627, Page 494, originally acquired by the United States Fish and Wildlife Service as a proposed site for a training center but not selected for that purpose and presently held by the United States Fish and Wildlife Service in an administrative capacity, shall be managed by the National Park Service pursuant to a cooperative management agreement between the United States Fish and Wildlife Service and the National Park Service, consistent with the laws (including regulations) generally applicable to the

Government  
organization.  
Contracts.

114 STAT. 560

PUBLIC LAW 106-246—JULY 13, 2000

Government  
organization.  
Contracts.  
Deadline.

114 STAT. 561

National Park Service: *Provided further*, That administrative jurisdiction of a suitable portion of said land that is necessary for the creation of a Department of the Treasury training facility, to be identified by the National Park Service, shall be transferred under a lease-type arrangement at no cost within 120-days of the date of the enactment of this Act to the Department of the Treasury for such time as required by the Department of the Treasury: *Provided further*, That the training to be conducted at the facility shall be configured in a manner so that it does not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center: *Provided further*, That training currently being conducted at a Federal Law Enforcement Training Center facility shall not be moved to the new training facility: *Provided further*, That at such time as the land is no longer required for training purposes, administrative jurisdiction shall be transferred back to the Department of the Interior in a manner and condition acceptable to the Department of the Interior: *Provided further*, That the total amount made available under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

\* \* \* \* \*

114 STAT. 592

Approved July 13, 2000.

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LEGISLATIVE HISTORY—H.R. 4425 (S. 2521):

HOUSE REPORTS: Nos. 106-614 (Comm. on Appropriations) and 106-710 (Comm. of Conference).

SENATE REPORTS: No. 106-290 accompanying S. 2521 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 16, considered and passed House.

May 18, considered and passed Senate, amended, in lieu of S. 2521.

June 29, House agreed to conference report.

June 30, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 13, Presidential statement.



## 6. Independence

PUBLIC LAW 106–131—DEC. 7, 1999

113 STAT. 1678

Public Law 106–131  
106th Congress

### An Act

To authorize the Gateway Visitor Center at Independence National Historical Park,  
and for other purposes.

Dec. 7, 1999  
[H.R. 449]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Gateway Visitor Center  
Authorization Act of 1999”.

Gateway Visitor  
Center  
Authorization  
Act of 1999.  
16 USC 407m  
note.

#### SEC. 2. FINDINGS AND PURPOSE.

16 USC 407m  
note.

(a) FINDINGS.—The Congress finds the following:

(1) The National Park Service completed and approved in 1997 a general management plan for Independence National Historical Park that establishes goals and priorities for the park’s future.

(2) The general management plan for Independence National Historical Park calls for the revitalization of Independence Mall and recommends as a critical component of the Independence Mall’s revitalization the development of a new “Gateway Visitor Center”.

(3) Such a visitor center would replace the existing park visitor center and would serve as an orientation center for visitors to the park and to city and regional attractions.

(4) Subsequent to the completion of the general management plan, the National Park Service undertook and completed a design project and master plan for Independence Mall which includes the Gateway Visitor Center.

(5) Plans for the Gateway Visitor Center call for it to be developed and managed, in cooperation with the Secretary of the Interior, by a nonprofit organization which represents the various public and civic interests of the greater Philadelphia metropolitan area.

(6) The Gateway Visitor Center Corporation, a nonprofit organization, has been established to raise funds for and cooperate in a program to design, develop, construct, and operate the proposed Gateway Visitor Center.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to enter into a cooperative agreement with the Gateway Visitor Center Corporation to construct and operate a regional visitor center on Independence Mall.

#### SEC. 3. GATEWAY VISITOR CENTER AUTHORIZATION.

(a) AGREEMENT.—The Secretary of the Interior, in administering the Independence National Historical Park, may enter into

an agreement under appropriate terms and conditions with the Gateway Visitor Center Corporation (a nonprofit corporation established under the laws of the Commonwealth of Pennsylvania) to facilitate the construction and operation of a regional Gateway Visitor Center on Independence Mall.

(b) OPERATIONS OF CENTER.—The Agreement shall authorize the Corporation to operate the Center in cooperation with the Secretary and to provide at the Center information, interpretation, facilities, and services to visitors to Independence National Historical Park, its surrounding historic sites, the City of Philadelphia, and the region, in order to assist in their enjoyment of the historic, cultural, educational, and recreational resources of the greater Philadelphia area.

(c) MANAGEMENT-RELATED ACTIVITIES.—The Agreement shall authorize the Secretary to undertake at the Center activities related to the management of Independence National Historical Park, including, but not limited to, provision of appropriate visitor information and interpretive facilities and programs related to Independence National Historical Park.

(d) ACTIVITIES OF CORPORATION.—The Agreement shall authorize the Corporation, acting as a private nonprofit organization, to engage in activities appropriate for operation of a regional visitor center that may include, but are not limited to, charging fees, conducting events, and selling merchandise, tickets, and food to visitors to the Center.

(e) USE OF REVENUES.—Revenues from activities engaged in by the Corporation shall be used for the operation and administration of the Center.

(f) PROTECTION OF PARK.—Nothing in this section authorizes the Secretary or the Corporation to take any actions in derogation of the preservation and protection of the values and resources of Independence National Historical Park.

(g) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term “Agreement” means an agreement under this section between the Secretary and the Corporation.

(2) CENTER.—The term “Center” means a Gateway Visitor Center constructed and operated in accordance with the Agreement.

(3) CORPORATION.—The term “Corporation” means the Gateway Visitor Center Corporation (a nonprofit corporation established under the laws of the Commonwealth of Pennsylvania).



PUBLIC LAW 106–131—DEC. 7, 1999

113 STAT. 1680

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

Approved December 7, 1999.

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LEGISLATIVE HISTORY—H.R. 449:

HOUSE REPORTS: No. 106–66 (Comm. on Resources).

SENATE REPORTS: No. 106–68 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Apr. 12, considered and passed House.

Nov. 19, considered and passed Senate.



**7. Kaloko-Honokōhau**

114 STAT. 2363

PUBLIC LAW 106–510—NOV. 13, 2000

**Public Law 106–510  
106th Congress****An Act**Nov. 13, 2000  
[S. 938]To eliminate restrictions on the acquisition of certain land contiguous to Hawaii  
Volcanoes National Park, and for other purposes.Hawaii Volcanoes  
National Park  
Adjustment Act  
of 2000.  
16 USC 1 note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “Hawaii Volcanoes National Park  
Adjustment Act of 2000”.

\* \* \* \* \*

**SEC. 3. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL  
PARKS.**

\* \* \* \* \*

**(c) KALOKO-HONOKŌHAU.—**(1) IN GENERAL.—Section 505 of the National Parks and  
Recreation Act of 1978 (16 U.S.C. 396d) is amended—(A) in the section heading, by striking “KALOKO-  
HONOKOHOU” and inserting “KALOKO-HONOKŌHAU”; and(B) by striking “Kaloko-Honokohau” each place it  
appears and inserting “Kaloko-Honokōhau”.(2) REFERENCES.—Any reference in any law (other than  
this Act), regulation, document, record, map, or other paper  
of the United States to “Kaloko-Honokohau National Historical  
Park” shall be considered a reference to “Kaloko-Honokōhau  
National Historical Park”.

\* \* \* \* \*

Approved November 13, 2000.

114 STAT. 2364

16 USC 396d  
note.**LEGISLATIVE HISTORY—S. 938:****SENATE REPORTS:** No. 106–92 (Comm. on Energy and Natural Resources).  
**CONGRESSIONAL RECORD:**Vol. 145 (1999): Oct. 14, considered and passed Senate.  
Vol. 146 (2000): Oct. 24, considered and passed House.

**8. Keweenaw**

PUBLIC LAW 106–134—DEC. 7, 1999

113 STAT. 1684

Public Law 106–134  
106th Congress**An Act**

To amend the Act that established the Keweenaw National Historical Park to require the Secretary of the Interior to consider nominees of various local interests in appointing members of the Keweenaw National Historical Park Advisory Commission.

Dec. 7, 1999  
[H.R. 748]

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

**SECTION 1. APPOINTMENTS TO KEWEENAW NATIONAL HISTORICAL PARK ADVISORY COMMISSION.**

Section 9(c)(1) of the Act entitled “An Act to establish the Keweenaw National Historical Park, and for other purposes” (Public Law 102–543; 16 U.S.C. 410yy–8(c)(1)) is amended by striking “from nominees” each place it appears and inserting “after consideration of nominees”.

Approved December 7, 1999.

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**LEGISLATIVE HISTORY—H.R. 748:**

HOUSE REPORTS: No. 106–367 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 145 (1999):  
Oct. 12, considered and passed House.  
Nov. 19, considered and passed Senate.



**9. Natchez**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

114 STAT. 30

**SEC. 127. NATCHEZ NATIONAL HISTORICAL PARK.**(a) **TECHNICAL AMENDMENT.**—Section 3(b)(1) of Public Law 100–479 (16 U.S.C. 410oo–2(b)(1)), as added by section 1030 of the Omnibus Parks Act (110 Stat. 4238), is amended by striking “and visitors’ center” and inserting “and visitor center”.

16 USC 410oo–2.

(b) **AMENDATORY INSTRUCTION.**—Section 1030 of the Omnibus Parks Act (110 Stat. 4238) is amended by striking “after ‘SEC. 3.’” and inserting “before ‘Except’”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:****HOUSE REPORTS:** No. 106–17 (Comm. on Resources).**SENATE REPORTS:** No. 106–125 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**10. New Bedford Whaling**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 111. NEW BEDFORD WHALING NATIONAL HISTORICAL PARK.**

114 STAT. 26

(a) Section 511 of division I of the Omnibus Parks Act (110 Stat. 4159; 16 U.S.C. 410ddd) is amended as follows:

(1) In the section heading, by striking “**NATIONAL HISTORIC LANDMARK DISTRICT**” and inserting “**WHALING NATIONAL HISTORICAL PARK**”.

(2) In subsection (c)—

(A) in paragraph (1), by striking “certain districts structures, and relics” and inserting “certain districts, structures, and relics”; and

(B) in paragraph (2)(A)(i), by striking “The area included with the New Bedford National Historic Landmark District, known as the” and inserting “The area included within the New Bedford Historic District (a National Landmark District), also known as the”.

(3) In subsection (d)(2), by striking “to provide”.

(4) By redesignating the second subsection (e) and subsection (f) as subsections (f) and (g), respectively.

(5) In subsection (g), as so redesignated—

(A) in paragraph (1), by striking “section 3(D).” and inserting “subsection (d).”; and

114 STAT. 27

## PUBLIC LAW 106–176—MAR. 10, 2000

(B) in paragraph (2)(C), by striking “cooperative grants under subsection (d)(2).” and inserting “cooperative agreements under subsection (e)(2).”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

---

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

## CONGRESSIONAL RECORD:

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



PUBLIC LAW 107–110—JAN. 8, 2002

115 STAT. 1425

Public Law 107–110  
107th Congress

An Act

To close the achievement gap with accountability, flexibility, and choice, so that  
no child is left behind.

Jan. 8, 2002

[H.R. 1]

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

**SECTION 1. SHORT TITLE.**

This title may be cited as the “No Child Left Behind Act  
of 2001”.

\* \* \* \* \*

**SEC. 3. REFERENCES.**

Except as otherwise expressly provided, whenever in this Act  
an amendment or repeal is expressed in terms of an amendment  
to, or repeal of, a section or other provision, the reference shall  
be considered to be made to a section or other provision of the  
Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301  
et seq.).

**SEC. 4. TRANSITION.**

(a) **MULTI-YEAR AWARDS.**—Except as otherwise provided in this  
Act, the recipient of a multi-year award under the Elementary  
and Secondary Education Act of 1965, as that Act was in effect  
prior to the date of enactment of this Act, shall continue to receive  
funds in accordance with the terms of that award, except that  
no additional funds may be awarded after September 30, 2002.

(b) **PLANNING AND TRANSITION.**—Notwithstanding any other  
provision of law, a recipient of funds under the Elementary and  
Secondary Education Act of 1965, as that Act was in effect prior  
to the date of enactment of this Act, may use funds available  
to the recipient under that predecessor authority to carry out nec-  
essary and reasonable planning and transition activities in order  
to ensure an orderly implementation of programs authorized by  
this Act, and the amendments made by this Act.

(c) **ORDERLY TRANSITION.**—The Secretary shall take such steps  
as are necessary to provide for the orderly transition to, and  
implementation of, programs authorized by this Act, and by the  
amendments made by this Act, from programs authorized by the  
Elementary and Secondary Education Act of 1965, as that Act  
was in effect prior to the date of enactment of this Act.

**SEC. 5. EFFECTIVE DATE.**

(a) **IN GENERAL.**—Except as otherwise provided in this Act,  
this Act, and the amendments made by this Act, shall be effective  
upon the date of enactment of this Act.

(b) **NONCOMPETITIVE PROGRAMS.**—With respect to noncompeti-  
tive programs under which any funds are allotted by the Secretary  
of Education to recipients on the basis of a formula, this Act,  
and the amendments made by this Act, shall take effect on July  
1, 2002.

(c) **COMPETITIVE PROGRAMS.**—With respect to programs that  
are conducted by the Secretary on a competitive basis, this Act,  
and the amendments made by this Act, shall take effect with

No Child Left  
Behind Act of  
2001.  
Education.  
Inter-  
governmental  
relations.  
20 USC 6301  
note.  
115 STAT. 1426

20 USC 6301  
note.

115 STAT. 1427

20 USC 6301  
note.

115 STAT. 1427

PUBLIC LAW 107-110—JAN. 8, 2002

respect to appropriations for use under those programs for fiscal year 2002.

(d) **IMPACT AID.**—With respect to title VIII (Impact Aid), this Act, and the amendments made by this Act, shall take effect with respect to appropriations for use under that title for fiscal year 2002.

\* \* \* \* \*

115 STAT. 1776

# TITLE V—PROMOTING INFORMED PA- RENTAL CHOICE AND INNOVATIVE PROGRAMS

## **SEC. 501. INNOVATIVE PROGRAMS AND PARENTAL CHOICE PROVI- SIONS.**

Title V (20 U.S.C. 7201 et seq.) is amended to read as follows:

# “TITLE V—PROMOTING INFORMED PA- RENTAL CHOICE AND INNOVATIVE PROGRAMS

\* \* \* \* \*

115 STAT. 1845  
Alaska Native  
and Native  
Hawaiian  
Education  
Through Cultural  
and Historical  
Organizations  
Act.  
20 USC 7265.

## “Subpart 12—Educational, Cultural, Apprentice- ship, and Exchange Programs for Alaska Na- tives, Native Hawaiians, and Their Historical Whaling and Trading Partners in Massachusetts

### **“SEC. 5521. SHORT TITLE.**

“This subpart may be cited as the ‘Alaska Native and Native Hawaiian Education Through Cultural and Historical Organizations Act’.

20 USC 7265a.

### **“SEC. 5522. FINDINGS AND PURPOSES.**

“(a) **FINDINGS.**—Congress finds the following:

“(1) Alaska Natives and Native Hawaiians have been linked for over 200 years to the coastal towns of Salem, Massachusetts, and New Bedford, Massachusetts, through the China trade from Salem and whaling voyages from New Bedford.

“(2) Nineteenth-century trading ships sailed from Salem, Massachusetts, around Cape Horn of South America, and up the Northwest coast of the United States to Alaska, where their crews traded with Alaska Native people for furs, and then went on to Hawaii to trade for sandalwood with Native Hawaiians before going on to China.

“(3) During the 19th century, over 2,000 whaling voyages sailed out of New Bedford, Massachusetts to the Arctic region of Alaska, and joined Alaska Natives from Barrow, Alaska and other areas in the Arctic region in subsistence whaling activities.

“(4) Many New Bedford whaling voyages continued on to Hawaii, where they joined Native Hawaiians from the neighboring islands.

“(5) From those commercial and whaling voyages, a rich cultural exchange and strong trading relationships developed among the three peoples involved.



PUBLIC LAW 107–110—JAN. 8, 2002

115 STAT. 1845

“(6) In the past decades, awareness of the historical trading, cultural, and whaling links has faded among Alaska Natives, Native Hawaiians, and the people of the continental United States.

“(7) In 2000, the Alaska Native Heritage Center in Alaska, the Bishop Museum in Hawaii, and the Peabody-Essex Museum in Massachusetts initiated the New Trade Winds project to use 21st-century technology, including the Internet, to educate students and their parents about historic and contemporary cultural and trading ties that continue to link the diverse cultures of the peoples involved.

“(8) The New Bedford Whaling Museum, in partnership with the New Bedford Whaling National Historical Park, has developed a cultural exchange and educational program with the Inupiat Heritage Center in Barrow, Alaska to bring together the children, parents, and elders from the Arctic region of Alaska with children and families of Massachusetts to learn about their historical ties and about each other’s contemporary cultures.

115 STAT. 1846

“(9) Within the fast-growing cultural sector, meaningful educational and career opportunities based on traditional relationships exist for Alaska Natives, Native Hawaiians, and low-income youth in Massachusetts.

“(10) Cultural institutions can provide practical, culturally relevant, education-related internship and apprentice programs, such as the Museum Action Corps at the Peabody-Essex Museum and similar programs at the New Bedford Oceanarium and other institutions, to prepare youths and their families for careers in the cultural sector.

“(11) The resources of the institutions described in paragraphs (7) and (8) provide unique opportunities for illustrating and interpreting the contributions of Alaska Natives, Native Hawaiians, the whaling industry, and the China trade to the economic, social, and environmental history of the United States, for educating students and their parents, and for providing opportunities for internships and apprenticeships leading to careers with cultural institutions.

“(b) PURPOSES.—The purposes of this subpart are the following:

“(1) To authorize and develop innovative culturally-based educational programs and cultural exchanges to assist Alaska Natives, Native Hawaiians, and children and families of Massachusetts linked by history and tradition to Alaska and Hawaii to learn about shared culture and traditions.

“(2) To authorize and develop internship and apprentice programs to assist Alaska Natives, Native Hawaiians, and children and families of Massachusetts linked by history and tradition with Alaska and Hawaii to prepare for careers with cultural institutions.

“(3) To supplement programs and authorities in the area of education to further the objectives of this subpart.

**“SEC. 5523. PROGRAM AUTHORIZATION.**

20 USC 7265b.

“(a) GRANTS AND CONTRACTS.—In order to carry out programs that fulfill the purposes of this subpart, the Secretary is authorized to make grants to, or enter into contracts with, the following:

“(1) The Alaska Native Heritage Center in Anchorage, Alaska.

115 STAT. 1846

PUBLIC LAW 107-110—JAN. 8, 2002

“(2) The Inupiat Heritage Center in Barrow, Alaska.

“(3) The Bishop Museum in Hawaii.

“(4) The Peabody-Essex Museum in Salem, Massachusetts.

“(5) The New Bedford Whaling Museum and the New Bedford Oceanarium in New Bedford, Massachusetts.

“(6) Other Alaska Native and Native Hawaiian cultural and educational organizations.

“(7) Cultural and educational organizations with experience in developing or operating programs that illustrate and interpret the contributions of Alaska Natives, Native Hawaiians, the whaling industry, and the China trade to the economic, social, and environmental history of the United States.

“(8) Consortia of the organizations and entities described in this subsection.

115 STAT. 1847

“(b) USES OF FUNDS.—Activities provided through programs carried out under this subpart may include one or more of the following:

“(1) Development and implementation of educational programs to increase understanding of cultural diversity and multicultural communication among Alaska Natives, Native Hawaiians, and the people of the continental United States, based on historic patterns of trading and commerce.

“(2) Development and implementation of programs using modern technology, including the Internet, to educate students, their parents, and teachers about historic and contemporary cultural and trading ties that continue to link the diverse cultures of Alaska Natives, Native Hawaiians, and the people of Massachusetts.

“(3) Cultural exchanges of elders, students, parents, and teachers among Alaska Natives, Native Hawaiians, and the people of Massachusetts to increase awareness of diverse cultures among each group.

“(4) Sharing of collections among cultural institutions designed to increase awareness of diverse cultures and links among them.

“(5) Development and implementation of internship and apprentice programs in cultural institutions to train Alaska Natives, Native Hawaiians, and low-income students in Massachusetts for careers with cultural institutions.

“(6) Other activities, consistent with the purposes of this subpart, to meet the educational needs of Alaska Natives, Native Hawaiians, and students and their parents in Massachusetts.

20 USC 7265c.

**“SEC. 5524. ADMINISTRATIVE PROVISIONS.**

“(a) APPLICATION REQUIRED.—No grant may be made under this subpart, and no contract may be entered into under this subpart, unless the entity seeking the grant or contract submits an application to the Secretary at such time, in such manner, and containing such information as the Secretary may determine to be necessary to carry out the provisions of this subpart.

“(b) LOCAL EDUCATIONAL AGENCY COORDINATION.—Each applicant for a grant or contract under this subpart shall inform each local educational agency serving students who will participate in the program to be carried out under the grant or contract about the application.

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115 STAT. 1847

**“SEC. 5525. AVAILABILITY OF FUNDS.**

20 USC 7265d.

“If sufficient funds are made available under section 5401 to carry out this subpart for a fiscal year, the Secretary shall make available, to support activities described in section 5523(b), the following amounts:

“(1) Not less than \$2,000,000 each to—

“(A) the New Bedford Whaling Museum, in partnership with the New Bedford Oceanarium, in Massachusetts; and

“(B) the Inupiat Heritage Center in Alaska.

“(2) For the New Trade Winds project, not less than \$1,000,000 each to—

“(A) the Alaska Native Heritage Center in Alaska;

“(B) the Bishop Museum in Hawaii; and

“(C) the Peabody-Essex Museum in Massachusetts.

“(3) For internship and apprenticeship programs (including the Museum Action Corps of the Peabody-Essex Museum), not less than \$1,000,000 each to—

115 STAT. 1848

“(A) the Alaska Native Heritage Center in Alaska;

“(B) the Bishop Museum in Hawaii; and

“(C) the Peabody-Essex Museum in Massachusetts.

**“SEC. 5526. DEFINITIONS.**

20 USC 7265e.

“In this subpart:

“(1) **ALASKA NATIVE.**—The term ‘Alaska Native’ has the meaning given that term in section 7306.

“(2) **NATIVE HAWAIIAN.**—The term ‘Native Hawaiian’ has the meaning given that term in section 7207.

\* \* \* \* \*

Approved January 8, 2002.

115 STAT. 2094

**LEGISLATIVE HISTORY—H.R. 1 (S. 1):**

HOUSE REPORTS: Nos. 107–63, Pt. 1 (Comm. on Education and the Workforce) and 107–334 (Comm. of Conference).

SENATE REPORTS: No. 107–7 accompanying S. 1 (Comm. on Health, Education, Labor, and Pensions).

CONGRESSIONAL RECORD, Vol. 147 (2001):

May 17, 22, 23, considered and passed House.

June 14, considered and passed Senate, amended, in lieu of S. 1.

Dec. 13, House agreed to conference report.

Dec. 17, 18, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Jan. 8, Presidential remarks.



**11. Pu‘uhonua o Hōnaunau**

114 STAT. 2363

PUBLIC LAW 106–510—NOV. 13, 2000

**Public Law 106–510  
106th Congress****An Act**Nov. 13, 2000  
[S. 938]To eliminate restrictions on the acquisition of certain land contiguous to Hawaii  
Volcanoes National Park, and for other purposes.Hawaii Volcanoes  
National Park  
Adjustment Act  
of 2000.  
16 USC 1 note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “Hawaii Volcanoes National Park  
Adjustment Act of 2000”.

\* \* \* \* \*

**SEC. 3. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL  
PARKS.**

\* \* \* \* \*

114 STAT. 2364

(d) PU‘UHONUA O HŌNAUNAU NATIONAL HISTORICAL PARK.—

16 USC 397,  
397a, 397b, 397d.(1) IN GENERAL.—The Act of July 21, 1955 (chapter 385;  
69 Stat. 376), as amended by section 305 of the National  
Parks and Recreation Act of 1978 (92 Stat. 3477), is amended  
by striking “Puuhonua o Honaunau National Historical Park”  
each place it appears and inserting “Pu‘uhonua o Hōnaunau  
National Historical Park”.

16 USC 397 note.

(2) REFERENCES.—Any reference in any law (other than  
this Act), regulation, document, record, map, or other paper  
of the United States to “Puuhonua o Honaunau National Histor-  
ical Park shall be considered a reference to “Pu‘uhonua o  
Hōnaunau National Historical Park”.

\* \* \* \* \*

Approved November 13, 2000.

**LEGISLATIVE HISTORY—S. 938:****SENATE REPORTS:** No. 106–92 (Comm. on Energy and Natural Resources).  
**CONGRESSIONAL RECORD:**Vol. 145 (1999): Oct. 14, considered and passed Senate.  
Vol. 146 (2000): Oct. 24, considered and passed House.

PUBLIC LAW 107–340—DEC. 16, 2002

116 STAT. 2889

Public Law 107–340  
107th Congress

An Act

To amend the Act that established the Pu‘uhonua o Hōnaunau National Historical Park to expand the boundaries of that park.

Dec. 16, 2002  
[H.R. 1906]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pu‘uhonua o Hōnaunau National Historical Park Addition Act of 2002”.

**SEC. 2. ADDITIONS TO PU‘UHONUA O HŌNAUNAU NATIONAL HISTORICAL PARK.**

The first section of the Act of July 26, 1955 (69 Stat. 376, ch. 385; 16 U.S.C. 397), is amended—

(1) by striking “That, when” and inserting the following: “SECTION 1. (a) When”; and

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

“(b) The boundaries of Pu‘uhonua o Hōnaunau National Historical Park are hereby modified to include approximately 238 acres of lands and interests therein within the area identified as ‘Parcel A’ on the map entitled ‘Pu‘uhonua o Hōnaunau National Historical Park Proposed Boundary Additions, Ki‘ilae Village’, numbered PUHO–P 415/82,013 and dated May, 2001.

“(c) The Secretary of the Interior is authorized to acquire approximately 159 acres of lands and interests therein within the area identified as ‘Parcel B’ on the map referenced in subsection (b). Upon the acquisition of such lands or interests therein, the Secretary shall modify the boundaries of Pu‘uhonua o Hōnaunau National Historical Park to include such lands or interests therein.”.

**SEC. 3. AUTHORIZATIONS OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved December 16, 2002.

Pu‘uhonua o  
Hōnaunau  
National  
Historical Park  
Addition Act of  
2002.  
16 USC 397 note.

LEGISLATIVE HISTORY—H.R. 1906 (S. 1057):

HOUSE REPORTS: Nos. 107–435 and 107–614, accompanying S. 1057, (both from Comm. on Resources).

SENATE REPORTS: Nos. 107–272 and 107–71, accompanying S. 1057, (both from Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

June 17, considered and passed House.  
Nov. 19, considered and passed Senate.



**12. Rosie the Riveter/World War II Home Front**

114 STAT. 1370

PUBLIC LAW 106-352—OCT. 24, 2000

**Public Law 106-352  
106th Congress****An Act**Oct. 24, 2000  
[H.R. 4063]

To establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Rosie the Riveter/  
World War II  
Home Front  
National  
Historical Park  
Establishment  
Act of 2000.  
16 USC 410gg  
note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Rosie the Riveter/World War II Home Front National Historical Park Establishment Act of 2000”.

16 USC 410ggg.

**SEC. 2. ROSIE THE RIVETER/WORLD WAR II HOME FRONT NATIONAL HISTORICAL PARK.**

(a) ESTABLISHMENT.—In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain sites, structures, and areas located in Richmond, California, that are associated with the industrial, governmental, and citizen efforts that led to victory in World War II, there is established the Rosie the Riveter/World War II Home Front National Historical Park (in this Act referred to as the “park”).

(b) AREAS INCLUDED.—The boundaries of the park shall be those generally depicted on the map entitled “Proposed Boundary Map, Rosie the Riveter/World War II Home Front National Historical Park” numbered 963/80000 and dated May 2000. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

16 USC  
410ggg-1.**SEC. 3. ADMINISTRATION OF THE NATIONAL HISTORICAL PARK.****(a) IN GENERAL.—**

(1) GENERAL ADMINISTRATION.—The Secretary of the Interior (in this Act referred to as the “Secretary”) shall administer the park 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 35, 1916 (39 Stat. 535; 16 U.S.C. 1 through 4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

(2) SPECIFIC AUTHORITIES.—The Secretary may interpret the story of Rosie the Riveter and the World War II home front, conduct and maintain oral histories that relate to the World War II home front theme, and provide technical assistance in the preservation of historic properties that support this story.

**(b) COOPERATIVE AGREEMENTS.—**

PUBLIC LAW 106-352—OCT. 24, 2000

114 STAT. 1371

(1) GENERAL AGREEMENTS.—The Secretary may enter into cooperative agreements with the owners of the World War II Child Development Centers, the World War II worker housing, the Kaiser-Permanente Field Hospital, and Fire Station 67A, pursuant to which the Secretary may mark, interpret, improve, restore, and provide technical assistance with respect to the preservation and interpretation of such properties. Such agreements shall contain, but need not be limited to, provisions under which the Secretary shall have the right of access at reasonable times to public portions of the property for interpretive and other purposes, and that no changes or alterations shall be made in the property except by mutual agreement.

(2) LIMITED AGREEMENTS.—The Secretary may consult and enter into cooperative agreements with interested persons for interpretation and technical assistance with the preservation of—

- (A) the Ford Assembly Building;
- (B) the intact dry docks/basin docks and five historic structures at Richmond Shipyard #3;
- (C) the Shimada Peace Memorial Park;
- (D) Westshore Park;
- (E) the Rosie the Riveter Memorial;
- (F) Sheridan Observation Point Park;
- (G) the Bay Trail/Esplanade;
- (H) Vincent Park; and
- (I) the vessel S.S. RED OAK VICTORY, and Whirley Cranes associated with shipbuilding in Richmond.

(c) EDUCATION CENTER.—The Secretary may establish a World War II Home Front Education Center in the Ford Assembly Building. Such center shall include a program that allows for distance learning and linkages to other representative sites across the country, for the purpose of educating the public as to the significance of the site and the World War II Home Front.

(d) USE OF FEDERAL FUNDS.—

(1) NON-FEDERAL MATCHING.—(A) As a condition of expending any funds appropriated to the Secretary for the purposes of the cooperative agreements under subsection (b)(2), the Secretary shall require that such expenditure must be matched by expenditure of an equal amount of funds, goods, services, or in-kind contributions provided by non-Federal sources.

(B) With the approval of the Secretary, any donation of property, services, or goods from a non-Federal source may be considered as a contribution of funds from a non-Federal source for purposes of this paragraph.

(2) COOPERATIVE AGREEMENT.—Any payment made by the Secretary pursuant to a cooperative agreement under this section shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this Act, as determined by the Secretary, shall entitle the United States to reimbursement of the greater of—

- (A) all funds paid by the Secretary to such project;
- or
- (B) the proportion of the increased value of the project attributable to such payments, determined at the time of such conversion, use, or disposal.

## (e) ACQUISITION.—

(1) FORD ASSEMBLY BUILDING.—The Secretary may acquire a leasehold interest in the Ford Assembly Building for the purposes of operating a World War II Home Front Education Center.

(2) OTHER FACILITIES.—The Secretary may acquire, from willing sellers, lands or interests in the World War II day care centers, the World War II worker housing, the Kaiser-Permanente Field Hospital, and Fire Station 67, through donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

(3) ARTIFACTS.—The Secretary may acquire and provide for the curation of historic artifacts that relate to the park.

(f) DONATIONS.—The Secretary may accept and use donations of funds, property, and services to carry out this Act.

## (g) GENERAL MANAGEMENT PLAN.—

Deadline.

(1) IN GENERAL.—Not later than 3 complete fiscal years after the date funds are made available, the Secretary shall prepare, in consultation with the City of Richmond, California, and transmit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park in accordance with the provisions of section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a-7(b)), popularly known as the National Park System General Authorities Act, and other applicable law.

(2) PRESERVATION OF SETTING.—The general management plan shall include a plan to preserve the historic setting of the Rosie the Riveter/World War II Home Front National Historical Park, which shall be jointly developed and approved by the City of Richmond.

(3) ADDITIONAL SITES.—The general management plan shall include a determination of whether there are additional representative sites in Richmond that should be added to the park or sites in the rest of the United States that relate to the industrial, governmental, and citizen efforts during World War II that should be linked to and interpreted at the park. Such determination shall consider any information or findings developed in the National Park Service study of the World War II Home Front under section 4.

16 USC  
410ggg-2.**SEC. 4. WORLD WAR II HOME FRONT STUDY.**

The Secretary shall conduct a theme study of the World War II home front to determine whether other sites in the United States meet the criteria for potential inclusion in the National Park System in accordance with section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

16 USC  
410ggg-3.**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

## (a) IN GENERAL.—

(1) ORAL HISTORIES, PRESERVATION, AND VISITOR SERVICES.—There are authorized to be appropriated such sums as may be necessary to conduct oral histories and to carry out the preservation, interpretation, education, and other essential visitor services provided for by this Act.

(2) ARTIFACTS.—There are authorized to be appropriated \$1,000,000 for the acquisition and curation of historical artifacts related to the park.



PUBLIC LAW 106-352—OCT. 24, 2000

114 STAT. 1373

(b) PROPERTY ACQUISITION.—There are authorized to be appropriated such sums as are necessary to acquire the properties listed in section 3(e)(2).

(c) LIMITATION ON USE OF FUNDS FOR S.S. RED OAK VICTORY.—None of the funds authorized to be appropriated by this section may be used for the operation, maintenance, or preservation of the vessel S.S. RED OAK VICTORY.

Approved October 24, 2000.

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LEGISLATIVE HISTORY—H.R. 4063:

HOUSE REPORTS: No. 106-723 (Comm. on Resources).

SENATE REPORTS: No. 106-446 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 11, considered and passed House.

Oct. 5, considered and passed Senate.



**13. Salt River Bay**

116 STAT. 2815

PUBLIC LAW 107-329—DEC. 6, 2002

Public Law 107-329  
107th Congress

**An Act**

Dec. 6, 2002  
[S. 1240]

To provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

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

\* \* \* \* \*

116 STAT. 2819

**TITLE III—SALT RIVER BAY NATIONAL  
HISTORICAL PARK AND ECOLOGICAL  
PRESERVE BOUNDARY ADJUSTMENT**

**SEC. 301. BOUNDARY ADJUSTMENT.**

The first sentence of section 103(b) of the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992 (16 U.S.C. 410tt-1(b)) is amended to read as follows: “The park shall consist of approximately 1015 acres of lands, waters, and interests in lands as generally depicted on the map entitled ‘Salt River Bay National Historical Park and Ecological Preserve, St. Croix, U.S.V.I.’, numbered 141/80002, and dated May 2, 2002.”.

Approved December 6, 2002.

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**LEGISLATIVE HISTORY—S. 1240 (H.R. 3928):**

HOUSE REPORTS: No. 107-669 (Comm. on Resources).

SENATE REPORTS: No. 107-178 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Aug. 1, considered and passed Senate.

Sept. 24, considered and passed House, amended.

Nov. 19, Senate concurred in House amendment.



**14. Sitka**

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress**An Act**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Oct. 11, 2000  
[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

114 STAT. 941

\* \* \* \* \*

SEC. 130. (a) The first section of Public Law 92–501 (86 Stat. 904) is amended by inserting after the first sentence “The park shall also include the land as generally depicted on the map entitled ‘subdivision of a portion of U.S. Survey 407, Tract B, dated May 12, 2000’”.

114 STAT. 946  
16 USC 431 note.

(b) Section 3 of Public Law 92–501 is amended to read as follows: “There are authorized to be appropriated such sums as are necessary to carry out the terms of this Act.”.

16 USC 431 note.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

**LEGISLATIVE HISTORY—H.R. 4578:**

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



**15. Tumacacori**

116 STAT. 1328

PUBLIC LAW 107–218—AUG. 21, 2002

**Public Law 107–218  
107th Congress****An Act**Aug. 21, 2002  
[H.R. 2234]

To revise the boundary of the Tumacacori National Historical Park in the State of Arizona.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Tumacacori  
National  
Historical Park  
Boundary  
Revision Act of  
2002.  
16 USC 410ss  
note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Tumacacori National Historical Park Boundary Revision Act of 2002”.

16 USC 410ss  
note.**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—The Congress finds the following:

(1) Tumacacori Mission in southern Arizona was declared a National Monument in 1908 in recognition of its great historical significance as “one of the oldest mission ruins in the southwest”.

(2) In establishing Tumacacori National Historical Park in 1990 to include the Tumacacori Mission and the ruins of the mission of Los Santos Angeles de Guevavi and the Kino visita and rancheria of Calabazas, Congress recognized the importance of these sites “to protect and interpret, for the education and benefit of the public, sites in the State of Arizona associated with the early Spanish missionaries and explorers of the 17th and 18th centuries”.

(3) Tumacacori National Historical Park plays a major role in interpreting the Spanish colonial heritage of the United States.

(b) PURPOSES.—The purposes of this Act are—

(1) to protect and interpret the resources associated with the Tumacacori Mission by revising the boundary of Tumacacori National Historical Park to include approximately 310 acres of land adjacent to the park; and

(2) to enhance the visitor experience at Tumacacori by developing access to these associated mission resources.

**SEC. 3. BOUNDARY REVISION, TUMACACORI NATIONAL HISTORICAL PARK, ARIZONA.**

Section 1(b) of Public Law 101–344 (16 U.S.C. 410ss(b)) is amended—

(1) by inserting after the first sentence the following new sentence: “The park shall also consist of approximately 310 acres of land adjacent to the original Tumacacori unit of the park and generally depicted on the map entitled ‘Tumacacori National Historical Park, Arizona Proposed Boundary Revision 2001’, numbered 310/80,044, and dated July 2001.”; and

PUBLIC LAW 107-218—AUG. 21, 2002

116 STAT. 1329

(2) in the last sentence—

(A) by striking “The map” and inserting “The maps”;  
and  
(B) by striking “the offices” and inserting “the appropriate offices”.

Approved August 21, 2002.

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LEGISLATIVE HISTORY—H.R. 2234:

HOUSE REPORTS: No. 107-327 (Comm. on Resources).

SENATE REPORTS: No. 107-185 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Jan. 23, considered and passed House.

Aug. 1, considered and passed Senate.



**16. Valley Forge**

113 STAT. 1298

PUBLIC LAW 106–86—OCT. 31, 1999

**Public Law 106–86  
106th Congress****An Act**Oct. 31, 1999  
[H.R. 659]

To authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

Pennsylvania  
Battlefields  
Protection Act of  
1999.  
16 USC 410aa  
note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pennsylvania Battlefields Protection Act of 1999”.

\* \* \* \* \*

113 STAT. 1299

**TITLE II—VALLEY FORGE NATIONAL  
HISTORICAL PARK**

16 USC 410aa  
note.

**SEC. 201. PURPOSE.**

The purpose of this title is to authorize the Secretary of the Interior to enter into an agreement with the Valley Forge Historical Society (hereinafter referred to as the “Society”), to construct and operate a museum within the boundary of Valley Forge National Historical Park in cooperation with the Secretary.

16 USC 410aa  
note.

**SEC. 202. VALLEY FORGE MUSEUM OF THE AMERICAN REVOLUTION  
AUTHORIZATION.**

(a) AGREEMENT AUTHORIZED.—The Secretary of the Interior, in administering the Valley Forge National Historical Park, is authorized to enter into an agreement under appropriate terms and conditions with the Society to facilitate the planning, construction, and operation of the Valley Forge Museum of the American Revolution on Federal land within the boundary of Valley Forge National Historical Park.

(b) CONTENTS AND IMPLEMENTATION OF AGREEMENT.—An agreement entered into under subsection (a) shall—

(1) authorize the Society to develop and operate the museum pursuant to plans developed by the Secretary and to provide at the museum appropriate and necessary programs and services to visitors to Valley Forge National Historical Park related to the story of Valley Forge and the American Revolution;

(2) only be carried out in a manner consistent with the General Management Plan and other plans for the preservation and interpretation of the resources and values of Valley Forge National Historical Park;

(3) authorize the Secretary to undertake at the museum activities related to the management of Valley Forge National Historical Park, including, but not limited to, provision of appropriate visitor information and interpretive facilities and programs related to Valley Forge National Historical Park;

(4) authorize the Society, acting as a private nonprofit organization, to engage in activities appropriate for operation of the museum that may include, but are not limited to,

113 STAT. 1300

## PUBLIC LAW 106–86—OCT. 31, 1999

113 STAT. 1300

charging appropriate fees, conducting events, and selling merchandise, tickets, and food to visitors to the museum;

(5) provide that the Society's revenues from the museum's facilities and services shall be used to offset the expenses of the museum's operation; and

(6) authorize the Society to occupy the museum so constructed for the term specified in the Agreement and subject to the following terms and conditions:

(A) The conveyance by the Society to the United States of all right, title, and interest in the museum to be constructed at Valley Forge National Historical Park.

(B) The Society's right to occupy and use the museum shall be for the exhibition, preservation, and interpretation of artifacts associated with the Valley Forge story and the American Revolution, to enhance the visitor experience of Valley Forge National Historical Park, and to conduct appropriately related activities of the Society consistent with its mission and with the purposes for which the Valley Forge National Historical Park was established. Such right shall not be transferred or conveyed without the express consent of the Secretary.

(C) Any other terms and conditions the Secretary determines to be necessary.

**SEC. 203. PRESERVATION AND PROTECTION.**

16 USC 410aa  
note.

Nothing in this title authorizes the Secretary or the Society to take any actions in derogation of the preservation and protection of the values and resources of Valley Forge National Historical Park. An agreement entered into under section 202 shall be construed and implemented in light of the high public value and integrity of the Valley Forge National Historical Park and the National Park System.

Approved October 31, 1999.

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**LEGISLATIVE HISTORY—H.R. 659:**

HOUSE REPORTS: No. 106–139 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

June 22, considered and passed House.

Oct. 14, considered and passed Senate, amended.

Oct. 18, House concurred in Senate amendment.



**17. Women's Rights**

114 STAT. 655

PUBLIC LAW 106–258—AUG. 8, 2000

**Public Law 106–258  
106th Congress****An Act**

Aug. 8, 2000  
[S. 1910]

To amend the Act establishing Women's Rights National Historical Park to permit the Secretary of the Interior to acquire title in fee simple to the Hunt House located in Waterloo, New York.

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

**SECTION 1. ACQUISITION OF HUNT HOUSE.**

(a) IN GENERAL.—Section 1601(d) of Public Law 96–607 (94 Stat. 3547; 16 U.S.C. 4101l(d)) is amended—

(1) in the first sentence—

(A) by inserting a period after “park”; and

(B) by striking the remainder of the sentence; and

(2) by striking the last sentence.

(b) TECHNICAL CORRECTION.—Section 1601(c)(8) of Public Law 96–607 (94 Stat. 3547; 16 U.S.C. 4101l(c)(8)) is amended by striking “Williams” and inserting “Main”.

Approved August 8, 2000.

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**LEGISLATIVE HISTORY—S. 1910:**

SENATE REPORTS: No. 106–268 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

July 25, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):  
Aug. 8, Presidential statement.





## VII. NATIONAL MILITARY PARKS

### 1. Fredericksburg and Spotsylvania County Battlefields Memorial

PUBLIC LAW 106–150—DEC. 9, 1999

113 STAT. 1730

Public Law 106–150  
106th Congress

#### An Act

To allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation.

Dec. 9, 1999  
[H.R. 1665]

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

#### SECTION 1. ADDITION TO WILDERNESS BATTLEFIELD, VIRGINIA.

(a) REMOVAL OF CONDITION ON BATTLEFIELD ADDITION.—Section 2(a)(2) of Public Law 102–541 (16 U.S.C. 425k note; 106 Stat. 3565) is amended by striking “: *Provided*,” and all that follows through “Interior”.

(b) AUTHORIZED METHODS OF ACQUISITION.—

(1) LIMITATIONS ON ACQUISITION METHODS.—Section 3(a) of Public Law 101–214 (16 U.S.C. 425l(a)) is amended—

(A) by striking “The Secretary” and inserting “(1) Except as provided in paragraph (2), the Secretary”; and

(B) by adding at the end the following new paragraph:

“(2) The lands designated ‘P04–04’ on the map referred to in section 2(a) numbered 326–40072E/89/A and dated September 1990 may be acquired only by donation, and the lands designated ‘P04–01’, ‘P04–02’, and ‘P04–03’ on such map may be acquired only by donation, purchase from willing sellers, or exchange.”.

(2) REMOVAL OF RESTRICTION ON ACQUISITION OF ADDITION.—Section 2 of Public Law 102–541 (16 U.S.C. 425k note; 106 Stat. 3565) is amended by striking subsection (b).

(c) TECHNICAL CORRECTION.—Section 2(a) of Public Law 101–214 (16 U.S.C. 425k(a)) is amended by striking “Spotsylvania” and inserting “Spotsylvania”.

Approved December 9, 1999.

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#### LEGISLATIVE HISTORY—H.R. 1665:

HOUSE REPORTS: No. 106–362 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Oct. 12, considered and passed House.

Nov. 19, considered and passed Senate.



**2. Gettysburg**

114 STAT. 921

PUBLIC LAW 106–290—OCT. 10, 2000

**Public Law 106–290  
106th Congress****An Act**Oct. 10, 2000  
[S. 1324]

To expand the boundaries of the Gettysburg National Military Park to include the Wills House, and for other purposes.

Pennsylvania.  
Historic  
preservation.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. GETTYSBURG NATIONAL MILITARY PARK BOUNDARY REVISION.**

Section 1 of the Act entitled “An Act to revise the boundary of the Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes” approved August 17, 1990 (16 U.S.C. 430g–4) is amended—

(1) by redesignating subsection (b) as subsection (c);

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

“(b) **ADDITIONAL LAND.**—In addition to the land identified in subsection (a), the park shall also include the property commonly known as the Wills House located in the Borough of Gettysburg and identified as Tract P02–1 on the map entitled ‘Gettysburg National Military Park’ numbered MARO 305/80,011 Segment 2, and dated April 1981, revised May 14, 1999.”; and

(3) in subsection (c) (as redesignated by paragraph (1)), by striking “map referred to in subsection (a)” and inserting “maps referred to in subsections (a) and (b)”.

16 USC 430g–5.

**SEC. 2. ACQUISITION AND DISPOSAL OF LAND.**

Section 2 of the Act entitled “An Act to revise the boundary of the Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes” approved August 17, 1990 (16 U.S.C. 430g–4) is amended by striking “1(b)” each place it appears and inserting “1(c)”.

Approved October 10, 2000.

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**LEGISLATIVE HISTORY—S. 1324 (H.R. 2435):****HOUSE REPORTS:** No. 106–736 accompanying H.R. 2435 (Comm. on Resources).**SENATE REPORTS:** No. 106–187 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Sept. 26, considered and passed House.



**3. Shiloh**

PUBLIC LAW 106–271—SEPT. 22, 2000

114 STAT. 792

Public Law 106–271  
106th Congress**An Act**

To establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes.

Sept. 22, 2000  
[S. 1117]

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

Corinth  
Battlefield  
Preservation Act  
of 2000.  
16 USC 430f–6  
note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Corinth Battlefield Preservation Act of 2000”.

**SEC. 2. FINDINGS AND PURPOSES.**

16 USC 430f–6.

(a) FINDINGS.—Congress finds that—

(1) in 1996, Congress authorized the establishment and construction of a center—

(A) to facilitate the interpretation of the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth, Mississippi; and

(B) to enhance public understanding of the significance of the Corinth campaign and the Civil War relative to the western theater of operations, in cooperation with—

- (i) State or local governmental entities;
- (ii) private organizations; and
- (iii) individuals;

(2) the Corinth Battlefield was ranked as a priority 1 battlefield having critical need for coordinated nationwide action by the year 2000 by the Civil War Sites Advisory Commission in its report on Civil War Battlefields of the United States;

(3) there is a national interest in protecting and preserving sites of historic significance associated with the Civil War; and

(4) the States of Mississippi and Tennessee and their respective local units of government—

(A) have the authority to prevent or minimize adverse uses of these historic resources; and

(B) can play a significant role in the protection of the historic resources related to the Civil War battles fought in the area in and around the city of Corinth.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish the Corinth Unit of the Shiloh National Military Park—

- (A) in the city of Corinth, Mississippi; and
- (B) in the State of Tennessee;

114 STAT. 793

PUBLIC LAW 106-271—SEPT. 22, 2000

(2) to direct the Secretary of the Interior to manage, protect, and interpret the resources associated with the Civil War Siege and the Battle of Corinth that occurred in and around the city of Corinth, in cooperation with—

- (A) the State of Mississippi;
- (B) the State of Tennessee;
- (C) the city of Corinth, Mississippi;
- (D) other public entities; and
- (E) the private sector; and

(3) to authorize a special resource study to identify other Civil War sites in and around the city of Corinth that—

- (A) are consistent with the themes of the Siege and Battle of Corinth;
- (B) meet the criteria for designation as a unit of the National Park System; and
- (C) are considered appropriate for inclusion in the Unit.

16 USC 430f-7.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) **MAP.**—The term “Map” means the map entitled “Park Boundary-Corinth Unit”, numbered 304/80,007, and dated October 1998.

(2) **PARK.**—The term “Park” means the Shiloh National Military Park.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **UNIT.**—The term “Unit” means the Corinth Unit of Shiloh National Military Park established under section 4.

16 USC 430f-8.

**SEC. 4. ESTABLISHMENT OF UNIT.**

(a) **IN GENERAL.**—There is established in the States of Mississippi and Tennessee the Corinth Unit of the Shiloh National Military Park.

(b) **COMPOSITION OF UNIT.**—The Unit shall be comprised of—

(1) the tract consisting of approximately 20 acres generally depicted as “Battery Robinett Boundary” on the Map; and

(2) any additional land that the Secretary determines to be suitable for inclusion in the Unit that—

(A) is under the ownership of a public entity or non-profit organization; and

(B) has been identified by the Siege and Battle of Corinth National Historic Landmark Study, dated January 8, 1991.

(c) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.

16 USC 430f-9.

**SEC. 5. LAND ACQUISITION.**

(a) **IN GENERAL.**—The Secretary may acquire land and interests in land within the boundary of the Park as depicted on the Map, by—

- (1) donation;
- (2) purchase with donated or appropriated funds; or
- (3) exchange.

(b) **EXCEPTION.**—Land may be acquired only by donation from—

(1) the State of Mississippi (including a political subdivision of the State);

PUBLIC LAW 106–271—SEPT. 22, 2000

114 STAT. 794

(2) the State of Tennessee (including a political subdivision of the State); or

(3) the organization known as “Friends of the Siege and Battle of Corinth”.

**SEC. 6. PARK MANAGEMENT AND ADMINISTRATION.**

16 USC 430f–10.

(a) **IN GENERAL.**—The Secretary shall administer the Unit in accordance with this Act and the laws generally applicable to units of the National Park System, including—

(1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) 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. 461 et seq.).

(b) **DUTIES.**—In accordance with section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5), the Secretary shall—

(1) commemorate and interpret, for the benefit of visitors and the general public, the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth within the larger context of the Civil War and American history, including the significance of the Civil War Siege and Battle of Corinth in 1862 in relation to other operations in the western theater of the Civil War; and

(2) identify and preserve surviving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes that include—

(A) the role of railroads in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war.

(c) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—To carry out this Act, the Secretary may enter into cooperative agreements with entities in the public and private sectors, including—

(A) colleges and universities;

(B) historical societies;

(C) State and local agencies; and

(D) nonprofit organizations.

(2) **TECHNICAL ASSISTANCE.**—To develop cooperative land use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural, and scenic resources of the Unit, the Secretary may provide technical assistance, to the extent that a recipient of technical assistance is engaged in the protection, interpretation, or commemoration of historically significant Civil War resources in the area in and around the city of Corinth, to—

(A) the State of Mississippi (including a political subdivision of the State);

(B) the State of Tennessee (including a political subdivision of the State);

(C) a governmental entity;

(D) a nonprofit organization; and

(E) a private property owner.

114 STAT. 795

PUBLIC LAW 106-271—SEPT. 22, 2000

(d) **RESOURCES OUTSIDE THE UNIT.**—Nothing in subsection (c)(2) authorizes the Secretary to own or manage any resource outside the Unit.

16 USC 430f-11.

**SEC. 7. AUTHORIZATION OF SPECIAL RESOURCE STUDY.**

(a) **IN GENERAL.**—To determine whether certain additional properties are appropriate for inclusion in the Unit, the Secretary shall conduct a special resource study of land in and around the city of Corinth, Mississippi, and nearby areas in the State of Tennessee that—

(1) have a relationship to the Civil War Siege and Battle of Corinth in 1862; and

(2) are under the ownership of—

(A) the State of Mississippi (including a political subdivision of the State);

(B) the State of Tennessee (including a political subdivision of the State);

(C) a nonprofit organization; or

(D) a private person.

(b) **CONTENTS OF STUDY.**—The study shall—

(1) identify the full range of resources and historic themes associated with the Civil War Siege and Battle of Corinth in 1862, including the relationship of the campaign to other operations in the western theater of the Civil War that occurred in—

(A) the area in and around the city of Corinth; and

(B) the State of Tennessee;

(2) identify alternatives for preserving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes involving—

(A) the role of the railroad in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war;

(3) identify potential partners that might support efforts by the Secretary to carry out this Act, including—

(A) State entities and their political subdivisions;

(B) historical societies and commissions;

(C) civic groups; and

(D) nonprofit organizations;

(4) identify alternatives to avoid land use conflicts; and

(5) include cost estimates for any necessary activity associated with the alternatives identified under this subsection, including—

(A) acquisition;

(B) development;

(C) interpretation;

(D) operation; and

(E) maintenance.

Deadline.

(c) **REPORT.**—Not later than 1 year and 180 days after the date on which funds are made available to carry out this section, the Secretary shall submit a report describing the findings of the study under subsection (a) to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

PUBLIC LAW 106–271—SEPT. 22, 2000

114 STAT. 796

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 USC 430f–12.

There are authorized to be appropriated such sums as are necessary to carry out this Act, including \$3,000,000 for the construction of an interpretive center under section 602(d) of title VI of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5(d)).

Approved September 22, 2000.

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**LEGISLATIVE HISTORY—S. 1117:**

**SENATE REPORTS:** No. 106–186 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Sept. 12, considered and passed House.



114 STAT. 1356

PUBLIC LAW 106–346—OCT. 23, 2000

\*Public Law 106–346  
106th Congress

An Act

Oct. 23, 2000  
[H.R. 4475]

Making appropriations for the Department of Transportation and related agencies  
for the fiscal year ending September 30, 2001, 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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Incorporation by  
reference.

SECTION 101. (a) The provisions of the following bill are hereby enacted into law, H.R. 5394 of the 106th Congress, as introduced on October 5, 2000.

Publication.  
1 USC 112 note.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Approved October 23, 2000.

LEGISLATIVE HISTORY—H.R. 4475 (S. 2720):

HOUSE REPORTS: Nos. 106–622 (Comm. on Appropriations) and 106–940 (Comm. of Conference).

SENATE REPORTS: No. 106–309 accompanying S. 2720 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 19, considered and passed House.

June 14, 15, considered and passed Senate, amended.

Oct. 6, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 23, Presidential statement.

\*ENDNOTE: The following appendix was added pursuant to the provisions of section 101 of this Act.





**APPENDIX—H.R. 5394**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

114 STAT.  
1356A–23

(INCLUDING TRANSFERS OF FUNDS)

\* \* \* \* \*

SEC. 363. Section 117(c) of title 23, United States Code, is amended by inserting before the period at the end the following: “; except that the Federal share on account of the project to be carried out under item 1419 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 309), relating to reconstruction of a road and causeway in Shiloh Military Park in Hardin County, Tennessee, shall be 100 percent of the total cost thereof”.

114 STAT.  
1356A–36

114 STAT.  
1356A–37

\* \* \* \* \*

This Act may be cited as the “Department of Transportation and Related Agencies Appropriations Act, 2001”.

114 STAT.  
1356A–57

\* \* \* \* \*

**4. Vicksburg**

116 STAT. 1486

PUBLIC LAW 107-238—OCT. 11, 2002

**Public Law 107-238  
107th Congress****An Act**

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Oct. 11, 2002  
[S. 1175]

To modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes.

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

Vicksburg  
National Military  
Park Boundary  
Modification Act  
of 2002.  
16 USC 430h  
note.  
16 USC 430h-10.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Vicksburg National Military Park Boundary Modification Act of 2002”.

**SEC. 2. BOUNDARY MODIFICATION.**

The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled “Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park”, numbered 306/80015A, and dated August, 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

16 USC 430h-11.

**SEC. 3. ACQUISITION OF PROPERTY.**

(a) PEMBERTON'S HEADQUARTERS.—The Secretary of the Interior is authorized to acquire the properties described in section 2 and 3(b) by purchase, donation, or exchange, except that each property may only be acquired with the consent of the owner thereof.

(b) PARKING.—The Secretary is also authorized to acquire not more than one acre of land, or interest therein, adjacent to or near Pemberton's Headquarters for the purpose of providing parking and other facilities related to the operation of Pemberton's Headquarters. Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion.

16 USC 430h-12.

**SEC. 4. ADMINISTRATION.**

The Secretary shall administer any properties acquired under this Act as part of the Vicksburg National Military Park in accordance with applicable laws and regulations.

PUBLIC LAW 107-238—OCT. 11, 2002

116 STAT. 1487

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

16 USC 430h-13.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved October 11, 2002.

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**LEGISLATIVE HISTORY—S. 1175 (H.R. 3307):**

HOUSE REPORTS: No. 107-508 accompanying H.R. 3307 (Comm. on Resources).

SENATE REPORTS: No. 107-183 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

July 24, considered and passed Senate.

Sept. 24, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Oct. 11, Presidential statement.





## VIII. NATIONAL BATTLEFIELD

### 1. Richmond

PUBLIC LAW 106–511—NOV. 13, 2000

114 STAT. 2365

Public Law 106–511  
106th Congress

#### An Act

To provide for equitable compensation for the Cheyenne River Sioux Tribe, and  
for other purposes.

Nov. 13, 2000

[S. 964]

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

\* \* \* \* \*

#### TITLE V—REVISION OF RICHMOND NA- TIONAL BATTLEFIELD PARK BOUND- ARIES

114 STAT. 2373  
Richmond  
National  
Battlefield Park  
Act of 2000.  
Virginia.  
Historic  
preservation.  
16 USC 423l–1.

#### SEC. 501. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This title may be cited as the “Richmond  
National Battlefield Park Act of 2000”.

(b) DEFINITIONS.—In this title:

(1) BATTLEFIELD PARK.—The term “battlefield park” means  
the Richmond National Battlefield Park.

(2) SECRETARY.—The term “Secretary” means the Secretary  
of the Interior.

#### SEC. 502. FINDINGS AND PURPOSE.

16 USC 423l–2.

(a) FINDINGS.—The Congress finds the following:

(1) In the Act of March 2, 1936 (Chapter 113; 49 Stat.  
1155; 16 U.S.C. 423j), Congress authorized the establishment  
of the Richmond National Battlefield Park, and the boundaries  
of the battlefield park were established to permit the inclusion  
of all military battlefield areas related to the battles fought  
during the Civil War in the vicinity of the City of Richmond,  
Virginia. The battlefield park originally included the area then  
known as the Richmond Battlefield State Park.

(2) The total acreage identified in 1936 for consideration  
for inclusion in the battlefield park consisted of approximately  
225,000 acres in and around the City of Richmond. A study  
undertaken by the congressionally authorized Civil War Sites  
Advisory Committee determined that of these 225,000 acres,  
the historically significant areas relating to the campaigns  
against and in defense of Richmond encompass approximately  
38,000 acres.

(3) In a 1996 general management plan, the National Park  
Service identified approximately 7,121 acres in and around  
the City of Richmond that satisfy the National Park Service  
criteria of significance, integrity, feasibility, and suitability for  
inclusion in the battlefield park. The National Park Service  
later identified an additional 186 acres for inclusion in the  
battlefield park.

(4) There is a national interest in protecting and preserving sites of historical significance associated with the Civil War and the City of Richmond.

(5) The Commonwealth of Virginia and its local units of government have authority to prevent or minimize adverse uses of these historic resources and can play a significant role in the protection of the historic resources related to the campaigns against and in defense of Richmond.

(6) The preservation of the New Market Heights Battlefield in the vicinity of the City of Richmond is an important aspect of American history that can be interpreted to the public. The Battle of New Market Heights represents a premier landmark in black military history as 14 black Union soldiers were awarded the Medal of Honor in recognition of their valor during the battle. According to National Park Service historians, the sacrifices of the United States Colored Troops in this battle helped to ensure the passage of the Thirteenth Amendment to the United States Constitution to abolish slavery.

(b) PURPOSE.—It is the purpose of this title—

(1) to revise the boundaries for the Richmond National Battlefield Park based on the findings of the Civil War Sites Advisory Committee and the National Park Service; and

(2) to direct the Secretary of the Interior to work in cooperation with the Commonwealth of Virginia, the City of Richmond, other political subdivisions of the Commonwealth, other public entities, and the private sector in the management, protection, and interpretation of the resources associated with the Civil War and the Civil War battles in and around the City of Richmond, Virginia.

Virginia.  
16 USC 423l-3.

**SEC. 503. RICHMOND NATIONAL BATTLEFIELD PARK; BOUNDARIES.**

(a) ESTABLISHMENT AND PURPOSE.—For the purpose of protecting, managing, and interpreting the resources associated with the Civil War battles in and around the City of Richmond, Virginia, there is established the Richmond National Battlefield Park consisting of approximately 7,307 acres of land, as generally depicted on the map entitled “Richmond National Battlefield Park Boundary Revision”, numbered 367N.E.F.A.80026A, and dated September 2000. The map shall be on file in the appropriate offices of the National Park Service.

(b) BOUNDARY ADJUSTMENTS.—The Secretary may make minor adjustments in the boundaries of the battlefield park consistent with section 7(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9(c)).

16 USC 423l-4.

**SEC. 504. LAND ACQUISITION.**

(a) ACQUISITION AUTHORITY.—

(1) IN GENERAL.—The Secretary may acquire lands, waters, and interests in lands within the boundaries of the battlefield park from willing landowners by donation, purchase with donated or appropriated funds, or exchange. In acquiring lands and interests in lands under this title, the Secretary shall acquire the minimum interest necessary to achieve the purposes for which the battlefield is established.

(2) SPECIAL RULE FOR PRIVATE LANDS.—Privately owned lands or interests in lands may be acquired under this title only with the consent of the owner.

PUBLIC LAW 106-511—NOV. 13, 2000

114 STAT. 2375

(b) EASEMENTS.—

(1) OUTSIDE BOUNDARIES.—The Secretary may acquire an easement on property outside the boundaries of the battlefield park and around the City of Richmond, with the consent of the owner, if the Secretary determines that the easement is necessary to protect core Civil War resources as identified by the Civil War Sites Advisory Committee. Upon acquisition of the easement, the Secretary shall revise the boundaries of the battlefield park to include the property subject to the easement.

(2) INSIDE BOUNDARIES.—To the extent practicable, and if preferred by a willing landowner, the Secretary shall use permanent conservation easements to acquire interests in land in lieu of acquiring land in fee simple and thereby removing land from non-Federal ownership.

(c) VISITOR CENTER.—The Secretary may acquire the Tredegar Iron Works buildings and associated land in the City of Richmond for use as a visitor center for the battlefield park.

**SEC. 505. PARK ADMINISTRATION.**

16 USC 423I-5.

(a) APPLICABLE LAWS.—The Secretary, acting through the Director of the National Park Service, shall administer the battlefield park in accordance with this title and laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) NEW MARKET HEIGHTS BATTLEFIELD.—The Secretary shall provide for the establishment of a monument or memorial suitable to honor the 14 Medal of Honor recipients from the United States Colored Troops who fought in the Battle of New Market Heights. The Secretary shall include the Battle of New Market Heights and the role of black Union soldiers in the battle in historical interpretations provided to the public at the battlefield park.

(c) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the Commonwealth of Virginia, its political subdivisions (including the City of Richmond), private property owners, and other members of the private sector to develop mechanisms to protect and interpret the historical resources within the battlefield park in a manner that would allow for continued private ownership and use where compatible with the purposes for which the battlefield is established.

(d) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to the Commonwealth of Virginia, its political subdivisions, nonprofit entities, and private property owners for the development of comprehensive plans, land use guidelines, special studies, and other activities that are consistent with the identification, protection, interpretation, and commemoration of historically significant Civil War resources located inside and outside of the boundaries of the battlefield park. The technical assistance does not authorize the Secretary to own or manage any of the resources outside the battlefield park boundaries.

**SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

16 USC 423I-6.

There are authorized to be appropriated such sums as are necessary to carry out this title.

114 STAT. 2376

PUBLIC LAW 106–511—NOV. 13, 2000

**SEC. 507. REPEAL OF SUPERSEDED LAW.**

The Act of March 2, 1936 (chapter 113; 16 U.S.C. 423j–423l) is repealed.

\* \* \* \* \*

114 STAT. 2377

Approved November 13, 2000.

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**LEGISLATIVE HISTORY—S. 964:****HOUSE REPORTS:** No. 106–944 (Comm. on Resources).**SENATE REPORTS:** No. 106–217 (Comm. on Indian Affairs).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 18, considered and passed House, amended.

Oct. 24, Senate concurred in House amendment.





## IX. NATIONAL HISTORIC SITES

### 1. Allegheny Portage Railroad

PUBLIC LAW 107–369—DEC. 19, 2002

116 STAT. 3069

Public Law 107–369  
107th Congress

#### An Act

To revise the boundary of the Allegheny Portage Railroad National Historic Site,  
and for other purposes.

Dec. 19, 2002  
[H.R. 4682]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Allegheny Portage Railroad  
National Historic Site Boundary Revision Act”.

Allegheny  
Portage Railroad  
National Historic  
Site Boundary  
Revision Act.  
Pennsylvania.  
16 USC 461 note.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) HISTORIC SITE.—The term “historic site” means the Allegheny Portage Railroad National Historic Site in Blair and Cambria Counties, Pennsylvania, established pursuant to Public Law 88–546 (78 Stat. 752; 16 U.S.C. 461 note).

(2) MAP.—The term “Map” means the map entitled “Allegheny Portage Railroad National Historic Site, Blair and Cambria Counties, Pennsylvania”, numbered NERO 423/80,014 and dated May 01.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

#### SEC. 3. REVISION OF HISTORIC SITE BOUNDARIES.

(a) LANDS EXCLUDED FROM AND ADDED TO HISTORIC SITE.—The boundary of the historic site is hereby revised—

(1) by deleting—

(A) the approximately 3.09 acres depicted on the Map as tracts 105–21 and 105–15; and

(B) the approximately 7.26 acres depicted on the Map as tract 102–42; and

(2) by adding—

(A) the approximately 42.42 acres depicted on the map as tract 101–09; and

(B) the approximately 15 acres depicted on the map as tract 104–07.

(b) AUTHORIZATION FOR ACQUISITIONS.—

(1) ACQUISITION 1.—

(A) IN GENERAL.—The Secretary is authorized to acquire, from willing owners only, the approximately 98 acres depicted on the Map as tract 103–07 in exchange for the approximately 108 acres depicted on the Map as tracts 102–38 and 103–04.

116 STAT. 3070

PUBLIC LAW 107-369—DEC. 19, 2002

(B) **EQUALIZATION OF VALUES.**—If the values of the tracts to be exchanged under subparagraph (A) are not equal, the difference may be equalized by donation, payment using donated or appropriated funds, or the conveyance of additional land.

(2) **ACQUISITION 2.**—The Secretary is authorized to acquire by exchange or donation, from willing owners only, the lands included within the boundary of the tract described in subsection (a)(2)(B).

(c) **REVISION OF BOUNDARIES AFTER ACQUISITIONS.**—Upon completion of the exchange under subsection (b)(1), the boundaries of the historic site shall be revised, as appropriate—

(1) by adding the land acquired by the United States; and

(2) by deleting the land that is no longer owned by the United States.

**SEC. 4. AVAILABILITY OF MAP.**

A copy of the Map shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

**SEC. 5. ADMINISTRATION OF ACQUIRED LANDS.**

Lands and interests in lands added to the historic site under this Act shall be administered by the Secretary as part of the historic site in accordance with applicable laws and regulations.

Approved December 19, 2002.

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**LEGISLATIVE HISTORY—H.R. 4682:**

HOUSE REPORTS: No. 107-634 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Sept. 24, considered and passed House.

Nov. 19, considered and passed Senate.



**2. Andersonville**

PUBLIC LAW 107–357—DEC. 17, 2002

116 STAT. 3014

Public Law 107–357  
107th Congress

**An Act**

To amend the Act entitled “An Act to authorize the Establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes”, to provide for the addition of certain donated lands to the Andersonville National Historic Site.

Dec. 17, 2002

[H.R. 4692]

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

**SECTION 1. ADDITIONAL LANDS AUTHORIZED TO BE ADDED TO HISTORIC SITE.**

The first section of the Act entitled “An Act to authorize the establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes”, approved October 16, 1970, is amended by striking “five hundred acres” and inserting “520 acres”.

16 USC 461 note.

Approved December 17, 2002.

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**LEGISLATIVE HISTORY—H.R. 4692:**

HOUSE REPORTS: No. 107–712 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 148 (2002):

Oct. 1, considered and passed House.

Nov. 20, considered and passed Senate.



### 3. Fallen Timbers Battlefield and Fort Miamis

113 STAT. 1792

PUBLIC LAW 106–164—DEC. 9, 1999

#### Public Law 106–164 106th Congress

#### An Act

Dec. 9, 1999  
[S. 548]

To establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio.

Fallen Timbers  
Battlefield and  
Fort Miamis  
National Historic  
Site Act of 1999.  
16 USC 461 note.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999”.

#### SEC. 2. DEFINITIONS.

As used in this Act:

(1) The term “historic site” means the Fallen Timbers Battlefield and Monument and Fort Miamis National Historic Site established by section 4 of this Act.

(2) The term “management plan” means the general management plan developed pursuant to section 5(d).

(3) The term “Secretary” means the Secretary of the Interior.

(4) The term “management entity” means the Metropolitan Park District of the Toledo Area.

(5) The term “technical assistance” means any guidance, advice, or other aid, other than financial assistance, provided by the Secretary.

#### SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The 185-acre Fallen Timbers Battlefield is the site of the 1794 battle between General Anthony Wayne and a confederation of Native American tribes led by Little Turtle and Blue Jacket.

(2) Fort Miamis was occupied by General Wayne’s legion from 1796 to 1798.

(3) In the spring of 1813, British troops, led by General Henry Proctor, landed at Fort Miamis and attacked the fort twice, without success.

(4) Fort Miamis and Fallen Timbers Battlefield are in Lucas County, Ohio, in the city of Maumee.

(5) The 9-acre Fallen Timbers Battlefield Monument is listed as a National Historic Landmark.

(6) Fort Miamis is listed in the National Register of Historic Places as a historic site.

(7) In 1959, the Fallen Timbers Battlefield was included in the National Survey of Historic Sites and Buildings as 1

## PUBLIC LAW 106-164—DEC. 9, 1999

113 STAT. 1793

of 22 sites representing the “Advance of the Frontier, 1763–1830”.

(8) In 1960, the Fallen Timbers Battlefield was designated as a National Historic Landmark.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize and preserve the 185-acre Fallen Timbers Battlefield site;

(2) to recognize and preserve the Fort Miamis site;

(3) to formalize the linkage of the Fallen Timbers Battlefield and Monument to Fort Miamis;

(4) to preserve and interpret United States military history and Native American culture during the period from 1794 through 1813;

(5) to provide assistance to the State of Ohio, political subdivisions of the State, and nonprofit organizations in the State to implement the management plan and develop programs that will preserve and interpret the historical, cultural, natural, recreational and scenic resources of the historic site; and

(6) to authorize the Secretary to provide technical assistance to the State of Ohio, political subdivisions of the State, and nonprofit organizations in the State, including the Ohio Historical Society, the city of Maumee, the Maumee Valley Heritage Corridor, the Fallen Timbers Battlefield Commission, Heidelberg College, the city of Toledo, and the Metropark District of the Toledo Area, to implement the management plan.

**SEC. 4. ESTABLISHMENT OF THE FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS NATIONAL HISTORIC SITE.**

(a) IN GENERAL.—There is established, as an affiliated area of the National Park System, the Fallen Timbers Battlefield and Fort Miamis National Historic Site in the State of Ohio.

(b) DESCRIPTION.—The historic site is comprised of the following as generally depicted on the map entitled Fallen Timbers Battlefield and Fort Miamis National Historical Site-proposed, number NHS-FTFM, and dated May 1999:

(1) The Fallen Timbers site, comprised generally of the following:

(A) The Fallen Timbers Battlefield site, consisting of an approximately 185-acre parcel located north of U.S. 24, west of U.S. 23/I-475, south of the Norfolk and Western Railroad line, and east of Jerome Road.

(B) The approximately 9-acre Fallen Timbers Battlefield Monument, located south of U.S. 24; and

(2) The Fort Miamis Park site.

(c) MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**SEC. 5. ADMINISTRATION OF HISTORIC SITES.**

(a) APPLICABILITY OF NATIONAL PARK SYSTEM LAWS.—The historic site shall be administered in a manner consistent with this Act and all laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1, 2–4; commonly known as the National Park Service Organic Act), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.; commonly known as the Historic Sites, Buildings, and Antiquities Act).

(b) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with the management entity to provide technical assistance to ensure the marking, research, interpretation,

113 STAT. 1794

PUBLIC LAW 106-164—DEC. 9, 1999

education and preservation of the Fallen Timbers Battlefield and Fort Miamis National Historic Site.

(c) REIMBURSEMENT.—Any payment made by the Secretary pursuant to this section shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this section as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

Deadlines.

(d) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—The Secretary, in consultation with the management entity and Native American tribes whose ancestors were involved in events at these sites, shall develop a general management plan for the historic site. The plan shall be prepared in accordance with section 12(b) of Public Law 91-383 (16 U.S.C. 1a-1 et seq.; commonly known as the National Park System General Authorities Act).

(2) COMPLETION.—The plan shall be completed not later than 2 years after the date funds are made available.

(3) TRANSMITTAL.—Not later than 30 days after completion of the plan, the Secretary shall provide a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS

There is authorized to be appropriated such funds as are necessary to carry out this Act.

Approved December 9, 1999.

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#### LEGISLATIVE HISTORY—S. 548:

SENATE REPORTS: No. 106-64 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Oct. 14, considered and passed Senate.  
Nov. 18, considered and passed House.



PUBLIC LAW 106–387—OCT. 28, 2000

114 STAT. 1549

\* Public Law 106–387  
106th Congress

An Act

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 28, 2000  
[H.R. 4461]

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

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

Incorporation by  
reference.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Publication.  
1 USC 112 note.

Approved October 28, 2000.

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LEGISLATIVE HISTORY—H.R. 4461:

HOUSE REPORTS: No. 106–619 (Comm. on Appropriations) and No. 106–948 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 29, July 10, 11, considered and passed House.  
July 18–20, considered and passed Senate, amended.  
Oct. 11, House agreed to conference report.  
Oct. 13, 18, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):  
Oct. 28, Presidential statement.

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\* ENDNOTE: The following appendix was added pursuant to the provisions of section 1 of this Act.



**APPENDIX—H.R. 5426**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
1549A-28

**TITLE VII—GENERAL PROVISIONS**

\* \* \* \* \*

114 STAT.  
1549A-46

**SEC. 777. FINANCIAL ASSISTANCE FOR LAND ACQUISITION FOR  
FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS  
NATIONAL HISTORIC SITE.**

(a) **IN GENERAL.**—Section 4 of the Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999 (Public Law 106-164; 16 U.S.C. 461 note) is amended by adding at the end the following:

“(d) **LAND ACQUISITION ASSISTANCE.**—

“(1) **IN GENERAL.**—The Secretary may provide financial assistance to the management entity for acquiring lands or interests in lands within the boundaries of the historic site under subsection (b).

“(2) **COST SHARING.**—Financial assistance under this subsection may not be used to pay more than 50 percent of the cost of any acquisition made with the assistance.

“(3) **CONDITION.**—The Secretary shall require, as a condition of any assistance under this subsection, that any interest in land acquired with assistance under this subsection shall be included in and managed as part of the historic site.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 6 of such Act is amended by inserting “(a) **IN GENERAL.**—” before “There is authorized”, and by adding at the end the following:

“(b) **LAND ACQUISITION ASSISTANCE.**—There is authorized to be appropriated \$2,500,000 to carry out section 4(d).”.

\* \* \* \* \*



## PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2763

\* Public Law 106–554  
106th Congress

## An Act

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Dec. 21, 2000  
[H.R. 4577]

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

- (1) H.R. 5656, as introduced on December 14, 2000.
- (2) H.R. 5657, as introduced on December 14, 2000.
- (3) H.R. 5658, as introduced on December 14, 2000.
- (4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).
- (5) H.R. 5660, as introduced on December 14, 2000.
- (6) H.R. 5661, as introduced on December 14, 2000.
- (7) H.R. 5662, as introduced on December 14, 2000.
- (8) H.R. 5663, as introduced on December 14, 2000.
- (9) H.R. 5667, as introduced on December 15, 2000.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the infor-  
mation required by that section, the Director of the Office of Man-  
agement and Budget shall change any balance of direct spending

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

Publication.  
1 USC 112 note.

\* See Endnote on 114 Stat. 2764.

114 STAT. 2764

PUBLIC LAW 106–554—DEC. 21, 2000

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX I—H.R. 5667

114 STAT. 2763A–171 PUBLIC LAW 106–554—APPENDIX D

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
2763A–214**DIVISION B****TITLE I**

\* \* \* \* \*

114 STAT.  
2763A–230

SEC. 135. Funds provided in Public Law 106–291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

\* \* \* \* \*

#### 4. First Ladies

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

#### An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000  
[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

#### TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

#### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

\* \* \* \* \*

SEC. 145. (a) SHORT TITLE.—This section may be cited as the “First Ladies National Historic Site Act of 2000”.

114 STAT. 950  
First Ladies  
National Historic  
Site Act of 2000.  
16 USC 461 note.

(b) FIRST LADIES NATIONAL HISTORIC SITE.—

(1) FINDINGS.—The Congress finds the following:

(A) Throughout the history of the United States, First Ladies have had an important impact on our Nation’s history.

(B) Little attention has been paid to the role of First Ladies and their impact on our Nation’s history.

(C) Establishment of the First Ladies National Historic Site will provide unique opportunities for education and study into the impact of First Ladies on our history.

(2) PURPOSES.—The purposes of this section are the following:

(A) To preserve and interpret the role and history of First Ladies for the benefit, inspiration, and education of the people of the United States.

(B) To interpret the impact of First Ladies on the history of the United States.

(C) To provide to school children and scholars access to information about the contributions of First Ladies through both a physical educational facility and an electronic virtual library.

114 STAT. 951

(D) To establish the First Ladies National Historic Site in Canton, Ohio, the home of First Lady Ida Saxton McKinley.

(E) To create a public-private partnership between the National Park Service and the National First Ladies Library.

(3) ESTABLISHMENT OF FIRST LADIES NATIONAL HISTORIC SITE.—

(A) ESTABLISHMENT.—There is established in Canton, Ohio, the First Ladies National Historic Site.

(B) DESCRIPTION.—The historic site shall consist of—

(i) the land and improvements comprising the National Park Service property located at 331 Market Avenue South in Canton, Ohio, known as the Ida Saxton McKinley House; and

(ii) if acquired under subsection (b)(4), National Park Service property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(4) ACQUISITION OF CITY NATIONAL BANK BUILDING.—The Secretary may acquire by donation, for inclusion in the historic site, the property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(5) ADMINISTRATION OF THE HISTORIC SITE.—

(A) IN GENERAL.—The Secretary shall administer the historic site in accordance with this section 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 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(B) COOPERATIVE AGREEMENTS.—

(i) To further the purposes of this section, the Secretary may enter into a cooperative agreement with the National First Ladies Library (a nonprofit corporation established under the laws of the District of Columbia) under which the National First Ladies Library may operate and maintain the site.

(ii) To further the purposes of this section, the Secretary may enter into cooperative agreements with other public and private organizations.

(C) ASSISTANCE.—The Secretary may provide to the National First Ladies Library—

(i) technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, the historic site; and

(ii) subject to the availability of appropriations, financial assistance for the operation and maintenance of the historic site.

(D) ADMISSION FEES.—The Secretary may authorize the National First Ladies Library to—

(i) charge fees for admission to the historic site; and

(ii) retain and use for the historic site amounts paid as such fees.

(E) MANAGEMENT OF PROPERTY.—The Secretary may authorize the National First Ladies Library—

(i) to manage any property within the historic site;

(ii) to lease to other public or private entities any property managed under subparagraph (i) by the National First Ladies Library; and

(iii) to retain and use for the historic site amounts received under such leases.

## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 952

## (6) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than the last day of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall, in consultation with the officials described in paragraph (B), prepare a general management plan for the historic site. Deadline.

(B) CONSULTATION.—In preparing the general management plan, the Secretary shall consult with an appropriate official of—

- (i) the National First Ladies Library; and
- (ii) appropriate political subdivisions of the State of Ohio that have jurisdiction over the area where the historic site is located.

(C) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

## (7) DEFINITIONS.—In this section:

(A) HISTORIC SITE.—The term “historic site” means the First Ladies National Historic Site established by subsection (b)(3).

(B) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”. 114 STAT. 1029

Approved October 11, 2000.

LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106-646 (Comm. on Appropriations) and No. 106-914 (Comm. of Conference).

SENATE REPORTS: No. 106-312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13-15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3-5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



**5. Fort Point**

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

**Public Law 106–291  
106th Congress****An Act**Oct. 11, 2000  
[H.R. 4578]Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2001,  
and for other purposes, namely:**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT. 941

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT. 949

**SEC. 140.** Notwithstanding other provisions of law, the National  
Park Service may authorize, through cooperative agreement, the  
Golden Gate National Parks Association to provide fee-based edu-  
cation, interpretive and visitor service functions within the Crissy  
Field and Fort Point areas of the Presidio.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior  
and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

**LEGISLATIVE HISTORY—H.R. 4578:****HOUSE REPORTS:** No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).**SENATE REPORTS:** No. 106–312 (Comm. on Appropriations).**CONGRESSIONAL RECORD,** Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS,** Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.





**6. Home of Franklin D. Roosevelt**

PUBLIC LAW 106–147—DEC. 9, 1999

113 STAT. 1717

Public Law 106–147  
106th Congress

**An Act**

To authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center.

Dec. 9, 1999

[H.R. 1104]

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

**SECTION 1. VISITOR CENTER FOR HOME OF FRANKLIN D. ROOSEVELT NATIONAL HISTORIC SITE, HYDE PARK, NEW YORK.**

16 USC 461 note.

(a) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—The Secretary of the Interior may transfer to the Archivist of the United States administrative jurisdiction over land located in the Home of Franklin D. Roosevelt National Historic Site, for use by the Archivist for the construction of a visitor center facility to jointly serve the Home of Franklin D. Roosevelt National Historic Site and the Franklin D. Roosevelt Presidential Library, located in Hyde Park, New York.

(b) **CONDITIONS OF TRANSFER.**—

(1) **PROTECTION OF HISTORIC SITE.**—The transfer authorized in subsection (a) shall be subject to an agreement between the Secretary and the Archivist that shall include such provisions for the protection of the Home of Franklin D. Roosevelt National Historic Site and the joint use of the facility to be constructed as the Secretary and the Archivist may consider necessary.

(2) **CONSIDERATION.**—A transfer made pursuant to subsection (a) shall be made without consideration or reimbursement.

(3) **TERMINATION.**—If use by the Archivist of the land referred to in subsection (a) is terminated by the Archivist at any time, administrative jurisdiction over the land shall automatically revert to the Department of the Interior.

(c) **DESCRIPTION OF LAND.**—The land referred to in subsection (a) shall consist of not more than 1 acre of land as may be mutually

113 STAT. 1718

PUBLIC LAW 106–147—DEC. 9, 1999

agreed to by the Secretary and the Archivist and more particularly described in the agreement required under subsection (b)(1).

Approved December 9, 1999.

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LEGISLATIVE HISTORY—H.R. 1104 (S. 946):

HOUSE REPORTS: No. 106–141 (Comm. on Resources).

SENATE REPORTS: No. 106–94 accompanying S. 946 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Aug. 2, considered and passed House.

Nov. 19, considered and passed Senate.



**7. Minuteman Missile**

PUBLIC LAW 106–115—NOV. 29, 1999

113 STAT. 1540

Public Law 106–115  
106th Congress

**An Act**

To establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

Nov. 29, 1999

[S. 382]

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

Minuteman  
Missile National  
Historic Site  
Establishment  
Act of 1999.  
16 USC 461 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Minuteman Missile National Historic Site Establishment Act of 1999”.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the Minuteman II intercontinental ballistic missile (referred to in this Act as “ICBM”) launch control facility and launch facility known as “Delta 1” and “Delta 9”, respectively, have national significance as the best preserved examples of the operational character of American history during the Cold War;

(2) the facilities are symbolic of the dedication and preparedness exhibited by the missileers of the Air Force stationed throughout the upper Great Plains in remote and forbidding locations during the Cold War;

(3) the facilities provide a unique opportunity to illustrate the history and significance of the Cold War, the arms race, and ICBM development; and

(4) the National Park System does not contain a unit that specifically commemorates or interprets the Cold War.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations the structures associated with the Minuteman II missile defense system;

(2) to interpret the historical role of the Minuteman II missile defense system—

(A) as a key component of America’s strategic commitment to preserve world peace; and

(B) in the broader context of the Cold War; and

(3) to complement the interpretive programs relating to the Minuteman II missile defense system offered by the South Dakota Air and Space Museum at Ellsworth Air Force Base.

**SEC. 3. MINUTEMAN MISSILE NATIONAL HISTORIC SITE.****(a) ESTABLISHMENT.—**

(1) **IN GENERAL.**—The Minuteman Missile National Historic Site in the State of South Dakota (referred to in this Act as the “historic site”) is established as a unit of the National Park System.

(2) **COMPONENTS OF SITE.**—The historic site shall consist of the land and interests in land comprising the Minuteman II ICBM launch control facilities, as generally depicted on the map referred to as “Minuteman Missile National Historic Site”, numbered 406/80,008 and dated September, 1998, including—

(A) the area surrounding the Minuteman II ICBM launch control facility depicted as “Delta 1 Launch Control Facility”; and

(B) the area surrounding the Minuteman II ICBM launch control facility depicted as “Delta 9 Launch Facility”.

(3) **AVAILABILITY OF MAP.**—The map described in paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) **ADJUSTMENTS TO BOUNDARY.**—The Secretary of the Interior (referred to in this Act as the “Secretary”) is authorized to make minor adjustments to the boundary of the historic site.

**(b) ADMINISTRATION OF HISTORIC SITE.**—The Secretary shall administer the historic site in accordance with this Act and laws generally applicable to units of the National Park System, including—

(1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) 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. 461 et seq.).

**(c) COORDINATION WITH HEADS OF OTHER AGENCIES.**—The Secretary shall consult with the Secretary of Defense and the Secretary of State, as appropriate, to ensure that the administration of the historic site is in compliance with applicable treaties.

**(d) COOPERATIVE AGREEMENTS.**—The Secretary may enter into cooperative agreements with appropriate public and private entities and individuals to carry out this Act.

**(e) LAND ACQUISITION.—**

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary may acquire land and interests in land within the boundaries of the historic site by—

(A) donation;

(B) purchase with donated or appropriated funds; or

(C) exchange or transfer from another Federal agency.

PUBLIC LAW 106–115—NOV. 29, 1999

113 STAT. 1542

## (2) PROHIBITED ACQUISITIONS.—

(A) CONTAMINATED LAND.—The Secretary shall not acquire any land under this Act if the Secretary determines that the land to be acquired, or any portion of the land, is contaminated with hazardous substances (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)), unless, with respect to the land, all remedial action necessary to protect human health and the environment has been taken under that Act.

(B) SOUTH DAKOTA LAND.—The Secretary may acquire land or an interest in land owned by the State of South Dakota only by donation or exchange.

## (f) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date funds are made available to carry out this Act, the Secretary shall prepare a general management plan for the historic site. Deadline.

## (2) CONTENTS OF PLAN.—

(A) NEW SITE LOCATION.—The plan shall include an evaluation of appropriate locations for a visitor facility and administrative site within the areas depicted on the map described in subsection (a)(2) as—

- (i) “Support Facility Study Area—Alternative A”;
- or
- (ii) “Support Facility Study Area—Alternative B”.

(B) NEW SITE BOUNDARY MODIFICATION.—On a determination by the Secretary of the appropriate location for a visitor facility and administrative site, the boundary of the historic site shall be modified to include the selected site.

(3) COORDINATION WITH BADLANDS NATIONAL PARK.—In developing the plan, the Secretary shall consider coordinating or consolidating appropriate administrative, management, and personnel functions of the historic site and the Badlands National Park.

**SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

## (b) AIR FORCE FUNDS.—

(1) TRANSFER.—The Secretary of the Air Force shall transfer to the Secretary any funds specifically appropriated to the Air Force in fiscal year 1999 for the maintenance, protection, or preservation of the land or interests in land described in section 3.

(2) USE OF AIR FORCE FUNDS.—Funds transferred under paragraph (1) shall be used by the Secretary for establishing, operating, and maintaining the historic site.

113 STAT. 1543

PUBLIC LAW 106–115—NOV. 29, 1999

(c) LEGACY RESOURCE MANAGEMENT PROGRAM.—Nothing in this Act affects the use of any funds available for the Legacy Resource Management Program being carried out by the Air Force that, before the date of enactment of this Act, were directed to be used for resource preservation and treaty compliance.

Approved November 29, 1999.

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LEGISLATIVE HISTORY—S. 382:

HOUSE REPORTS: No. 106–391 (Comm. on Resources).

SENATE REPORTS: No. 106–23 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Mar. 25, considered and passed Senate.

Nov. 17, considered and passed House.



## PUBLIC LAW 107–20—JULY 24, 2001

115 STAT. 155

Public Law 107–20  
107th Congress

## An Act

Making supplemental appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

July 24, 2001

[H.R. 2216]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

Supplemental  
Appropriations  
Act, 2001.

\* \* \* \* \*

## TITLE II—OTHER SUPPLEMENTAL APPROPRIATIONS

115 STAT. 164

\* \* \* \* \*

## CHAPTER 6

115 STAT. 176

## DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

## NATIONAL PARK SERVICE

\* \* \* \* \*

## GENERAL PROVISIONS—THIS CHAPTER

115 STAT. 177

\* \* \* \* \*

SEC. 2602. (a) The unobligated balances as of September 30, 2001, of the funds transferred to the Secretary of the Interior pursuant to section 311 of chapter 3 of division A of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999 (Public Law 106–115), are rescinded.

(b) Subsection (a) shall be effective on September 30, 2001.

Effective date.

(c) The amount rescinded pursuant to subsection (a) is appropriated to the Secretary of the Interior for the purposes specified in such subsection, to remain available until expended.

\* \* \* \* \*

This Act may be cited as the “Supplemental Appropriations Act, 2001”.

115 STAT. 193

Approved July 24, 2001.

## LEGISLATIVE HISTORY—H.R. 2216 (S. 1077):

HOUSE REPORTS: Nos. 107–102 (Comm. on Appropriations) and 107–148 (Comm. of Conference).

SENATE REPORTS: No. 107–33 accompanying S. 1077 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

June 20, considered and passed House.

July 10, considered and passed Senate, amended, in lieu of S. 1077.

July 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

July 24, Presidential statement.



**8. Nicodemus**

114 STAT. 23 PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

114 STAT. 27

**SEC. 112. NICODEMUS NATIONAL HISTORIC SITE.**

Section 512(a)(1)(B) of division I of the Omnibus Parks Act (110 Stat. 4163; 16 U.S.C. 461 note) is amended by striking “African-Americans” and inserting “African-Americans”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:****HOUSE REPORTS:** No. 106–17 (Comm. on Resources).**SENATE REPORTS:** No. 106–125 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.





**9. Pu‘ukoholā Heiau**

PUBLIC LAW 106–510—NOV. 13, 2000

114 STAT. 2363

Public Law 106–510  
106th Congress**An Act**To eliminate restrictions on the acquisition of certain land contiguous to Hawaii  
Volcanoes National Park, and for other purposes.Nov. 13, 2000  
[S. 938]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “Hawaii Volcanoes National Park  
Adjustment Act of 2000”.Hawaii Volcanoes  
National Park  
Adjustment Act  
of 2000.  
16 USC 1 note.

\* \* \* \* \*

**SEC. 3. CORRECTIONS IN DESIGNATIONS OF HAWAIIAN NATIONAL  
PARKS.**

\* \* \* \* \*

(e) PU‘UKOHOLĀ HEIAU NATIONAL HISTORIC SITE.—

114 STAT. 2364  
16 USC 461 note.(1) IN GENERAL.—Public Law 92–388 (86 Stat. 562) is  
amended by striking “Puukohola Heiau National Historic Site”  
each place it appears and inserting “Pu‘ukoholā Heiau National  
Historic Site”.(2) REFERENCES.—Any reference in any law (other than  
this Act), regulation, document, record, map, or other paper  
of the United States to “Puukohola Heiau National Historic  
Site” shall be considered a reference to “Pu‘ukoholā Heiau  
National Historic Site”.

\* \* \* \* \*

Approved November 13, 2000.

**LEGISLATIVE HISTORY—S. 938:**SENATE REPORTS: No. 106–92 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD:Vol. 145 (1999): Oct. 14, considered and passed Senate.  
Vol. 146 (2000): Oct. 24, considered and passed House.

**10. Ronald Reagan Boyhood Home**

116 STAT. 3

PUBLIC LAW 107–137—FEB. 6, 2002

Public Law 107–137  
107th Congress**An Act**Feb. 6, 2002  
[H.R. 400]

To authorize the Secretary of the Interior to establish the Ronald Reagan Boyhood Home National Historic Site, and for other purposes.

Illinois.  
16 USC 461 note.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. RONALD REAGAN BOYHOOD HOME NATIONAL HISTORIC SITE.**

(a) **ACQUISITION OF PROPERTY.**—As soon as practicable after the date of the enactment of this Act, the Secretary shall purchase with donated or appropriated funds, at fair market value and from a willing owner only, fee simple, unencumbered title to the Property and to any personal property related to the Property which the Secretary determines to be appropriate for the purposes of this Act.

(b) **ESTABLISHMENT OF HISTORIC SITE.**—After the Property is acquired by the Secretary, the Secretary shall designate the Property as the Ronald Reagan Boyhood Home National Historic Site.

(c) **LAND DESCRIPTION.**—The Secretary shall ensure that a copy of the land description referred to in section 2(2) is on file and available for public inspection in the appropriate offices of the National Park Service.

(d) **MANAGEMENT OF HISTORIC SITE.**—

(1) **COOPERATIVE AGREEMENT.**—The Secretary shall enter into a cooperative agreement with the Ronald Reagan Boyhood Home Foundation for the management, operation, and use of the Historic Site. The cooperative agreement shall provide for the preservation of the Property in a manner that preserves the historical significance thereof and upon such terms and conditions as the Secretary considers necessary to protect the interests of the United States.

Deadline.

(2) **GENERAL MANAGEMENT PLAN.**—Not later than 2 years after the date of the enactment of this Act, the Secretary, in consultation with the Ronald Reagan Boyhood Home Foundation, shall complete a general management plan for the Historic Site that defines the role and responsibility of the Secretary with regard to the interpretation and the preservation of the Historic Site.

(e) **APPLICABILITY OF OTHER LAWS.**—The Secretary shall administer the Historic Site in accordance with the provisions of this Act and the provisions of laws generally applicable to national historic sites, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1–4), and the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects

## PUBLIC LAW 107-137—FEB. 6, 2002

116 STAT. 4

and antiquities of national significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.).

**SEC. 2. DEFINITIONS.**

For the purposes of this Act, the following definitions apply:

(1) The term “Historic Site” means the Ronald Reagan Boyhood Home National Historic Site.

(2) The term “Property” means the property commonly known as the Ronald Reagan Boyhood Complex located in Dixon, Illinois, (including any structures thereon), further described as follows:

The North Half (N½) of Lot Three (3), Block One Hundred and Three (103), of the original Town (now City) of Dixon, Lee County, Illinois, and more commonly known as 816 South Hennepin Avenue, Dixon, Illinois. (Reagan Boyhood Home)

The South Half (S½) of Lot Two (2), Block One Hundred and Three (103), of the original Town (now City) of Dixon, Lee County, Illinois, and more commonly known as 810 South Hennepin Avenue, Dixon, Illinois. (Visitors Center)

The South two-thirds (S⅔) of Lot Four (4) in Block One Hundred Three (103) in the original Town (now City) of Dixon, Lee County, Illinois, and more commonly known as 821 South Galena Avenue, Dixon, Illinois. (Parking Lot)

The Westerly Ninety feet of the Southerly One half (S½) of Lot 3 in Block 103 in the Town (now City) of Dixon, Lee County, Illinois. (Park with statue of President Reagan)

Legal title to all of the foregoing is: Fifth Third Bank, as successor trustee to First Bank/Dixon (later known as Grand Premier Trust) as trustee under Trust Agreement dated August 15, 1980 and known as Trust No. 440.

Said property is also located within an historical district created by the City of Dixon pursuant to Ordinance No. 1329 dated June 16, 1986 as amended. The historical district was created pursuant to Title VI, Chapter 16 of the City Code of the City of Dixon.

116 STAT. 5

PUBLIC LAW 107–137—FEB. 6, 2002

(3) The term “Secretary” means the Secretary of the Interior.

Approved February 6, 2002.

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LEGISLATIVE HISTORY—H.R. 400:

HOUSE REPORTS: No. 107–268 (Comm. on Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Nov. 13, considered and passed House.

Vol. 148 (2002): Jan. 29, considered and passed Senate.



**11. Saint-Gaudens**

PUBLIC LAW 106–491—NOV. 9, 2000

114 STAT. 2209

Public Law 106–491  
106th Congress

**An Act**

To amend the Act which established the Saint-Gaudens National Historic Site,  
in the State of New Hampshire, by modifying the boundary and for other purposes.

Nov. 9, 2000  
[S. 1367]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law 88–543 (16 U.S.C. 461 (note)), which established Saint-Gaudens National Historic Site is amended—

(1) in section 3 by striking “not to exceed sixty-four acres of lands and interests therein” and inserting “279 acres of lands and buildings, or interests therein”;

(2) in section 6 by striking “\$2,677,000” from the first sentence and inserting “\$10,632,000”; and

(3) in section 6 by striking “\$80,000” from the last sentence and inserting “\$2,000,000”.

Approved November 9, 2000.

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**LEGISLATIVE HISTORY—S. 1367:**

SENATE REPORTS: No. 106–314 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.  
Oct. 23, considered and passed House.



## 12. Sand Creek Massacre

114 STAT. 2019

PUBLIC LAW 106–465—NOV. 7, 2000

### Public Law 106–465 106th Congress

#### An Act

Nov. 7, 2000  
[S. 2950]

To authorize the Secretary of the Interior to establish the Sand Creek Massacre  
National Historic Site in the State of Colorado.

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

Sand Creek  
Massacre  
National Historic  
Site  
Establishment  
Act of 2000.  
16 USC 461 note.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sand Creek Massacre National  
Historic Site Establishment Act of 2000”.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) on November 29, 1864, a peaceful village of Cheyenne and Arapaho Indians under the leadership of Chief Black Kettle, along Sand Creek in southeastern Colorado territory was attacked by approximately 700 volunteer soldiers commanded by Colonel John M. Chivington;

(2) more than 150 Cheyenne and Arapaho were killed in the attack, most of whom were women, children, or elderly;

(3) during the massacre and the following day, the soldiers committed atrocities on the dead before withdrawing from the field;

(4) the site of the Sand Creek Massacre is of great significance to descendants of the victims of the massacre and their respective tribes, for the commemoration of ancestors at the site;

(5) the site is a reminder of the tragic extremes sometimes reached in the 500 years of conflict between Native Americans and people of European and other origins concerning the land that now comprises the United States;

(6) Congress, in enacting the Sand Creek Massacre National Historic Site Study Act of 1998 (Public Law 105–243; 112 Stat. 1579), directed the National Park Service to complete a resources study of the site;

(7) the study completed under that Act—

(A) identified the location and extent of the area in which the massacre took place; and

(B) confirmed the national significance, suitability, and feasibility of, and evaluated management options for, that area, including designation of the site as a unit of the National Park System; and

(8) the study included an evaluation of environmental impacts and preliminary cost estimates for facility development, administration, and necessary land acquisition.

(b) PURPOSES.—The purposes of this Act are—

PUBLIC LAW 106–465—NOV. 7, 2000

114 STAT. 2020

(1) to recognize the importance of the Sand Creek Massacre as—

(A) a nationally significant element of frontier military and Native American history; and

(B) a symbol of the struggles of Native American tribes to maintain their way of life on ancestral land;

(2) to authorize, on acquisition of sufficient land, the establishment of the site of the Sand Creek Massacre as a national historic site; and

(3) to provide opportunities for the tribes and the State to be involved in the formulation of general management plans and educational programs for the national historic site.

### SEC. 3. DEFINITIONS.

In this Act:

(1) DESCENDANT.—The term “descendant” means a member of a tribe, an ancestor of whom was injured or killed in, or otherwise affected by, the Sand Creek Massacre.

(2) MANAGEMENT PLAN.—The term “management plan” means the management plan required to be developed for the site under section 7(a).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(4) SITE.—The term “site” means the Sand Creek Massacre National Historic Site established under section 4(a).

(5) STATE.—The term “State” means the State of Colorado.

(6) TRIBE.—The term “tribe” means—

(A) the Cheyenne and Arapaho Tribes of Oklahoma;

(B) the Northern Cheyenne Tribe; or

(C) the Northern Arapaho Tribe.

### SEC. 4. ESTABLISHMENT.

(a) IN GENERAL.—

(1) DETERMINATION.—On a determination by the Secretary that land described in subsection (b)(1) containing a sufficient quantity of resources to provide for the preservation, memorialization, commemoration, and interpretation of the Sand Creek Massacre has been acquired by the National Park Service, the Secretary shall establish the Sand Creek Massacre National Historic Site, Colorado.

(2) PUBLICATION.—The Secretary shall publish in the Federal Register a notice of the determination of the Secretary under paragraph (1).

Federal Register,  
publication.

(b) BOUNDARY.—

(1) MAP AND ACREAGE.—The site shall consist of approximately 12,480 acres in Kiowa County, Colorado, the site of the Sand Creek Massacre, as generally depicted on the map entitled, “Sand Creek Massacre Historic Site”, numbered, SAND 80,013 IR, and dated July 1, 2000.

(2) LEGAL DESCRIPTION.—The Secretary shall prepare a legal description of the land and interests in land described in paragraph (1).

(3) PUBLIC AVAILABILITY.—The map prepared under paragraph (1) and the legal description prepared under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

114 STAT. 2021

PUBLIC LAW 106–465—NOV. 7, 2000

(4) BOUNDARY REVISION.—The Secretary may, as necessary, make minor revisions to the boundary of the site in accordance with section 7(c) of the Land and Water Conservation Act of 1965 (16 U.S.C. 460l–9(c)).

**SEC. 5. ADMINISTRATION.**

(a) IN GENERAL.—The Secretary shall manage the site in accordance with—

- (1) this Act;
- (2) 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 et seq.);
- (3) the Act of August 21, 1935 (16 U.S.C. 461 et seq.); and
- (4) other laws generally applicable to management of units of the National Park System.

(b) MANAGEMENT.—The Secretary shall manage the site—

- (1) to protect and preserve the site, including—
  - (A) the topographic features that the Secretary determines are important to the site;
  - (B) artifacts and other physical remains of the Sand Creek Massacre; and
  - (C) the cultural landscape of the site, in a manner that preserves, as closely as practicable, the cultural landscape of the site as it appeared at the time of the Sand Creek Massacre;
- (2)(A) to interpret the natural and cultural resource values associated with the site; and
- (B) provide for public understanding and appreciation of, and preserve for future generations, those values; and
- (3) to memorialize, commemorate, and provide information to visitors to the site to—
  - (A) enhance cultural understanding about the site; and
  - (B) assist in minimizing the chances of similar incidents in the future.

(c) CONSULTATION AND TRAINING.—

(1) IN GENERAL.—In developing the management plan and preparing educational programs for the public about the site, the Secretary shall consult with and solicit advice and recommendations from the tribes and the State.

(2) AGREEMENTS.—The Secretary may enter into cooperative agreements with the tribes (including boards, committees, enterprises, and traditional leaders of the tribes) and the State to carry out this Act.

**SEC. 6. ACQUISITION OF PROPERTY.**

(a) IN GENERAL.—The Secretary may acquire land and interests in land within the boundaries of the site—

- (1) through purchase (including purchase with donated or appropriated funds) only from a willing seller; and
- (2) by donation, exchange, or other means, except that any land or interest in land owned by the State (including a political subdivision of the State) may be acquired only by donation.

(b) PRIORITY FOR ACQUISITION.—The Secretary shall give priority to the acquisition of land containing the marker in existence on the date of enactment of this Act, which states “Sand Creek



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Battleground, November 29 and 30, 1864”, within the boundary of the site.

(c) **COST-EFFECTIVENESS.**—

(1) **IN GENERAL.**—In acquiring land for the site, the Secretary, to the maximum extent practicable, shall use cost-effective alternatives to Federal fee ownership, including—

(A) the acquisition of conservation easements; and

(B) other means of acquisition that are consistent with local zoning requirements.

(2) **SUPPORT FACILITIES.**—A support facility for the site that is not within the designated boundary of the site may be located in Kiowa County, Colorado, subject to an agreement between the Secretary and the Commissioners of Kiowa County, Colorado.

**SEC. 7. MANAGEMENT PLAN.**

(a) **IN GENERAL.**—Not later than 5 years after the date on which funds are made available to carry out this Act, the Secretary shall prepare a management plan for the site. Deadline.

(b) **INCLUSIONS.**—The management plan shall cover, at a minimum—

(1) measures for the preservation of the resources of the site;

(2) requirements for the type and extent of development and use of the site, including, for each development—

(A) the general location;

(B) timing and implementation requirements; and

(C) anticipated costs;

(3) requirements for offsite support facilities in Kiowa County;

(4) identification of, and implementation commitments for, visitor carrying capacities for all areas of the site;

(5) opportunities for involvement by the tribes and the State in the formulation of educational programs for the site; and

(6) opportunities for involvement by the tribes, the State, and other local and national entities in the responsibilities of developing and supporting the site.

**SEC. 8. NEEDS OF DESCENDANTS.**

(a) **IN GENERAL.**—A descendant shall have reasonable rights of access to, and use of, federally acquired land within the site, in accordance with the terms and conditions of a written agreement between the Secretary and the tribe of which the descendant is a member.

(b) **COMMEMORATIVE NEEDS.**—In addition to the rights described in subsection (a), any reasonable need of a descendant shall be considered in park planning and operations, especially with respect to commemorative activities in designated areas within the site.

**SEC. 9. TRIBAL ACCESS FOR TRADITIONAL CULTURAL AND HISTORICAL OBSERVANCE.**

(a) **ACCESS.**—

(1) **IN GENERAL.**—The Secretary shall grant to any descendant or other member of a tribe reasonable access to federally acquired land within the site for the purpose of carrying out a traditional, cultural, or historical observance.

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(2) NO FEE.—The Secretary shall not charge any fee for access granted under paragraph (1).

(b) CONDITIONS OF ACCESS.—In granting access under subsection (a), the Secretary shall temporarily close to the general public one or more specific portions of the site in order to protect the privacy of tribal members engaging in a traditional, cultural, or historical observance in those portions; and any such closure shall be made in a manner that affects the smallest practicable area for the minimum period necessary for the purposes described above.

(c) SAND CREEK REPATRIATION SITE.—

(1) IN GENERAL.—The Secretary shall dedicate a portion of the federally acquired land within the site to the establishment and operation of a site at which certain items referred to in paragraph (2) that are repatriated under the Native American Graves Protection and Repatriation Act (25 U.S.C. 300 et seq.) or any other provision of law may be interred, reinterred, preserved, or otherwise protected.

(2) ACCEPTABLE ITEMS.—The items referred to in paragraph (1) are any items associated with the Sand Creek Massacre, such as—

- (A) Native American human remains;
- (B) associated funerary objects;
- (C) unassociated funerary objects;
- (D) sacred objects; and
- (E) objects of cultural patrimony.

(d) TRIBAL CONSULTATION.—In exercising any authority under this section, the Secretary shall consult with, and solicit advice and recommendations from, descendants and the tribes.

#### SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved November 7, 2000.

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#### LEGISLATIVE HISTORY—S. 2950:

SENATE REPORTS: No. 106–418 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.  
Oct. 23, considered and passed House.



**13. Thomas Cole**

PUBLIC LAW 106–146—DEC. 9, 1999

113 STAT. 1714

Public Law 106–146  
106th Congress

**An Act**

To establish the Thomas Cole National Historic Site in the State of New York  
as an affiliated area of the National Park System.

Dec. 9, 1999

[H.R. 658]

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

Thomas Cole  
National Historic  
Site Act.  
16 USC 461 note.

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “Thomas Cole National Historic Site Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings and purposes.
- Sec. 4. Establishment of Thomas Cole National Historic Site.
- Sec. 5. Retention of ownership and management of historic site by Greene County Historical Society.
- Sec. 6. Administration of historic site.
- Sec. 7. Authorization of appropriations.

**SEC. 2. DEFINITIONS.**

As used in this Act:

- (1) The term “historic site” means the Thomas Cole National Historic Site established by section 4 of this Act.
- (2) The term “Hudson River artists” means artists who were associated with the Hudson River school of landscape painting.
- (3) The term “plan” means the general management plan developed pursuant to section 6(d).
- (4) The term “Secretary” means the Secretary of the Interior.
- (5) The term “Society” means the Greene County Historical Society of Greene County, New York, which owns the Thomas Cole home, studio, and other property comprising the historic site.

**SEC. 3. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds the following:

- (1) The Hudson River school of landscape painting was inspired by Thomas Cole and was characterized by a group of 19th century landscape artists who recorded and celebrated the landscape and wilderness of America, particularly in the Hudson River Valley region in the State of New York.
- (2) Thomas Cole is recognized as America’s most prominent landscape and allegorical painter of the mid-19th century.
- (3) Located in Greene County, New York, the Thomas Cole House, also known as Thomas Cole’s Cedar Grove, is

113 STAT. 1715

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listed on the National Register of Historic Places and has been designated as a National Historic Landmark.

(4) Within a 15 mile radius of the Thomas Cole House, an area that forms a key part of the rich cultural and natural heritage of the Hudson River Valley region, significant landscapes and scenes painted by Thomas Cole and other Hudson River artists, such as Frederic Church, survive intact.

(5) The State of New York has established the Hudson River Valley Greenway to promote the preservation, public use, and enjoyment of the natural and cultural resources of the Hudson River Valley region.

(6) Establishment of the Thomas Cole National Historic Site will provide opportunities for the illustration and interpretation of cultural themes of the heritage of the United States and unique opportunities for education, public use, and enjoyment.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve and interpret the home and studio of Thomas Cole for the benefit, inspiration, and education of the people of the United States;

(2) to help maintain the integrity of the setting in the Hudson River Valley region that inspired artistic expression;

(3) to coordinate the interpretive, preservation, and recreational efforts of Federal, State, and other entities in the Hudson Valley region in order to enhance opportunities for education, public use, and enjoyment; and

(4) to broaden understanding of the Hudson River Valley region and its role in American history and culture.

#### **SEC. 4. ESTABLISHMENT OF THOMAS COLE NATIONAL HISTORIC SITE.**

(a) ESTABLISHMENT.—There is established, as an affiliated area of the National Park System, the Thomas Cole National Historic Site in the State of New York.

(b) DESCRIPTION.—The historic site shall consist of the home and studio of Thomas Cole, comprising approximately 3.4 acres, located at 218 Spring Street, in the village of Catskill, New York, as generally depicted on the boundary map numbered TCH/80002, and dated March 1992.

#### **SEC. 5. RETENTION OF OWNERSHIP AND MANAGEMENT OF HISTORIC SITE BY GREENE COUNTY HISTORICAL SOCIETY.**

The Greene County Historical Society of Greene County, New York, shall continue to own, administer, manage, and operate the historic site.

#### **SEC. 6. ADMINISTRATION OF HISTORIC SITE.**

(a) APPLICABILITY OF NATIONAL PARK SYSTEM LAWS.—The historic site shall be administered in a manner consistent with this Act and all laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.; commonly known as the National Park Service Organic Act), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.; commonly known as the Historic Sites, Buildings, and Antiquities Act).

(b) COOPERATIVE AGREEMENTS.—

(1) ASSISTANCE TO SOCIETY.—The Secretary may enter into cooperative agreements with the Society to preserve the Thomas Cole House and other structures in the historic site and to

PUBLIC LAW 106–146—DEC. 9, 1999

113 STAT. 1716

assist with education programs and research and interpretation of the Thomas Cole House and associated landscapes.

(2) OTHER ASSISTANCE.—To further the purposes of this Act, the Secretary may enter into cooperative agreements with the State of New York, the Society, the Thomas Cole Foundation, and other public and private entities to facilitate public understanding and enjoyment of the lives and works of the Hudson River artists through the provision of assistance to develop, present, and fund art exhibits, resident artist programs, and other appropriate activities related to the preservation, interpretation, and use of the historic site.

(c) ARTIFACTS AND PROPERTY.—The Secretary may acquire personal property associated with, and appropriate for, the interpretation of the historic site.

(d) GENERAL MANAGEMENT PLAN.—Within two complete fiscal years after the date of the enactment of this Act, the Secretary shall develop a general management plan for the historic site with the cooperation of the Society. Upon the completion of the plan, the Secretary shall provide a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives. The plan shall include recommendations for regional wayside exhibits, to be carried out through cooperative agreements with the State of New York and other public and private entities. The plan shall be prepared in accordance with section 12(b) of Public Law 91–383 (16 U.S.C. 1a–1 et seq.; commonly known as the National Park System General Authorities Act).

Deadline.

#### SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved December 9, 1999.

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LEGISLATIVE HISTORY—H.R. 658 (S. 140):

HOUSE REPORTS: No. 106–138 (Comm. on Resources).

SENATE REPORTS: No. 106–89 accompanying S. 140 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Sept. 13, considered and passed House.

Nov. 19, considered and passed Senate.



**14. Washita Battlefield**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

114 STAT. 27

**SEC. 116. WASHITA BATTLEFIELD.**Section 607 of division I of the Omnibus Parks Act (110 Stat.  
4181; 16 U.S.C. 461 note) is amended—(1) in subsection (c)(3), by striking “this Act” and inserting  
“this section”; and(2) in subsection (d)(2), by striking “local land owners”  
and inserting “local landowners”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**15. William Howard Taft**

PUBLIC LAW 107–60—NOV. 5, 2001

115 STAT. 408

Public Law 107–60  
107th Congress**An Act**

To adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes.

Nov. 5, 2001  
[H.R. 1000]

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

William Howard  
Taft National  
Historic Site  
Boundary  
Adjustment Act  
of 2001.  
16 USC 461 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “William Howard Taft National Historic Site Boundary Adjustment Act of 2001”.

**SEC. 2. EXCHANGE OF LANDS AND BOUNDARY ADJUSTMENT, WILLIAM HOWARD TAFT NATIONAL HISTORIC SITE, OHIO.**

(a) DEFINITIONS.—In this section:

(1) HISTORIC SITE.—The term “historic site” means the William Howard Taft National Historic Site in Cincinnati, Ohio, established pursuant to Public Law 91–132 (83 Stat. 273; 16 U.S.C. 461 note).

(2) MAP.—The term “map” means the map entitled “Proposed Boundary Map, William Howard Taft National Historic Site, Hamilton County, Cincinnati, Ohio,” numbered 448/80,025, and dated November 2000.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) AUTHORIZATION OF LAND EXCHANGE.—

(1) EXCHANGE.—The Secretary may acquire a parcel of real property consisting of less than one acre, which is depicted on the map as the “Proposed Exchange Parcel (Outside Boundary)”, in exchange for a parcel of real property, also consisting of less than one acre, which is depicted on the map as the “Current USA Ownership (Inside Boundary)”.

(2) EQUALIZATION OF VALUES.—If the values of the parcels to be exchanged under paragraph (1) are not equal, the difference may be equalized by donation, payment using donated or appropriated funds, or the conveyance of additional land.

(3) ADJUSTMENT OF BOUNDARY.—The Secretary shall revise the boundary of the historic site to reflect the exchange upon its completion.

(c) ADDITIONAL BOUNDARY REVISION AND ACQUISITION AUTHORITY.—

(1) INCLUSION OF PARCEL IN BOUNDARY.—Effective on the date of the enactment of this Act, the boundary of the historic site is revised to include an additional parcel of real property, which is depicted on the map as the “Proposed Acquisition”.

Effective date.

115 STAT. 409

PUBLIC LAW 107-60—NOV. 5, 2001

(2) ACQUISITION AUTHORITY.—The Secretary may acquire the parcel referred to in paragraph (1) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ADMINISTRATION OF ACQUIRED LANDS.—Any lands acquired under this section shall be administered by the Secretary as part of the historic site in accordance with applicable laws and regulations.

Approved November 5, 2001.

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LEGISLATIVE HISTORY—H.R. 1000:

HOUSE REPORTS: No. 107-88 (Comm. on Resources).

SENATE REPORTS: No. 107-76 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 6, considered and passed House.

Oct. 17, considered and passed Senate.





## X. NATIONAL MEMORIALS AND MEMORIAL PARKS

### 1. Adams

PUBLIC LAW 107–62—NOV. 5, 2001

115 STAT. 411

Public Law 107–62  
107th Congress

#### An Act

To authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his legacy.

Nov. 5, 2001

[H.R. 1668]

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

40 USC 1003  
note.

#### SECTION 1. COMMEMORATIVE WORK TO HONOR JOHN ADAMS AND HIS LEGACY.

(a) FINDINGS.—The Congress finds the following:

(1) Few families have contributed as profoundly to the United States as the family that gave the Nation its second president, John Adams; its sixth president, John Quincy Adams; first ladies Abigail Smith Adams and Louisa Catherine Johnson Adams; and succeeding generations of statesmen, diplomats, advocates, and authors.

(2) John Adams (1735–1826), a lawyer, a statesman, and a patriot, was the author of the Constitution of the Commonwealth of Massachusetts (the oldest written constitution still in force), the leader of the Second Continental Congress, a driving force for independence, a negotiator of the Treaty of Paris (which brought the Revolutionary War to an end), the first Vice President, the second President, and an unwavering exponent of freedom of conscience and the rule of law.

(3) Abigail Smith Adams (1744–1818) was one of the most remarkable women of her time. Wife of former President John Adams and mother of former President John Quincy Adams, she was an early advocate for the rights of women and served the cause of liberty as a prolific writer, fierce patriot, and staunch abolitionist.

(4) John Quincy Adams (1767–1848), the son of John and Abigail Adams, was a distinguished lawyer, legislator, and diplomat and a master of 7 languages, who served as Senator, Minister to the Netherlands under President George Washington, Minister to Prussia under the first President Adams, Minister to Great Britain under President James Madison, chief negotiator of the Treaty of Ghent (which ended the War of 1812), Secretary of State under President James Monroe, author of the Monroe Doctrine (which declared the Western Hemisphere off limits to European imperial expansion), sixth President, and the only former President to be elected to the House of Representatives, where he was known as “Old Man Eloquent” and served with great distinction as a leader in the fight against slavery and a champion of unpopular causes.

(5) Louisa Catherine Johnson Adams (1775–1852), the wife of former President John Quincy Adams, was an educated, accomplished woman and the only first lady born outside the United States. Like Abigail Adams, she wrote eloquently on behalf of the rights of women and in opposition to slavery.

(6) Charles Francis Adams (1807–1886), the son of John Quincy and Louisa Adams, served 6 years in the Massachusetts legislature, was a steadfast abolitionist who received the Free Soil Party's vice-presidential nomination in 1848, was elected to his father's seat in the House of Representatives in 1856, and served as ambassador to Great Britain during the Civil War, where his efforts were decisive in preventing the British Government from recognizing the independence of the Confederacy.

(7) Henry Adams (1838–1918), the son of Charles Francis Adams, was an eminent writer, scholar, historian, and public intellectual, and was the author of many celebrated works, including "Democracy", "The Education of Henry Adams", and his 9-volume "History of the United States during the Administrations of Jefferson and Madison".

(8) Both individually and collectively, the members of this illustrious family have enriched the Nation through their profound civic consciousness, abiding belief in the perfectibility of the Nation's democracy, and commitment to service and sacrifice for the common good.

(9) Although the Congress has authorized the establishment of commemorative works on Federal lands in the District of Columbia honoring such celebrated former Presidents as George Washington, Thomas Jefferson, and Abraham Lincoln, the National Capital has no comparable memorial to former President John Adams.

(10) In recognition of the 200th anniversary of the end of the presidency of John Adams, the time has come to correct this oversight so that future generations of Americans will know and understand the preeminent historical and lasting significance to the Nation of his contributions and those of his family.

(b) **AUTHORITY TO ESTABLISH COMMEMORATIVE WORK.**—The Adams Memorial Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams, along with his wife Abigail Adams and former President John Quincy Adams, and the family's legacy of public service.

(c) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.**—The establishment of the commemorative work shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001, et seq.).

(d) **USE OF FEDERAL FUNDS PROHIBITED.**—Federal funds may not be used to pay any expense of the establishment of the commemorative work. The Adams Memorial Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work.

(e) **DEPOSIT OF EXCESS FUNDS.**—If, upon payment of all expenses of the establishment of the commemorative work (including the maintenance and preservation amount provided for in section 8(b) of the Commemorative Works Act (40 U.S.C. 1001, et seq.)), or upon expiration of the authority for the commemorative

## PUBLIC LAW 107–62—NOV. 5, 2001

115 STAT. 413

work under section 10(b) of such Act, there remains a balance of funds received for the establishment of the commemorative work, the Adams Memorial Foundation shall transmit the amount of the balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of such Act.

**SEC. 2. DEFINITIONS.**

For purposes of this Act, the terms “commemorative work” and “the District of Columbia and its environs” have the meanings given to such terms in section 2 of the Commemorative Works Act (40 U.S.C. 1002).

Approved November 5, 2001.

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**LEGISLATIVE HISTORY—H.R. 1668:**

SENATE REPORTS: No. 107–77 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 25, considered and passed House.

Oct. 17, considered and passed Senate.



116 STAT. 2763

PUBLIC LAW 107–315—DEC. 2, 2002

Public Law 107–315  
107th Congress

Joint Resolution

Dec. 2, 2002  
[H.J. Res. 117]

Approving the location of the commemorative work in the District of Columbia  
honoring former President John Adams.

Whereas section 8908 of title 40, United States Code, provides that the location of a commemorative work in the area described as Area I shall be deemed disapproved unless approved by law not later than 150 days after notification to Congress that the commemorative work should be located in Area I;

Whereas Public Law 107–62 (115 Stat. 411) authorized the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia to honor former President John Adams and his legacy; and

Whereas the Secretary of the Interior has notified Congress of her determination that a memorial to former President John Adams should be located in Area I: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. APPROVAL OF COMMEMORATIVE WORK.**

Congress approves the location for the commemorative work to honor former President John Adams and his legacy, as authorized by Public Law 107–62 (115 Stat. 411), within Area I as described in section 8908 of title 40, United States Code, subject to the limitation in section 2.

**SEC. 2. LIMITATION.**

The commemorative work approved in section 1 shall not be located within the Reserve.

**SEC. 3. DEFINITION OF RESERVE.**

In this resolution the term “Reserve” means the area of The National Mall extending from the United States Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial, as depicted on the map entitled “Commemorative Areas Washington, DC and Environs,” numbered 869/86501A and dated May 1, 2002.

Approved December 2, 2002.

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LEGISLATIVE HISTORY—H.J. Res. 117:

CONGRESSIONAL RECORD, Vol. 148 (2002):

Nov. 14, considered and passed House.

Nov. 20, considered and passed Senate.



## 2. Air Force

PUBLIC LAW 106–302—OCT. 13, 2000

114 STAT. 1062

Public Law 106–302  
106th Congress

### An Act

To extend the authorization for the Air Force Memorial Foundation to establish  
a memorial in the District of Columbia or its environs.

Oct. 13, 2000

[H.R. 4583]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled “An Act to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs”, approved December 2, 1993 (Public Law 103–163), is amended by adding at the end the following new section:

**“SEC. 4. LEGISLATIVE AUTHORITY.**

“Notwithstanding section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)), the legislative authority for the Air Force Memorial Foundation to establish a memorial under this Act shall expire on December 2, 2005.”.

40 USC 1003  
note.

Approved October 13, 2000.

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**LEGISLATIVE HISTORY—H.R. 4583:**

HOUSE REPORTS: No. 106–817 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 12, considered and passed House.  
Oct. 3, considered and passed Senate.



115 STAT. 1012

PUBLIC LAW 107–107—DEC. 28, 2001

Public Law 107–107  
107th Congress

An Act

Dec. 28, 2001  
[S. 1438]

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

\* \* \* \* \*

115 STAT. 1280  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2002.

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE; DEFINITION.**

(a) **SHORT TITLE.**—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.

(b) **DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.**—In this division, the term “Spence Act” means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1654).

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115 STAT. 1303

**TITLE XXVIII—GENERAL PROVISIONS**

\* \* \* \* \*

115 STAT. 1328

**Subtitle E—Other Matters**

\* \* \* \* \*

115 STAT. 1330

**SEC. 2863. ALTERNATE SITE FOR UNITED STATES AIR FORCE MEMORIAL, PRESERVATION OF OPEN SPACE ON ARLINGTON RIDGE TRACT, AND RELATED LAND TRANSFER AT ARLINGTON NATIONAL CEMETERY, VIRGINIA.**

40 USC 1003  
note.

(a) **DEFINITIONS.**—In this section:

(1) The term “Arlington Naval Annex” means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the administrative jurisdiction of the Secretary of the Army under section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879).

(2) The term “Foundation” means the Air Force Memorial Foundation, which was authorized in Public Law 103–163 (107 Stat. 1973; 40 U.S.C. 1003 note) to establish a memorial in the District of Columbia or its environs to honor the men and women who have served in the United States Air Force and its predecessors.

(3) The term “Air Force Memorial” means the United States Air Force Memorial to be established by the Foundation.

(4) The term “Arlington Ridge tract” means the parcel of Federal land in Arlington County, Virginia, known as the

## PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1330

Nevius Tract and transferred to the Department of the Interior in 1953, that is bounded generally by—

(A) Arlington Boulevard (United States Route 50) to the north;

(B) Jefferson Davis Highway (Virginia Route 110) to the east;

(C) Marshall Drive to the south; and

(D) North Meade Street to the west.

(5) The term “Section 29” means a parcel of Federal land in Arlington County, Virginia, that is currently administered by the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as “Section 29”.

(b) USE OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.—

40 USC 1003  
note.

(1) AVAILABILITY OF SITE.—The Secretary of Defense shall make available to the Foundation, without reimbursement, up to three acres of the Arlington Naval Annex, which the Foundation shall use as the location for the Air Force Memorial in lieu of any previously approved location for the Air Force Memorial. The land made available shall include the promontory adjacent to, and the land underlying, Wing 8 of Federal Office Building #2 in the northeast quadrant of the Arlington Naval Annex.

115 STAT. 1331

(2) EXCEPTION.—The requirement to use the land made available under paragraph (1) as the location for the Air Force Memorial, and the prohibition on the use of any previously approved location, shall not apply if the Secretary of Defense determines that it is physically impracticable to construct the Air Force Memorial on such land on account of the geological nature of the land.

(3) RELATION TO OTHER TRANSFER AUTHORITY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall transfer to the Secretary of the Army administrative jurisdiction over the Arlington Naval Annex site made available under this subsection for construction of the Air Force Memorial. Nothing in this subsection alters the deadline for transfer of the remainder of the Arlington Naval Annex to the Secretary of the Army and remediation of the transferred land for use as part of Arlington National Cemetery, as required by section 2881 of the Military Construction Authorization Act for Fiscal Year 2000.

(c) SITE PREPARATION.—

40 USC 1003  
note.

(1) PREPARATION FOR CONSTRUCTION.—Upon receipt of notification from the Foundation that the Foundation has sufficient funds to commence construction of the Air Force Memorial, the Secretary of Defense, in coordination with the Foundation, shall remove Wing 8 of Federal Office Building #2 at the Arlington Naval Annex, as well as its associated outbuilding and parking lot, and prepare the land made available under subsection (b) for construction of the Air Force Memorial. In addition to demolition and removal, such site preparation work may include environmental remediation, installation of water, sewer, telephone, electrical, and storm water management infrastructure necessary for the memorial, installation of sidewalks consistent with the design of the memorial compliant with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the placement of

115 STAT. 1331

PUBLIC LAW 107-107—DEC. 28, 2001

Deadline.

screening berms and mature evergreen trees between Federal Office Building #2 and the memorial.

(2) COMPLETION.—Not later than two years after the date on which the Foundation provides the notification referred to in paragraph (1), the Secretary of Defense shall complete the demolition and removal of the structures and such site preparation work as the Secretary agrees to undertake under this subsection.

(3) FUNDING SOURCE.—The Secretary of Defense shall use amounts appropriated for operation and maintenance to carry out the demolition and removal work and site preparation described in paragraph (1).

115 STAT. 1332

(4) ASSISTANCE FOR DISPLACED AGENCY.—The Secretary of the Army shall serve as the Executive Agent for the Ballistic Missile Defense Organization in securing suitable sites, including, if necessary, sites not currently owned by the United States, to replace offices lost as a result of the demolition of Wing 8 of Federal Office Building #2 at the Arlington Naval Annex.

40 USC 1003  
note.

(d) CONSTRUCTION OF AIR FORCE MEMORIAL.—

(1) COMMENCEMENT.—Upon the demolition and removal of the structures required to be removed under subsection (c)(1), the Secretary of Defense shall permit the Foundation to commence construction of the Air Force Memorial on the Arlington Naval Annex site made available under subsection (b).

(2) OVERSIGHT.—The Secretary of Defense shall have exclusive authority in all matters relating to approval of the siting and design of the Air Force Memorial on the Arlington Naval Annex site, and the siting, design, and construction of the memorial on such site shall not be subject to the requirements of the Commemorative Works Act (40 U.S.C. 1001 et seq.).

(3) EFFECT OF FAILURE TO COMMENCE CONSTRUCTION.—If, within five years after the date of the enactment of this Act, the Foundation has not commenced construction of the Air Force Memorial on the Arlington Naval Annex site made available under subsection (b), the Secretary of Defense may revoke the authority of the Foundation to use the site as the location of the memorial.

40 USC 1003  
note.

(e) ACCESS AND MANAGEMENT OF AIR FORCE MEMORIAL.—The Secretary of the Army may enter into a cooperative agreement with the Foundation to provide for management, maintenance, and repair of the Air Force Memorial constructed on the Arlington Naval Annex site made available under subsection (b) and to guarantee public access to the memorial.

(f) LIMITATION ON USE OF ARLINGTON NAVAL ANNEX AS SITE FOR OTHER MEMORIALS OR MUSEUMS.—Section 2881(b) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 879) is amended by striking paragraph (2) and inserting the following new paragraph (2):

“(2) The Secretary of Defense shall reserve not more than four acres of the Navy Annex property south of the existing Columbia Pike as a site for—

“(A) a National Military Museum, if such site is recommended for such purpose by the Commission on the National Military Museum established under section 2901 and the Secretary of Defense considers such site compatible with Arlington National Cemetery and the Air Force Memorial; or



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115 STAT. 1332

“(B) such other memorials or museums that the Secretary of Defense considers compatible with Arlington National Cemetery and the Air Force Memorial.”.

(g) PRESERVATION OF ARLINGTON RIDGE TRACT.—

(1) GENERAL RULE.—After the date of the enactment of this Act, no additional structure or memorials shall be constructed on the Arlington Ridge tract.

(2) OPTION FOR FUTURE BURIALS.—Paragraph (1) does not prohibit the eventual use of a portion of the Arlington Ridge tract as a location for in-ground burial sites and columbarium for the burial of individuals eligible for burial in Arlington National Cemetery, if the development of such sites is specifically authorized in a law enacted after the date of the enactment of this Act.

(h) LAND TRANSFER, SECTION 29.—

(1) TRANSFER REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer, without reimbursement, to the Secretary of the Army administrative jurisdiction over that portion of Section 29 designated as the interment zone and consisting of approximately 12 acres. The Secretary of the Interior shall modify the boundaries of the George Washington Memorial Parkway as may be necessary to reflect the land transfer required by this subsection.

115 STAT. 1333  
Deadline.

(2) USE OF TRANSFERRED LAND.—The Secretary of the Army shall use the transferred property for the development of in-ground burial sites and columbarium that are designed to meet the contours of Section 29.

(3) MANAGEMENT OF REMAINDER.—The Secretary of the Interior shall manage that portion of Section 29 not transferred under this subsection in perpetuity to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial.

(4) REPEAL OF OBSOLETE LAW.—Section 2821(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2791) is repealed.

\* \* \* \* \*

Approved December 28, 2001.

115 STAT. 1393

#### LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.



**3. Black Patriots**

114 STAT. 1926

PUBLIC LAW 106–442—NOV. 6, 2000

Public Law 106–442  
106th Congress

**An Act**

Nov. 6, 2000  
[H.R. 4957]

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 506 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 1003 note; 110 Stat. 4155) is amended by striking “2000” and inserting “2005”.

Approved November 6, 2000.

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**LEGISLATIVE HISTORY—H.R. 4957:**

CONGRESSIONAL RECORD, Vol. 146 (2000):  
Sept. 12, considered and passed House.  
Oct. 26, considered and passed Senate.



**4. Disabled Veterans LIFE**

PUBLIC LAW 106–348—OCT. 24, 2000

114 STAT. 1358

Public Law 106–348  
106th Congress

**An Act**

To authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

Oct. 24, 2000  
[H.R. 1509]

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

**SECTION 1. MEMORIAL TO HONOR DISABLED VETERANS OF THE UNITED STATES ARMED FORCES.**

40 USC 1003  
note.

(a) **MEMORIAL AUTHORIZED.**—The Disabled Veterans' LIFE Memorial Foundation is authorized to establish a memorial on Federal land in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

(b) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.**—The establishment of the memorial shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).

(c) **PAYMENT OF EXPENSES.**—The Disabled Veterans' LIFE Memorial Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial. No Federal funds may be used to pay any expense of the establishment of the memorial.

(d) **DEPOSIT OF EXCESS FUNDS.**—If, upon payment of all expenses of the establishment of the memorial (including the maintenance and preservation amount required under section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b))), or upon expiration of the authority for the memorial under section 10(b) of such Act (40 U.S.C. 1010(b)), there remains a balance of funds received for the establishment of the memorial, the Disabled Veterans' LIFE Memorial Foundation shall transmit the amount of the balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of such Act (40 U.S.C. 1008(b)(1)).

Approved October 24, 2000.

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**LEGISLATIVE HISTORY—H.R. 1509:**

HOUSE REPORTS: No. 106–583 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):  
May 2, 3, considered and passed House.  
Oct. 5, considered and passed Senate.



**5. Dwight D. Eisenhower**

115 STAT. 2230

PUBLIC LAW 107–117—JAN. 10, 2002

**Public Law 107–117  
107th Congress****An Act**Jan. 10, 2002  
[H.R. 3338]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

Department of  
Defense and  
Emergency  
Supplemental  
Appropriations  
for Recovery from  
and Response to  
Terrorist Attacks  
on the United  
States Act, 2002.  
Department of  
Defense  
Appropriations  
Act, 2002.  
115 STAT. 2247*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:**DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS,  
2002**

\* \* \* \* \*

**TITLE VIII****GENERAL PROVISIONS—DEPARTMENT OF DEFENSE**

\* \* \* \* \*

115 STAT. 2273

SEC. 8120. (a) Section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106–79) is amended—

(1) by redesignating subsection (m) as subsection (o); and  
(2) by adding after subsection (l) the following:“(m) **AUTHORITY TO ESTABLISH MEMORIAL.**—“(1) **IN GENERAL.**—The Commission may establish a permanent memorial to Dwight D. Eisenhower on land under the jurisdiction of the Secretary of the Interior in the District of Columbia or its environs.“(2) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.**—The establishment of the memorial shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).”.

115 STAT. 2274

(b) Section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106–79) is amended—

(1) in subsection (j)(2), by striking “accept gifts” and inserting “solicit and accept contributions”; and

(2) by inserting after subsection (m) (as added by subsection (a)(2)) the following:

“(n) **MEMORIAL FUND.**—“(1) **ESTABLISHMENT.**—There is created in the Treasury a fund for the memorial to Dwight D. Eisenhower that includes amounts contributed under subsection (j)(2).“(2) **USE OF FUND.**—The fund shall be used for the expenses of establishing the memorial.“(3) **INTEREST.**—The Secretary of the Treasury shall credit to the fund the interest on obligations held in the fund.”.

(c) In addition to the amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense,

PUBLIC LAW 107–117—JAN. 10, 2002

115 STAT. 2274

\$2,600,000, to remain available until expended is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make a grant in the amount of \$2,600,000 to the Dwight D. Eisenhower Memorial Commission for direct administrative support.

\* \* \* \* \*

This Act may be cited as the “Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002”. 115 STAT. 2355

Approved January 10, 2002.

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LEGISLATIVE HISTORY—H.R. 3338:

HOUSE REPORTS: Nos. 107–298 (Comm. on Appropriations) and 107–350 (Comm. of Conference).

SENATE REPORTS: No. 107–109 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Nov. 28, considered and passed House.

Dec. 6, 7, considered and passed Senate, amended.

Dec. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Jan. 10, Presidential remarks and statement.



**6. Flight 93**

116 STAT. 1345

PUBLIC LAW 107–226—SEPT. 24, 2002

**Public Law 107–226  
107th Congress****An Act**

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Sept. 24, 2002  
[H.R. 3917]

To authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes.

Flight 93  
National  
Memorial Act.  
16 USC 431 note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Flight 93 National Memorial Act”.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds the following:

(1) Passengers and crewmembers of United Airlines Flight 93 of September 11, 2001, courageously gave their lives, thereby thwarting a planned attack on our Nation's Capital.

(2) In the months since the historic events of September 11, thousands of people have visited the Flight 93 site, drawn by the heroic action and sacrifice of the passengers and crew aboard Flight 93.

(3) Many are profoundly concerned about the future disposition of the crash site, including grieving families of the passengers and crew, the people of the region who are the current stewards of the site, and a broad spectrum of citizens across the United States. Many of these people are forming the Flight 93 Task Force as a broad, inclusive organization to provide a voice for all interested and concerned parties.

(4) The crash site commemorates Flight 93 and is a profound symbol of American patriotism and spontaneous leadership of citizen-heroes. The determination of appropriate recognition at the crash site of Flight 93 will be a slowly unfolding process in order to address the interests and concerns of all interested parties. Appropriate national assistance and recognition must give ample opportunity for those involved to voice these broad concerns.

(5) It is appropriate that the crash site of Flight 93 be designated a unit of the National Park System.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To establish a national memorial to honor the passengers and crew of United Airlines Flight 93 of September 11, 2001.

(2) To establish the Flight 93 Advisory Commission to assist with consideration and formulation of plans for a permanent memorial to the passengers and crew of Flight 93, including its nature, design, and construction.

## PUBLIC LAW 107–226—SEPT. 24, 2002

116 STAT. 1346

(3) To authorize the Secretary of the Interior (hereinafter referred to as the “Secretary”) to coordinate and facilitate the activities of the Flight 93 Advisory Commission, provide technical and financial assistance to the Flight 93 Task Force, and to administer a Flight 93 memorial.

**SEC. 3. MEMORIAL TO HONOR THE PASSENGERS AND CREWMEMBERS OF FLIGHT 93.** Pennsylvania.

There is established a memorial at the September 11, 2001, crash site of United Airlines Flight 93 in the Stonycreek Township, Somerset County, Pennsylvania, to honor the passengers and crew of Flight 93.

**SEC. 4. FLIGHT 93 ADVISORY COMMISSION.**

(a) **ESTABLISHMENT.**—There is established a commission to be known as the “Flight 93 Advisory Commission” (hereafter in this Act referred to as the “Commission”).

(b) **MEMBERSHIP.**—The Commission shall consist of 15 members, including the Director of the National Park Service, or the Director’s designee, and 14 members appointed by the Secretary from recommendations of the Flight 93 Task Force.

(c) **TERM.**—The term of the members of the Commission shall be for the life of the Commission.

(d) **CHAIR.**—The members of the Commission shall select the Chair of the Commission.

(e) **VACANCIES.**—Any vacancy in the Commission shall not affect its powers if a quorum is present, but shall be filled in the same manner as the original appointment.

(f) **MEETINGS.**—The Commission shall meet at the call of the Chairperson or a majority of the members, but not less often than quarterly. Notice of the Commission meetings and agendas for the meetings shall be published in local newspapers in the vicinity of Somerset County and in the Federal Register. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

Notice.  
Newspapers.  
Federal Register,  
publication.

(g) **QUORUM.**—A majority of the members serving on the Commission shall constitute a quorum for the transaction of any business.

(h) **NO COMPENSATION.**—Members of the Commission shall serve without compensation, but may be reimbursed for expenses incurred in carrying out the duties of the Commission.

(i) **DUTIES.**—The duties of the Commission shall be as follow:

Deadline.  
Reports.

(1) Not later than 3 years after the date of the enactment of this Act, the Commission shall submit to the Secretary and Congress a report containing recommendations for the planning, design, construction, and long-term management of a permanent memorial at the crash site.

(2) The Commission shall advise the Secretary on the boundaries of the memorial site.

(3) The Commission shall advise the Secretary in the development of a management plan for the memorial site.

(4) The Commission shall consult and coordinate closely with the Flight 93 Task Force, the Commonwealth of Pennsylvania, and other interested parties, as appropriate, to support and not supplant the efforts of the Flight 93 Task Force on and before the date of the enactment of this Act to commemorate Flight 93.

(5) The Commission shall provide significant opportunities for public participation in the planning and design of the memorial.

(j) **POWERS.**—The Commission may—

(1) make such expenditures for services and materials for the purpose of carrying out this Act as the Commission considers advisable from funds appropriated or received as gifts for that purpose;

(2) subject to approval by the Secretary, solicit and accept donations of funds and gifts, personal property, supplies, or services from individuals, foundations, corporations, and other private or public entities to be used in connection with the construction or other expenses of the memorial;

(3) hold hearings, enter into contracts for personal services and otherwise;

(4) do such other things as are necessary to carry out this Act; and

(5) by a vote of the majority of the Commission, delegate such of its duties as it determines appropriate to employees of the National Park Service.

(k) **TERMINATION.**—The Commission shall terminate upon dedication of the completed memorial.

#### **SEC. 5. DUTIES OF THE SECRETARY.**

The Secretary is authorized to—

(1) provide assistance to the Commission, including advice on collections, storage, and archives;

(2) consult and assist the Commission in providing information, interpretation, and the conduct of oral history interviews;

(3) provide assistance in conducting public meetings and forums held by the Commission;

(4) provide project management assistance to the Commission for planning, design, and construction activities;

(5) provide programming and design assistance to the Commission for possible memorial exhibits, collections, or activities;

(6) provide staff assistance and support to the Commission and the Flight 93 Task Force;

(7) participate in the formulation of plans for the design of the memorial, to accept funds raised by the Commission for construction of the memorial, and to construct the memorial;

(8) acquire from willing sellers the land or interests in land for the memorial site by donation, purchase with donated or appropriated funds, or exchange; and

(9) to administer the Flight 93 memorial as a unit of the National Park System in accordance with this Act and with the laws generally applicable to units of the National Park System such as the Act of August 25, 1916 (39 Stat. 585).



**SEC. 6. CLARIFICATION OF PASSENGERS AND CREW.**

For the purposes of this Act, the terrorists on United Airlines Flight 93 on September 11, 2001, shall not be considered passengers or crew of that flight.

Approved September 24, 2002.

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**LEGISLATIVE HISTORY—H.R. 3917:**

HOUSE REPORTS: No. 107-597 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

July 22, considered and passed House.

Sept. 10, considered and passed Senate.



**7. Fort Clatsop**

116 STAT. 1333

PUBLIC LAW 107–221—AUG. 21, 2002

**Public Law 107–221  
107th Congress****An Act**Aug. 21, 2002  
[H.R. 2643]

To authorize the acquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Fort Clatsop  
National  
Memorial  
Expansion Act of  
2002.  
16 USC 450mm  
note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Fort Clatsop National Memorial Expansion Act of 2002”.

16 USC  
450mm–1 note.**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) Fort Clatsop National Memorial is the only unit of the National Park System solely dedicated to the Lewis and Clark Expedition.

(2) In 1805, the members of the Lewis and Clark Expedition built Fort Clatsop at the mouth of the Columbia River near Astoria, Oregon, and they spent 106 days at the fort waiting for the end of winter and preparing for their journey home.

(3) In 1958, Congress enacted Public Law 85–435 authorizing the establishment of Fort Clatsop National Memorial for the purpose of commemorating the culmination, and the winter encampment, of the Lewis and Clark Expedition following its successful crossing of the North American continent.

(4) The 1995 General Management Plan for Fort Clatsop National Memorial, prepared with input from the local community, recommends the expansion of the memorial to include the trail used by expedition members to access the Pacific Ocean from the fort and the shore and forest lands surrounding the fort and trail to protect their natural settings.

(5) Expansion of Fort Clatsop National Memorial requires Federal legislation because the size of the memorial is currently limited by statute to 130 acres.

(6) Congressional action to allow for the expansion of Fort Clatsop National Memorial to include the trail to the Pacific Ocean would be timely and appropriate before the start of the bicentennial celebration of the Lewis and Clark Expedition planned to take place during the years 2004 through 2006.

**SEC. 3. EXPANSION OF FORT CLATSOP NATIONAL MEMORIAL, OREGON.**

(a) REVISED BOUNDARIES.—Section 2 of Public Law 85–435 (16 U.S.C. 450mm–1) is amended—

(1) by inserting “(a) INITIAL DESIGNATION OF LANDS.—” before “The Secretary”;

PUBLIC LAW 107-221—AUG. 21, 2002

116 STAT. 1334

(2) by striking “coast:” and all that follows through the end of the sentence and inserting “coast.”; and

(3) by adding at the end the following new subsections:

“(b) AUTHORIZED EXPANSION.—The Fort Clatsop National Memorial shall also include the lands depicted on the map entitled ‘Fort Clatsop Boundary Map’, numbered ‘405–80026C–CCO’, and dated June 1996.

“(c) MAXIMUM DESIGNATED AREA.—The total area designated as the Fort Clatsop National Memorial shall not exceed 1,500 acres.”.

(b) AUTHORIZED ACQUISITION METHODS.—Section 3 of Public Law 85–435 (16 U.S.C. 450mm–2) is amended—

(1) by inserting “(a) ACQUISITION METHODS.—” before “Within”; and

(2) by adding at the end the following new subsection:

“(b) LIMITATION.—The lands (other than corporately owned timberlands) depicted on the map referred to in section 2(b) may be acquired by the Secretary of the Interior only by donation or purchase from willing sellers.”.

(c) MEMORANDUM OF UNDERSTANDING.—Section 4 of Public Law 85–435 (16 U.S.C. 450mm–3) is amended—

(1) by striking “Establishment” and all that follows through “its establishment,” and inserting “(a) ADMINISTRATION.—”; and

(2) by adding at the end the following new subsection:

“(b) MEMORANDUM OF UNDERSTANDING.—If the owner of corporately owned timberlands depicted on the map referred to in section 2(b) agrees to enter into a sale of such lands as a result of actual condemnation proceedings or in lieu of condemnation proceedings, the Secretary of the Interior shall enter into a memorandum of understanding with the owner regarding the manner in which such lands will be managed after acquisition by the United States.”.

**SEC. 4. STUDY OF STATION CAMP SITE AND OTHER AREAS FOR POSSIBLE INCLUSION IN NATIONAL MEMORIAL.**

Washington.

The Secretary of the Interior shall conduct a study of the area near McGowan, Washington, where the Lewis and Clark Expedition first camped after reaching the Pacific Ocean and known as the “Station Camp” site, as well as the Megler Rest Area and Fort Canby State Park, to determine the suitability, feasibility, and national significance of these sites for inclusion in the National

116 STAT. 1335

PUBLIC LAW 107-221—AUG. 21, 2002

Park System. The study shall be conducted in accordance with section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

Approved August 21, 2002.

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LEGISLATIVE HISTORY—H.R. 2643 (S. 423):

HOUSE REPORTS: No. 107-456 (Comm. on Resources).

SENATE REPORTS: No. 107-69 accompanying S. 423 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

July 8, considered and passed House.

Aug. 1, considered and passed Senate.



**8. Frederick Douglas Memorial and Gardens**

PUBLIC LAW 106–479—NOV. 9, 2000

114 STAT. 2184

Public Law 106–479  
106th Congress

**An Act**

To authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

Nov. 9, 2000

[H.R. 5331]

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

40 USC 1003  
note.

**SECTION 1. MEMORIAL AND GARDENS TO HONOR AND COMMEMORATE  
FREDERICK DOUGLASS.**

(a) **MEMORIAL AND GARDENS AUTHORIZED.**—The Frederick Douglass Gardens, Inc., is authorized to establish a memorial and gardens on lands under the administrative jurisdiction of the Secretary of the Interior in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

(b) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.**—The establishment of the Frederick Douglass memorial and gardens shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).

**SEC. 2. PAYMENT OF EXPENSES.**

The Frederick Douglass Gardens, Inc., shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial and gardens. No Federal funds may be used to pay any expense of the establishment of the memorial and gardens.

**SEC. 3. DEPOSIT OF EXCESS FUNDS.**

If, upon payment of all expenses of the establishment of the memorial and gardens (including the maintenance and preservation amount required under section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b)), or upon expiration of the authority for the memorial and gardens under section 10(b) of such Act (40 U.S.C. 1010(b)), there remains a balance of funds received for the establishment of the memorial and gardens, Frederick Douglass Gardens, Inc., shall transmit the amount of the balance to the

114 STAT. 2185

PUBLIC LAW 106–479—NOV. 9, 2000

Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of such Act (40 U.S.C. 1008(b)(1)).

Approved November 9, 2000.

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LEGISLATIVE HISTORY—H.R. 5331:  
CONGRESSIONAL RECORD, Vol. 146 (2000):  
Oct. 3, considered and passed House.  
Oct. 26, considered and passed Senate.



**9. Hamilton Grange**

PUBLIC LAW 106–387—OCT. 28, 2000

114 STAT. 1549

\* Public Law 106–387  
106th Congress

**An Act**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 28, 2000  
[H.R. 4461]

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

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

Incorporation by  
reference.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Publication.  
1 USC 112 note.

Approved October 28, 2000.

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**LEGISLATIVE HISTORY—H.R. 4461:**

HOUSE REPORTS: No. 106–619 (Comm. on Appropriations) and No. 106–948 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 29, July 10, 11, considered and passed House.  
July 18–20, considered and passed Senate, amended.  
Oct. 11, House agreed to conference report.  
Oct. 13, 18, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):  
Oct. 28, Presidential statement.

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\* ENDNOTE: The following appendix was added pursuant to the provisions of section 1 of this Act.



**APPENDIX—H.R. 5426**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
1549A-28

**TITLE VII—GENERAL PROVISIONS**

\* \* \* \* \*

114 STAT.  
1549A-45

**SEC. 776. SENSE OF THE CONGRESS; HAMILTON GRANGE, NEW YORK.**

(a) Congress finds that—

(1) Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

(2) Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

(3) after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

114 STAT.  
1549A-46

(4) the only home Hamilton ever owned, commonly known as "the Grange", is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

(5) the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

(6) in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

(7) the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

(8) the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

(9) no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Alexander Hamilton made an immense contribution to the United States by serving as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—



PUBLIC LAW 106-387—APPENDIX 114 STAT. 1549A-46

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

\* \* \* \* \*

114 STAT. 2192

PUBLIC LAW 106–482—NOV. 9, 2000

Public Law 106–482  
106th Congress

An Act

Nov. 9, 2000  
[H.R. 5478]

To authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of Public Law 87–438, as amended by Public Law 100–701; 102 Stat. 4640; 16 U.S.C. 431 note) is amended—

(1) by inserting “(a) IN GENERAL.—” before “The Secretary of the Interior”; and

(2) by adding at the end the following new subsection:

New York.

“(b) RELOCATION OF HAMILTON GRANGE.—The Secretary is authorized to acquire by donation from the City of New York, New York, a parcel of land or suitable interests in such land, not to exceed 1 acre, to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to relocate the Hamilton Grange to such land. The acquired land or interests in land shall be in close proximity to the original location of Hamilton Grange and shall be added to and administered as part of the memorial.”.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—H.R. 5478:

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 24, considered and passed House.

Oct. 27, considered and passed Senate.



**10. Lincoln**

PUBLIC LAW 106–365—OCT. 27, 2000

114 STAT. 1409

Public Law 106–365  
106th Congress

**An Act**

To provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the “I Have A Dream” speech.

Oct. 27, 2000  
[H.R. 2879]

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

40 USC 1003  
note.

**SECTION 1. PLACEMENT OF PLAQUE AT LINCOLN MEMORIAL.**

(a) IN GENERAL.—The Secretary of the Interior shall install in the area of the Lincoln Memorial in the District of Columbia a suitable plaque to commemorate the speech of Martin Luther King, Jr., known as the “I Have A Dream” speech.

(b) RELATION TO COMMEMORATIVE WORKS ACT.—The Commemorative Works Act (40 U.S.C. 1001 et seq.) shall apply to the design and placement of the plaque within the area of the Lincoln Memorial.

Applicability.

**SEC. 2. ACCEPTANCE OF CONTRIBUTIONS.**

The Secretary of the Interior is authorized to accept and expand contributions toward the cost of preparing and installing the plaque, without further appropriation. Federal funds may be used to design, procure, or install the plaque.

Approved October 27, 2000.

**LEGISLATIVE HISTORY—H.R. 2879:**

HOUSE REPORTS: No. 106–448 (Comm. on Resources).

SENATE REPORTS: No. 106–334 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 9, considered and passed House.

Vol. 146 (2000): Oct. 5, considered and passed Senate, amended.

Oct. 10, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 27, Presidential statement.



**11. Martin Luther King, Jr.**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

114 STAT. 26

**SEC. 108. MEMORIAL TO MARTIN LUTHER KING, JR.**

Section 508 of division I of the Omnibus Parks Act (110 Stat. 4157; 40 U.S.C. 1003 note) is amended as follows:

(1) In subsection (a), by striking “of 1986” and inserting “(40 U.S.C. 1001 et seq.)”.

(2) In subsection (b), by striking “the Act” and all that follows through “1986” and inserting “the Commemorative Works Act”.

(3) In subsection (d), by striking “the Act referred to in section 4401(b))” and inserting “the Commemorative Works Act”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:****HOUSE REPORTS:** No. 106–17 (Comm. on Resources).**SENATE REPORTS:** No. 106–125 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**12. Thomas Paine**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–142

**NATIONAL PARK SERVICE**

\* \* \* \* \*

113 STAT.  
1501A–154

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–171

**SEC. 142. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF THOMAS PAINE MEMORIAL.** (a) **IN GENERAL.**—Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by adding at the end the following:

**“SEC. 4. EXPIRATION OF AUTHORITY.**

“Notwithstanding the time period limitation specified in section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)) or any other provision of law, the authority for the Thomas Paine National Historical Association to establish a memorial to Thomas Paine in the District of Columbia under this Act shall expire on December 31, 2003.”.

**(b) CONFORMING AMENDMENTS.—**

(1) **APPLICABLE LAW.**—Section 1(b) of Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by striking “The establishment” and inserting “Except as provided in section 4, the establishment”.

(2) **EXPIRATION OF AUTHORITY.**—Section 3 of Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended—

(A) by striking “or upon expiration of the authority for the memorial under section 10(b) of that Act,” and inserting “or on expiration of the authority for the memorial under section 4,”; and

(B) by striking “section 8(b)(1) of that Act” and inserting “section 8(b)(1) of the Commemorative Works Act (40 U.S.C. 1008(b)(1))”.

\* \* \* \* \*

**13. Tomas G. Masaryk**

PUBLIC LAW 107–61—NOV. 5, 2001

115 STAT. 410

Public Law 107–61  
107th Congress**An Act**To authorize the Government of the Czech Republic to establish a memorial to  
honor Tomas G. Masaryk in the District of Columbia.

Nov. 5, 2001

[H.R. 1161]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*40 USC 1003  
note.**SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL.**(a) IN GENERAL.—The Government of the Czech Republic is  
authorized to establish a memorial to honor Tomas G. Masaryk  
on the Federal land in the District of Columbia.(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE  
WORKS.—The establishment of the memorial shall be in accordance  
with the Commemorative Works Act (40 U.S.C. 1001 et seq.), except  
that sections 2(c), 6(b), 8(b), and 10(c) of that Act shall not apply  
with respect to the memorial.**SEC. 2. LIMITATION ON PAYMENT OF EXPENSES.**The United States Government shall not pay any expense for  
the establishment of the memorial or its maintenance.

Approved November 5, 2001.

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**LEGISLATIVE HISTORY—H.R. 1161:**HOUSE REPORTS: No. 107–221 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

Oct. 2, considered and passed House.

Oct. 17, considered and passed Senate.



**14. World War II**

115 STAT. 19

PUBLIC LAW 107–11—MAY 28, 2001

**Public Law 107–11  
107th Congress****An Act**May 28, 2001  
[H.R. 1696]

To expedite the construction of the World War II memorial in the District of Columbia.

40 USC 1003  
note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. APPROVAL OF WORLD WAR II MEMORIAL SITE AND  
DESIGN.**

Notwithstanding any other provision of law, the World War II memorial described in plans approved by the Commission of Fine Arts on July 20, 2000 and November 16, 2000, and selected by the National Capital Planning Commission on September 21, 2000 and December 14, 2000, and in accordance with the special use permit issued by the Secretary of the Interior on January 23, 2001, and numbered NCR–NACC–5700–0103, shall be constructed expeditiously at the dedicated Rainbow Pool site in the District of Columbia in a manner consistent with such plans and permits, subject to design modifications, if any, approved in accordance with applicable laws and regulations.

**SEC. 2. APPLICATION OF COMMEMORATIVE WORKS ACT.**

Elements of the memorial design and construction not approved as of the date of enactment of this Act shall be considered and approved in accordance with the requirements of the Commemorative Works Act (40 U.S.C. 1001 et seq.).

**SEC. 3. JUDICIAL REVIEW.**

The decision to locate the memorial at the Rainbow Pool site in the District of Columbia and the actions by the Commission of Fine Arts on July 20, 2000 and November 16, 2000, the actions by the National Capital Planning Commission on September 21, 2000 and December 14, 2000, and the issuance of the special use permit identified in section 1 shall not be subject to judicial review.

Approved May 28, 2001.

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**LEGISLATIVE HISTORY—H.R. 1696:****CONGRESSIONAL RECORD, Vol. 147 (2001):**

May 15, considered and passed House.

May 21, considered and passed Senate, amended.

May 22, House concurred in Senate amendment.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):**

May 28, Presidential statement.





**15. Vietnam Veterans**

PUBLIC LAW 106–214—JUNE 15, 2000

114 STAT. 335

Public Law 106–214  
106th Congress

**An Act**

To amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

June 15, 2000  
[H.R. 3293]

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

**SECTION 1. ADDITION OF COMMEMORATIVE PLAQUE, VIETNAM VETERANS MEMORIAL.**

Public Law 96–297 (94 Stat. 827; 16 U.S.C. 431 note), which authorized the Vietnam Veterans Memorial in the District of Columbia, is amended by adding at the end the following new section:

**“SEC. 5. PLAQUE TO HONOR OTHER VIETNAM VETERANS WHO DIED AS A RESULT OF SERVICE IN THE VIETNAM WAR.**

“(a) **PLAQUE AUTHORIZED.**—Notwithstanding section 3(c) of the Commemorative Works Act (40 U.S.C. 1003(c)), the American Battle Monuments Commission is authorized to place within the Vietnam Veterans Memorial a suitable plaque containing an inscription intended to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service, and whose names are not otherwise eligible for placement on the memorial wall.

“(b) **SPECIFICATIONS.**—The plaque shall be at least 6 square feet in size and not larger than 18 square feet in size, and of whatever shape as the American Battle Monuments Commission determines to be appropriate for the site. The plaque shall bear an inscription prepared by the American Battle Monuments Commission.

“(c) **RELATION TO COMMEMORATIVE WORKS ACT.**—Except as provided in subsection (a), the Commemorative Works Act (40 U.S.C. 1001 et seq.) shall apply to the design and placement of the plaque within the site of the Vietnam Veterans Memorial.

“(d) **CONSULTATION.**—In designing the plaque, preparing the inscription, and selecting the specific location for the plaque within the Vietnam Veterans Memorial, the American Battle Monuments Commission shall consult with the architects of the Vietnam Veterans Memorial Fund, Inc., and the Vietnam Women’s Memorial, Inc.

“(e) **FUNDS FOR PLAQUE.**—

“(1) **PROHIBITION ON USE OF FEDERAL FUNDS.**—Federal funds may not be used to design, procure, or install the plaque. However, the preceding sentence does not apply to the payment

of the salaries, expenses, and other benefits otherwise authorized by law for members of the American Battle Monuments Commission or other personnel (including detailees) of the American Battle Monuments Commission who carry out this section.

“(2) PRIVATE FUNDRAISING AUTHORITY.—The American Battle Monuments Commission shall solicit and accept private contributions for the design, procurement, and installation of the plaque. The American Battle Monuments Commission shall establish an account into which the contributions will be deposited and shall maintain documentation of the contributions. Contributions in excess of the amounts necessary for the design, procurement, and installation of the plaque shall be deposited in the United States Treasury.

“(f) VIETNAM VETERANS MEMORIAL DEFINED.—In this section, the term ‘Vietnam Veterans Memorial’ means the structures and adjacent areas extending to and bounded by the south curb of Constitution Avenue on the north, the east curb of Henry Bacon Drive on the west, the north side of the north Reflecting Pool walkway on the south and a line drawn perpendicular to Constitution Avenue 200 feet from the east tip of the memorial wall on the east (this is also a line extended from the east side of the western concrete border of the steps to the west of the center steps to the Federal Reserve Building extending to the Reflecting pool walkway). This is the same definition used by the National Park Service as of the date of the enactment of this section, as contained in section 7.96(g)(1)(x) of title 36, Code of Federal Regulations.”.

Approved June 15, 2000.

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LEGISLATIVE HISTORY—H.R. 3293:

HOUSE REPORTS: No. 106-585 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

May 9, considered and passed House.  
May 25, considered and passed Senate.



## XI. NATIONAL MONUMENTS

### 1. Bandelier

PUBLIC LAW 106–246—JULY 13, 2000

114 STAT. 511

Public Law 106–246  
106th Congress

#### An Act

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

July 13, 2000  
[H.R. 4425]

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

\* \* \* \* \*

#### DIVISION C—CERRO GRANDE FIRE

114 STAT. 583  
Cerro Grande  
Fire  
Supplemental.  
New Mexico.

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

#### TITLE II—CERRO GRANDE FIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS

114 STAT. 590

\* \* \* \* \*

#### GENERAL PROVISION—THIS TITLE

114 STAT. 592

SEC. 2101. The Secretary of the Interior shall allow enrolled members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants, including the parts or products thereof, and mineral resources within the Bandelier National Monument for traditional and cultural uses. All collection activity, except quantity limitations in current regulations of the National Park Service, shall be consistent with applicable laws, and shall be subject to such conditions as the Secretary deems necessary to protect the resources and values of the Monument.

This division may be cited as the “Cerro Grande Fire Supplemental”.

Approved July 13, 2000.

#### LEGISLATIVE HISTORY—H.R. 4425 (S. 2521):

HOUSE REPORTS: Nos. 106–614 (Comm. on Appropriations) and 106–710 (Comm. of Conference).

SENATE REPORTS: No. 106–290 accompanying S. 2521 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 16, considered and passed House.

May 18, considered and passed Senate, amended, in lieu of S. 2521.

June 29, House agreed to conference report.

June 30, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 13, Presidential statement.

114 STAT. 598

PUBLIC LAW 106–248—JULY 25, 2000

Public Law 106–248  
106th Congress

An Act

July 25, 2000  
[S. 1892]

To authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture, and for other purposes.

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

Valles Caldera  
Preservation Act.  
New Mexico.

TITLE I—VALLES CALDERA NATIONAL  
PRESERVE AND TRUST

16 USC 698v  
note.

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Valles Caldera Preservation Act”.

16 USC 698v.

**SEC. 102. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the Baca ranch comprises most of the Valles Caldera in central New Mexico, and constitutes a unique land mass, with significant scientific, cultural, historic, recreational, ecological, wildlife, fisheries, and productive values;

(2) the Valles Caldera is a large resurgent lava dome with potential geothermal activity;

(3) the land comprising the Baca ranch was originally granted to the heirs of Don Luis Maria Cabeza de Vaca in 1860;

(4) historical evidence, in the form of old logging camps and other artifacts, and the history of territorial New Mexico indicate the importance of this land over many generations for domesticated livestock production and timber supply;

(5) the careful husbandry of the Baca ranch by the current owners, including selective timbering, limited grazing and hunting, and the use of prescribed fire, have preserved a mix of healthy range and timber land with significant species diversity, thereby serving as a model for sustainable land development and use;

(6) the Baca ranch’s natural beauty and abundant resources, and its proximity to large municipal populations, could provide numerous recreational opportunities for hiking, fishing, camping, cross-country skiing, and hunting;

(7) the Forest Service documented the scenic and natural values of the Baca ranch in its 1993 study entitled “Report on the Study of the Baca Location No. 1, Santa Fe National Forest, New Mexico”, as directed by Public Law 101–556;

## PUBLIC LAW 106-248—JULY 25, 2000

114 STAT. 599

(8) the Baca ranch can be protected for current and future generations by continued operation as a working ranch under a unique management regime which would protect the land and resource values of the property and surrounding ecosystem while allowing and providing for the ranch to eventually become financially self-sustaining;

(9) the current owners have indicated that they wish to sell the Baca ranch, creating an opportunity for Federal acquisition and public access and enjoyment of these lands;

(10) certain features on the Baca ranch have historical and religious significance to Native Americans which can be preserved and protected through Federal acquisition of the property;

(11) the unique nature of the Valles Caldera and the potential uses of its resources with different resulting impacts warrants a management regime uniquely capable of developing an operational program for appropriate preservation and development of the land and resources of the Baca ranch in the interest of the public;

(12) an experimental management regime should be provided by the establishment of a Trust capable of using new methods of public land management that may prove to be cost-effective and environmentally sensitive; and

(13) the Secretary may promote more efficient management of the Valles Caldera and the watershed of the Santa Clara Creek through the assignment of purchase rights of such watershed to the Pueblo of Santa Clara.

(b) PURPOSES.—The purposes of this title are—

(1) to authorize Federal acquisition of the Baca ranch;

(2) to protect and preserve for future generations the scientific, scenic, historic, and natural values of the Baca ranch, including rivers and ecosystems and archaeological, geological, and cultural resources;

(3) to provide opportunities for public recreation;

(4) to establish a demonstration area for an experimental management regime adapted to this unique property which incorporates elements of public and private administration in order to promote long term financial sustainability consistent with the other purposes enumerated in this subsection; and

(5) to provide for sustained yield management of Baca ranch for timber production and domesticated livestock grazing insofar as is consistent with the other purposes stated herein.

**SEC. 103. DEFINITIONS.**

16 USC 698v-1.

In this title:

(1) BACA RANCH.—The term “Baca ranch” means the lands and facilities described in section 104(a).

(2) BOARD OF TRUSTEES.—The terms “Board of Trustees” and “Board” mean the Board of Trustees as described in section 107.

(3) COMMITTEES OF CONGRESS.—The term “Committees of Congress” means the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(4) FINANCIALLY SELF-SUSTAINING.—The term “financially self-sustaining” means management and operating expenditures equal to or less than proceeds derived from fees and

other receipts for resource use and development and interest on invested funds. Management and operating expenditures shall include Trustee expenses, salaries and benefits of staff, administrative and operating expenses, improvements to and maintenance of lands and facilities of the Preserve, and other similar expenses. Funds appropriated to the Trust by Congress, either directly or through the Secretary, for the purposes of this title shall not be considered.

(5) **MULTIPLE USE AND SUSTAINED YIELD.**—The term “multiple use and sustained yield” has the combined meaning of the terms “multiple use” and “sustained yield of the several products and services”, as defined under the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 531).

(6) **PRESERVE.**—The term “Preserve” means the Valles Caldera National Preserve established under section 105.

(7) **SECRETARY.**—Except where otherwise provided, the term “Secretary” means the Secretary of Agriculture.

(8) **TRUST.**—The term “Trust” means the Valles Caldera Trust established under section 106.

16 USC 698v-2.

#### **SEC. 104. ACQUISITION OF LANDS.**

(a) **ACQUISITION OF BACA RANCH.**—

(1) **IN GENERAL.**—In compliance with the Act of June 15, 1926 (16 U.S.C. 471a), the Secretary is authorized to acquire all or part of the rights, title, and interests in and to approximately 94,761 acres of the Baca ranch, comprising the lands, facilities, and structures referred to as the Baca Location No. 1, and generally depicted on a plat entitled “Independent Resurvey of the Baca Location No. 1”, made by L.A. Osterhoudt, W.V. Hall, and Charles W. Devendorf, U.S. Cadastral Engineers, June 30, 1920–August 24, 1921, under special instructions for Group No. 107 dated February 12, 1920, in New Mexico.

(2) **SOURCE OF FUNDS.**—The acquisition under paragraph (1) may be made by purchase through appropriated or donated funds, by exchange, by contribution, or by donation of land. Funds appropriated to the Secretary from the Land and Water Conservation Fund shall be available for this purpose.

(3) **BASIS OF SALE.**—The acquisition under paragraph (1) shall be based on an appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and—

(A) in the case of purchase, such purchase shall be on a willing seller basis for no more than the fair market value of the land or interests therein acquired; and

(B) in the case of exchange, such exchange shall be for lands, or interests therein, of equal value, in conformity with the existing exchange authorities of the Secretary.

(4) **DEED.**—The conveyance of the offered lands to the United States under this subsection shall be by general warranty or other deed acceptable to the Secretary and in conformity with applicable title standards of the Attorney General.

(b) **ADDITION OF LAND TO BANDELIER NATIONAL MONUMENT.**—Upon acquisition of the Baca ranch under subsection (a), the Secretary of the Interior shall assume administrative jurisdiction over

Government  
organization.

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those lands within the boundaries of the Bandelier National Monument as modified under section 3 of Public Law 105-376 (112 Stat. 3389).

(c) PLAT AND MAPS.—

(1) PLAT AND MAPS PREVAIL.—In case of any conflict between a plat or a map and acreages, the plat or map shall prevail.

(2) MINOR CORRECTIONS.—The Secretary and the Secretary of the Interior may make minor corrections in the boundaries of the Upper Alamo watershed as depicted on the map referred to in section 3 of Public Law 105-376 (112 Stat. 3389).

(3) BOUNDARY MODIFICATION.—Upon the conveyance of any lands to any entity other than the Secretary, the boundary of the Preserve shall be modified to exclude such lands.

(4) FINAL MAPS.—Within 180 days of the date of acquisition of the Baca ranch under subsection (a), the Secretary and the Secretary of the Interior shall submit to the Committees of Congress a final map of the Preserve and a final map of Bandelier National Monument, respectively.

Deadline.

(5) PUBLIC AVAILABILITY.—The plat and maps referred to in the subsection shall be kept and made available for public inspection in the offices of the Chief, Forest Service, and Director, National Park Service, in Washington, D.C., and Supervisor, Santa Fe National Forest, and Superintendent, Bandelier National Monument, in the State of New Mexico.

(d) WATERSHED MANAGEMENT REPORT.—The Secretary, acting through the Forest Service, in cooperation with the Secretary of the Interior, acting through the National Park Service, shall—

(1) prepare a report of management alternatives which may—

(A) provide more coordinated land management within the area known as the upper watersheds of Alamo, Capulin, Medio, and Sanchez Canyons, including the areas known as the Dome Diversity Unit and the Dome Wilderness;

(B) allow for improved management of elk and other wildlife populations ranging between the Santa Fe National Forest and the Bandelier National Monument; and

(C) include proposed boundary adjustments between the Santa Fe National Forest and the Bandelier National Monument to facilitate the objectives under subparagraphs (A) and (B); and

(2) submit the report to the Committees of Congress within 120 days of the date of enactment of this title.

Deadline.

(e) OUTSTANDING MINERAL INTERESTS.—The acquisition of the Baca ranch by the Secretary shall be subject to all outstanding valid existing mineral interests. The Secretary is authorized and directed to negotiate with the owners of any fractional interest in the subsurface estate for the acquisition of such fractional interest on a willing seller basis for not to exceed its fair market value, as determined by appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions. Any such interests acquired within the boundaries of the Upper Alamo watershed, as referred to in subsection (b), shall be administered by the Secretary of the Interior as part of Bandelier National Monument.

(f) BOUNDARIES OF THE BACA RANCH.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16

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U.S.C. 4601-9), the boundaries of the Baca ranch shall be treated as if they were National Forest boundaries existing as of January 1, 1965.

(g) PUEBLO OF SANTA CLARA.—

(1) IN GENERAL.—The Secretary may assign to the Pueblo of Santa Clara rights to acquire for fair market value portions of the Baca ranch. The portion that may be assigned shall be determined by mutual agreement between the Pueblo and the Secretary based on optimal management considerations for the Preserve including manageable land line locations, public access, and retention of scenic and natural values. All appraisals shall be done in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

(2) STATUS OF LAND ACQUIRED.—As of the date of acquisition, the fee title lands, and any mineral estate underlying such lands, acquired under this subsection by the Pueblo of Santa Clara are deemed transferred into trust in the name of the United States for the benefit of the Pueblo of Santa Clara and such lands and mineral estate are declared to be part of the existing Santa Clara Indian Reservation.

(3) MINERAL ESTATE.—Any mineral estate acquired by the United States pursuant to section 104(e) underlying fee title lands acquired by the Pueblo of Santa Clara shall not be developed without the consent of the Secretary of the Interior and the Pueblo of Santa Clara.

(4) SAVINGS.—Any reservations, easements, and covenants contained in an assignment agreement entered into under paragraph (1) shall not be affected by the acquisition of the Baca ranch by the United States, the assumption of management by the Valles Caldera Trust, or the lands acquired by the Pueblo being taken into trust.

16 USC 698v-3.

**SEC. 105. THE VALLES CALDERA NATIONAL PRESERVE.**

Effective date.

(a) ESTABLISHMENT.—Upon the date of acquisition of the Baca ranch under section 104(a), there is hereby established the Valles Caldera National Preserve as a unit of the National Forest System which shall include all Federal lands and interests in land acquired under sections 104(a) and 104(e), except those lands and interests in land administered or held in trust by the Secretary of the Interior under sections 104(b) and 104(g), and shall be managed in accordance with the purposes and requirements of this title.

(b) PURPOSES.—The purposes for which the Preserve is established are to protect and preserve the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the Preserve, and to provide for multiple use and sustained yield of renewable resources within the Preserve, consistent with this title.

(c) MANAGEMENT AUTHORITY.—Except for the powers of the Secretary enumerated in this title, the Preserve shall be managed by the Valles Caldera Trust established by section 106.

(d) ELIGIBILITY FOR PAYMENT IN LIEU OF TAXES.—Lands acquired by the United States under section 104(a) shall constitute entitlement lands for purposes of the Payment in Lieu of Taxes Act (31 U.S.C. 6901-6904).

(e) WITHDRAWALS.—

(1) IN GENERAL.—Upon acquisition of all interests in minerals within the boundaries of the Baca ranch under section



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104(e), subject to valid existing rights, the lands comprising the Preserve are thereby withdrawn from disposition under all laws pertaining to mineral leasing, including geothermal leasing.

(2) MATERIALS FOR ROADS AND FACILITIES.—Nothing in this title shall preclude the Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, from allowing the utilization of common varieties of mineral materials such as sand, stone, and gravel as necessary for construction and maintenance of roads and facilities within the Preserve.

(f) FISH AND GAME.—Nothing in this title shall be construed as affecting the responsibilities of the State of New Mexico with respect to fish and wildlife, including the regulation of hunting, fishing, and trapping within the Preserve, except that the Trust may, in consultation with the Secretary and the State of New Mexico, designate zones where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, the protection of nongame species and their habitats, or public use and enjoyment.

(g) REDONDO PEAK.—

(1) IN GENERAL.—For the purposes of preserving the natural, cultural, religious, and historic resources on Redondo Peak upon acquisition of the Baca ranch under section 104(a), except as provided in paragraph (2), within the area of Redondo Peak above 10,000 feet in elevation—

(A) no roads, structures, or facilities shall be constructed; and

(B) no motorized access shall be allowed.

(2) EXCEPTIONS.—Nothing in this subsection shall preclude—

(A) the use and maintenance of roads and trails existing as of the date of enactment of this Act;

(B) the construction, use and maintenance of new trails, and the relocation of existing roads, if located to avoid Native American religious and cultural sites; and

(C) motorized access necessary to administer the area by the Trust (including measures required in emergencies involving the health or safety of persons within the area).

**SEC. 106. THE VALLES CALDERA TRUST.**

16 USC 698v-4.

(a) ESTABLISHMENT.—There is hereby established a wholly owned government corporation known as the Valles Caldera Trust which is empowered to conduct business in the State of New Mexico and elsewhere in the United States in furtherance of its corporate purposes.

(b) CORPORATE PURPOSES.—The purposes of the Trust are—

(1) to provide management and administrative services for the Preserve;

(2) to establish and implement management policies which will best achieve the purposes and requirements of this title;

(3) to receive and collect funds from private and public sources and to make dispositions in support of the management and administration of the Preserve; and

(4) to cooperate with Federal, State, and local governmental units, and with Indian tribes and Pueblos, to further the purposes for which the Preserve was established.

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(c) NECESSARY POWERS.—The Trust shall have all necessary and proper powers for the exercise of the authorities vested in it.

(d) STAFF.—

(1) IN GENERAL.—The Trust is authorized to appoint and fix the compensation and duties of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may pay them without regard to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates. No employee of the Trust shall be paid at a rate in excess of that payable to the Supervisor of the Santa Fe National Forest or the Superintendent of the Bandelier National Monument, whichever is greater.

(2) FEDERAL EMPLOYEES.—

(A) IN GENERAL.—Except as provided in this title, employees of the Trust shall be Federal employees as defined by title 5, United States Code, and shall be subject to all rights and obligations applicable thereto.

(B) USE OF FEDERAL EMPLOYEES.—At the request of the Trust, the employees of any Federal agency may be provided for implementation of this title. Such employees detailed to the Trust for more than 30 days shall be provided on a reimbursable basis.

(e) GOVERNMENT CORPORATION.—

(1) IN GENERAL.—The Trust shall be a Government Corporation subject to chapter 91 of title 31, United States Code (commonly referred to as the Government Corporation Control Act). Financial statements of the Trust shall be audited annually in accordance with section 9105 of title 31 of the United States Code.

Deadline.

(2) REPORTS.—Not later than January 15 of each year, the Trust shall submit to the Secretary and the Committees of Congress a comprehensive and detailed report of its operations, activities, and accomplishments for the prior year including information on the status of ecological, cultural, and financial resources being managed by the Trust, as benefits provided by the Preserve to local communities. The report shall also include a section that describes the Trust's goals for the current year.

(3) ANNUAL BUDGET.—

(A) IN GENERAL.—The Trust shall prepare an annual budget with the goal of achieving a financially self-sustaining operation within 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

(B) BUDGET REQUEST.—The Secretary shall provide necessary assistance (including detailees as necessary) to the Trust for the timely formulation and submission of the annual budget request for appropriations, as authorized under section 111(a), to support the administration, operation, and maintenance of the Preserve.

(f) TAXES.—The Trust and all properties administered by the Trust shall be exempt from all taxes and special assessments of every kind by the State of New Mexico, and its political subdivisions including the counties of Sandoval and Rio Arriba.

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(g) DONATIONS.—The Trust may solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private or public entities for the purposes of carrying out its duties. The Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, may accept donations from such entities notwithstanding that such donors may conduct business with the Department of Agriculture or any other department or agency of the United States.

(h) PROCEEDS.—

(1) IN GENERAL.—Notwithstanding sections 1341 and 3302 of title 31 of the United States Code, all monies received from donations under subsection (g) or from the management of the Preserve shall be retained and shall be available, without further appropriation, for the administration, preservation, restoration, operation and maintenance, improvement, repair, and related expenses incurred with respect to properties under its management jurisdiction.

(2) FUND.—There is hereby established in the Treasury of the United States a special interest bearing fund entitled “Valles Caldera Fund” which shall be available, without further appropriation for any purpose consistent with the purposes of this title. At the option of the Trust, or the Secretary in accordance with section 110, the Secretary of the Treasury shall invest excess monies of the Trust in such account, which shall bear interest at rates determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturity.

(i) RESTRICTIONS ON DISPOSITION OF RECEIPTS.—Any funds received by the Trust, or the Secretary in accordance with section 109(b), from the management of the Preserve shall not be subject to partial distribution to the State under—

(1) the Act of May 23, 1908, entitled “an Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine” (35 Stat. 260, chapter 192; 16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500); or

(3) any other law.

(j) SUITS.—The Trust may sue and be sued in its own name to the same extent as the Federal Government. For purposes of such suits, the residence of the Trust shall be the State of New Mexico. The Trust shall be represented by the Attorney General in any litigation arising out of the activities of the Trust, except that the Trust may retain private attorneys to provide advice and counsel.

(k) BYLAWS.—The Trust shall adopt necessary bylaws to govern its activities.

(l) INSURANCE AND BOND.—The Trust shall require that all holders of leases from, or parties in contract with, the Trust that are authorized to occupy, use, or develop properties under the management jurisdiction of the Trust, procure proper insurance against any loss in connection with such properties, or activities authorized in such lease or contract, as is reasonable and customary.

(m) NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words “Valles Caldera Trust”, and any seal, emblem, or other insignia adopted by the Board of Trustees.

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Without express written authority of the Trust, no person may use the words “Valles Caldera Trust” as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.

16 USC 698v-5.

**SEC. 107. BOARD OF TRUSTEES.**

(a) **IN GENERAL.**—The Trust shall be governed by a 9-member Board of Trustees consisting of the following:

(1) **VOTING TRUSTEES.**—The voting Trustees shall be—

(A) the Supervisor of the Santa Fe National Forest, United States Forest Service;

(B) the Superintendent of the Bandelier National Monument, National Park Service; and

President.

(C) seven individuals, appointed by the President, in consultation with the congressional delegation from the State of New Mexico. The seven individuals shall have specific expertise or represent an organization or government entity as follows—

(i) one trustee shall have expertise in aspects of domesticated livestock management, production, and marketing, including range management and livestock business management;

(ii) one trustee shall have expertise in the management of game and nongame wildlife and fish populations, including hunting, fishing, and other recreational activities;

(iii) one trustee shall have expertise in the sustainable management of forest lands for commodity and noncommodity purposes;

(iv) one trustee shall be active in a nonprofit conservation organization concerned with the activities of the Forest Service;

(v) one trustee shall have expertise in financial management, budget and program analysis, and small business operations;

(vi) one trustee shall have expertise in the cultural and natural history of the region; and

(vii) one trustee shall be active in State or local government in New Mexico, with expertise in the customs of the local area.

(2) **QUALIFICATIONS.**—Of the trustees appointed by the President—

(A) none shall be employees of the Federal Government; and

(B) at least five shall be residents of the State of New Mexico.

President.  
Deadline.

(b) **INITIAL APPOINTMENTS.**—The President shall make the initial appointments to the Board of Trustees within 90 days after acquisition of the Baca ranch under section 104(a).

(c) **TERMS.**—

(1) **IN GENERAL.**—Appointed trustees shall each serve a term of 4 years, except that of the trustees first appointed, four shall serve for a term of 4 years, and three shall serve for a term of 2 years.

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(2) VACANCIES.—Any vacancy among the appointed trustees shall be filled in the same manner in which the original appointment was made, and any trustee appointed to fill a vacancy shall serve for the remainder of that term for which his or her predecessor was appointed.

(3) LIMITATIONS.—No appointed trustee may serve more than 8 years in consecutive terms.

(d) QUORUM.—A majority of trustees shall constitute a quorum of the Board for the conduct of business.

(e) ORGANIZATION AND COMPENSATION.—

(1) IN GENERAL.—The Board shall organize itself in such a manner as it deems most appropriate to effectively carry out the activities of the Trust.

(2) COMPENSATION OF TRUSTEES.—Trustees shall serve without pay, but may be reimbursed from the funds of the Trust for the actual and necessary travel and subsistence expenses incurred by them in the performance of their duties.

(3) CHAIR.—Trustees shall select a chair from the membership of the Board.

(f) LIABILITY OF TRUSTEES.—Appointed trustees shall not be considered Federal employees by virtue of their membership on the Board, except for purposes of the Federal Tort Claims Act, the Ethics in Government Act, and the provisions of chapter 11 of title 18, United States Code.

(g) MEETINGS.—

(1) LOCATION AND TIMING OF MEETINGS.—The Board shall meet in sessions open to the public at least three times per year in New Mexico. Upon a majority vote made in open session, and a public statement of the reasons therefore, the Board may close any other meetings to the public: *Provided*, That any final decision of the Board to adopt or amend the comprehensive management program under section 108(d) or to approve any activity related to the management of the land or resources of the Preserve shall be made in open public session.

(2) PUBLIC INFORMATION.—In addition to other requirements of applicable law, the Board shall establish procedures for providing appropriate public information and periodic opportunities for public comment regarding the management of the Preserve.

Procedures.

**SEC. 108. RESOURCE MANAGEMENT.**

16 USC 698v-6.

(a) ASSUMPTION OF MANAGEMENT.—The Trust shall assume all authority provided by this title to manage the Preserve upon a determination by the Secretary, which to the maximum extent practicable shall be made within 60 days after the appointment of the Board, that—

Deadline.

(1) the Board is duly appointed, and able to conduct business; and

(2) provision has been made for essential management services.

(b) MANAGEMENT RESPONSIBILITIES.—Upon assumption of management of the Preserve under subsection (a), the Trust shall manage the land and resources of the Preserve and the use thereof including, but not limited to such activities as—

(1) administration of the operations of the Preserve;

(2) preservation and development of the land and resources of the Preserve;

(3) interpretation of the Preserve and its history for the public;

(4) management of public use and occupancy of the Preserve; and

(5) maintenance, rehabilitation, repair, and improvement of property within the Preserve.

(c) AUTHORITIES.—

(1) IN GENERAL.—The Trust shall develop programs and activities at the Preserve, and shall have the authority to negotiate directly and enter into such agreements, leases, contracts and other arrangements with any person, firm, association, organization, corporation or governmental entity, including without limitation, entities of Federal, State, and local governments, and consultation with Indian tribes and Pueblos, as are necessary and appropriate to carry out its authorized activities or fulfill the purposes of this title. Any such agreements may be entered into without regard to section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(2) PROCEDURES.—The Trust shall establish procedures for entering into lease agreements and other agreements for the use and occupancy of facilities of the Preserve. The procedures shall ensure reasonable competition, and set guidelines for determining reasonable fees, terms, and conditions for such agreements.

(3) LIMITATIONS.—The Trust may not dispose of any real property in, or convey any water rights appurtenant to the Preserve. The Trust may not convey any easement, or enter into any contract, lease, or other agreement related to use and occupancy of property within the Preserve for a period greater than 10 years. Any such easement, contract, lease, or other agreement shall provide that, upon termination of the Trust, such easement, contract, lease or agreement is terminated.

(4) APPLICATION OF PROCUREMENT LAWS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, Federal laws and regulations governing procurement by Federal agencies shall not apply to the Trust, with the exception of laws and regulations related to Federal Government contracts governing health and safety requirements, wage rates, and civil rights.

(B) PROCEDURES.—The Trust, in consultation with the Administrator of Federal Procurement Policy, Office of Management and Budget, shall establish and adopt procedures applicable to the Trust's procurement of goods and services, including the award of contracts on the basis of contractor qualifications, price, commercially reasonable buying practices, and reasonable competition.

Deadline.

(d) MANAGEMENT PROGRAM.—Within two years after assumption of management responsibilities for the Preserve, the Trust shall, in accordance with subsection (f), develop a comprehensive program for the management of lands, resources, and facilities within the Preserve to carry out the purposes under section 105(b). To the extent consistent with such purposes, such program shall provide for—

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(1) operation of the Preserve as a working ranch, consistent with paragraphs (2) through (4);

(2) the protection and preservation of the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural and recreational values of the Preserve;

(3) multiple use and sustained yield of renewable resources within the Preserve;

(4) public use of and access to the Preserve for recreation;

(5) renewable resource utilization and management alternatives that, to the extent practicable—

(A) benefit local communities and small businesses;

(B) enhance coordination of management objectives with those on surrounding National Forest System land; and

(C) provide cost savings to the Trust through the exchange of services, including but not limited to labor and maintenance of facilities, for resources or services provided by the Trust; and

(6) optimizing the generation of income based on existing market conditions, to the extent that it does not unreasonably diminish the long-term scenic and natural values of the area, or the multiple use and sustained yield capability of the land.

(e) PUBLIC USE AND RECREATION.—

(1) IN GENERAL.—The Trust shall give thorough consideration to the provision of appropriate opportunities for public use and recreation that are consistent with the other purposes under section 105(b). The Trust is expressly authorized to construct and upgrade roads and bridges, and provide other facilities for activities including, but not limited to camping and picnicking, hiking, and cross country skiing. Roads, trails, bridges, and recreational facilities constructed within the Preserve shall meet public safety standards applicable to units of the National Forest System and the State of New Mexico.

Public safety.

(2) FEES.—Notwithstanding any other provision of law, the Trust is authorized to assess reasonable fees for admission to, and the use and occupancy of, the Preserve: *Provided*, That admission fees and any fees assessed for recreational activities shall be implemented only after public notice and a period of not less than 60 days for public comment.

Public notice.

(3) PUBLIC ACCESS.—Upon the acquisition of the Baca ranch under section 104(a), and after an interim planning period of no more than two years, the public shall have reasonable access to the Preserve for recreation purposes. The Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, may reasonably limit the number and types of recreational admissions to the Preserve, or any part thereof, based on the capability of the land, resources, and facilities. The use of reservation or lottery systems is expressly authorized to implement this paragraph.

(f) APPLICABLE LAWS.—

(1) IN GENERAL.—The Trust, and the Secretary in accordance with section 109(b), shall administer the Preserve in conformity with this title and all laws pertaining to the National Forest System, except the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended (16 U.S.C. 1600 et seq.).

(2) ENVIRONMENTAL LAWS.—The Trust shall be deemed a Federal agency for the purposes of compliance with Federal environmental laws.

(3) CRIMINAL LAWS.—All criminal laws relating to Federal property shall apply to the same extent as on adjacent units of the National Forest System.

(4) REPORTS ON APPLICABLE RULES AND REGULATIONS.—The Trust may submit to the Secretary and the Committees of Congress a compilation of applicable rules and regulations which in the view of the Trust are inappropriate, incompatible with this title, or unduly burdensome.

(5) CONSULTATION WITH TRIBES AND PUEBLOS.—The Trust is authorized and directed to cooperate and consult with Indian tribes and Pueblos on management policies and practices for the Preserve which may affect them. The Trust is authorized to allow the use of lands within the Preserve for religious and cultural uses by Native Americans and, in so doing, may set aside places and times of exclusive use consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996 (note)) and other applicable statutes.

(6) NO ADMINISTRATIVE APPEAL.—The administrative appeals regulations of the Secretary shall not apply to activities of the Trust and decisions of the Board.

(g) LAW ENFORCEMENT AND FIRE MANAGEMENT.—The Secretary shall provide law enforcement services under a cooperative agreement with the Trust to the extent generally authorized in other units of the National Forest System. The Trust shall be deemed a Federal agency for purposes of the law enforcement authorities of the Secretary (within the meaning of section 15008 of the National Forest System Drug Control Act of 1986 (16 U.S.C. 559g)). At the request of the Trust, the Secretary may provide fire suppression, fire suppression, and rehabilitation services: *Provided*, That the Trust shall reimburse the Secretary for salaries and expenses of fire management personnel, commensurate with services provided.

16 USC 698v-7.

#### **SEC. 109. AUTHORITIES OF THE SECRETARY.**

(a) IN GENERAL.—Notwithstanding the assumption of management of the Preserve by the Trust, the Secretary is authorized to—

(1) issue any rights-of-way, as defined in the Federal Land Policy and Management Act of 1976, of over 10 years duration, in cooperation with the Trust, including, but not limited to, road and utility rights-of-way, and communication sites;

(2) issue orders under and enforce prohibitions generally applicable on other units of the National Forest System, in cooperation with the Trust;

(3) exercise the authorities of the Secretary under the Wild and Scenic Rivers Act (16 U.S.C. 1278, et seq.) and the Federal Power Act (16 U.S.C. 797, et seq.), in cooperation with the Trust;

(4) acquire the mineral rights referred to in section 104(e);

(5) provide law enforcement and fire management services under section 108(g);

(6) at the request of the Trust, exchange land or interests in land within the Preserve under laws generally applicable to other units of the National Forest System, or otherwise



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dispose of land or interests in land within the Preserve under Public Law 97-465 (16 U.S.C. 521c through 521i);

(7) in consultation with the Trust, refer civil and criminal cases pertaining to the Preserve to the Department of Justice for prosecution;

(8) retain title to and control over fossils and archaeological artifacts found within the Preserve;

(9) at the request of the Trust, construct and operate a visitors' center in or near the Preserve, subject to the availability of appropriated funds;

(10) conduct the assessment of the Trust's performance, and, if the Secretary determines it necessary, recommend to Congress the termination of the Trust, under section 110(b)(2); and

(11) conduct such other activities for which express authorization is provided to the Secretary by this title.

(b) INTERIM MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Preserve in accordance with this title during the interim period from the date of acquisition of the Baca ranch under section 104(a) to the date of assumption of management of the Preserve by the Trust under section 108. The Secretary may enter into any agreement, lease, contract, or other arrangement on the same basis as the Trust under section 108(c)(1): *Provided*, That any agreement, lease, contract, or other arrangement entered into by the Secretary shall not exceed two years in duration unless expressly extended by the Trust upon its assumption of management of the Preserve.

(2) USE OF THE FUND.—All monies received by the Secretary from the management of the Preserve during the interim period under paragraph (1) shall be deposited into the "Valles Caldera Fund" established under section 106(h)(2), and such monies in the fund shall be available to the Secretary, without further appropriation, for the purpose of managing the Preserve in accordance with the responsibilities and authorities provided to the Trust under section 108.

(c) SECRETARIAL AUTHORITY.—The Secretary retains the authority to suspend any decision of the Board with respect to the management of the Preserve if he finds that the decision is clearly inconsistent with this title. Such authority shall only be exercised personally by the Secretary, and may not be delegated. Any exercise of this authority shall be in writing to the Board, and notification of the decision shall be given to the Committees of Congress. Any suspended decision shall be referred back to the Board for reconsideration.

(d) ACCESS.—The Secretary shall at all times have access to the Preserve for administrative purposes.

**SEC. 110. TERMINATION OF THE TRUST.**

16 USC 698v-8.

(a) IN GENERAL.—The Valles Caldera Trust shall terminate at the end of the twentieth full fiscal year following acquisition of the Baca ranch under section 104(a).

(b) RECOMMENDATIONS.—

(1) BOARD.—

(A) If after the fourteenth full fiscal years from the date of acquisition of the Baca ranch under section 104(a),

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the Board believes the Trust has met the goals and objectives of the comprehensive management program under section 108(d), but has not become financially self-sustaining, the Board may submit to the Committees of Congress, a recommendation for authorization of appropriations beyond that provided under this title.

(B) During the eighteenth full fiscal year from the date of acquisition of the Baca ranch under section 104(a), the Board shall submit to the Secretary its recommendation that the Trust be either extended or terminated including the reasons for such recommendation.

Deadline.

(2) SECRETARY.—Within 120 days after receipt of the recommendation of the Board under paragraph (1)(B), the Secretary shall submit to the Committees of Congress the Board's recommendation on extension or termination along with the recommendation of the Secretary with respect to the same and stating the reasons for such recommendation.

(c) EFFECT OF TERMINATION.—In the event of termination of the Trust, the Secretary shall assume all management and administrative functions over the Preserve, and it shall thereafter be managed as a part of the Santa Fe National Forest, subject to all laws applicable to the National Forest System.

(d) ASSETS.—In the event of termination of the Trust, all assets of the Trust shall be used to satisfy any outstanding liabilities, and any funds remaining shall be transferred to the Secretary for use, without further appropriation, for the management of the Preserve.

(e) VALLES CALDERA FUND.—In the event of termination, the Secretary shall assume the powers of the Trust over funds under section 106(h), and the Valles Caldera Fund shall not terminate. Any balances remaining in the fund shall be available to the Secretary, without further appropriation, for any purpose consistent with the purposes of this title.

16 USC 698v-9.

#### SEC. 111. LIMITATIONS ON FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to the Secretary and the Trust such funds as are necessary for them to carry out the purposes of this title for each of the 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

Deadline.

(b) SCHEDULE OF APPROPRIATIONS.—Within two years after the first meeting of the Board, the Trust shall submit to Congress a plan which includes a schedule of annual decreasing appropriated funds that will achieve, at a minimum, the financially self-sustained operation of the Trust within 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

Deadline.

#### SEC. 112. GENERAL ACCOUNTING OFFICE STUDY.

Reports.  
16 USC 698v-10.  
Deadline.

(a) INITIAL STUDY.—Three years after the assumption of management by the Trust, the General Accounting Office shall conduct an interim study of the activities of the Trust and shall report the results of the study to the Committees of Congress. The study shall include, but shall not be limited to, details of programs and activities operated by the Trust and whether it met its obligations under this title.

Reports.

(b) SECOND STUDY.—Seven years after the assumption of management by the Trust, the General Accounting Office shall conduct a study of the activities of the Trust and shall report

## PUBLIC LAW 106-248—JULY 25, 2000

114 STAT. 613

the results of the study to the Committees of Congress. The study shall provide an assessment of any failure to meet obligations that may be identified under subsection (a), and further evaluation on the ability of the Trust to meet its obligations under this title.

\* \* \* \* \*

Approved July 25, 2000.

114 STAT. 618

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**LEGISLATIVE HISTORY—S. 1892:**

HOUSE REPORTS: No. 106-724 (Comm. on Resources).

SENATE REPORTS: No. 106-267 (Comm on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

July 11, 12, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 25, Presidential statement.



## 2. Booker T. Washington

116 STAT. 1054

PUBLIC LAW 107–215—AUG. 21, 2002

### Public Law 107–215 107th Congress

#### An Act

Aug. 21, 2002  
[H.R. 1456]

To expand the boundary of the Booker T. Washington 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,*

Booker T.  
Washington  
National  
Monument  
Boundary  
Adjustment Act  
of 2002.  
Virginia.  
16 USC 450ll  
note.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Booker T. Washington National  
Monument Boundary Adjustment Act of 2002”.

#### SEC. 2. BOUNDARY OF BOOKER T. WASHINGTON NATIONAL MONU- MENT EXPANDED.

The Act entitled “An Act to provide for the establishment  
of the Booker T. Washington National Monument”, approved April  
2, 1956 (16 U.S.C. 450ll et seq.), is amended by adding at the  
end the following new section:

16 USC 450ll–3.

#### “SEC. 5. ADDITIONAL LANDS.

“(a) LANDS ADDED TO MONUMENT.—The boundary of the Booker  
T. Washington National Monument is modified to include the  
approximately 15 acres, as generally depicted on the map entitled  
‘Boundary Map, Booker T. Washington National Monument,  
Franklin County, Virginia’, numbered BOWA 404/80,024, and dated  
February 2001. The map shall be on file and available for inspection  
in the appropriate offices of the National Park Service, Department  
of the Interior.

“(b) ACQUISITION OF ADDITIONAL LANDS.—The Secretary of the  
Interior is authorized to acquire from willing owners the land  
or interests in land described in subsection (a) by donation, purchase  
with donated or appropriated funds, or exchange.

“(c) ADMINISTRATION OF ADDITIONAL LANDS.—Lands added to  
the Booker T. Washington National Monument by subsection (a)  
shall be administered by the Secretary of the Interior as part  
of the monument in accordance with applicable laws and regula-  
tions.”.

Approved August 21, 2002.

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#### LEGISLATIVE HISTORY—H.R. 1456:

HOUSE REPORTS: No. 107–223 (Comm. on Resources).

SENATE REPORTS: No. 107–199 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 147 (2001): Oct. 2, considered and passed House

Vol. 148 (2002): Aug. 1, considered and passed Senate.



**3. Cape Krusenstern**

PUBLIC LAW 106–488—NOV. 9, 2000

114 STAT. 2205

Public Law 106–488  
106th Congress**An Act**To improve Native hiring and contracting by the Federal Government within the  
State of Alaska, and for other purposes.Nov. 9, 2000  
[S. 748]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. REPORT.**

(a) Within six months after the enactment of this Act the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall submit a report detailing the progress the Department has made in the implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall include a detailed action plan on the future implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall describe, in detail, the measures and actions that will be taken, along with a description of the anticipated results to be achieved during the next three fiscal years. The report shall focus on lands under the jurisdiction of the Department of the Interior in Alaska and shall also address any laws, rules, regulations and policies which act as a deterrent to hiring Native Alaskans or contracting with Native Alaskans to perform and conduct activities and programs of those agencies and bureaus under the jurisdiction of the Department of the Interior.

Deadline.

(b) The report shall be completed within existing appropriations and shall be transmitted to the Committee on Resources of the United States Senate, and the Committee on Resources of the United States House of Representatives.

**SEC. 2. PILOT PROGRAM.**16 USC 3198  
note.

(a) In furtherance of the goals of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall—

(1) implement pilot programs to employ residents of local communities at the following units of the National Park System located in northwest Alaska—

- (A) Bering Land Bridge National Preserve,
- (B) Cape Krusenstern National Monument,
- (C) Kobuk Valley National Park, and
- (D) Noatak National Preserve; and

114 STAT. 2206

PUBLIC LAW 106–488—NOV. 9, 2000

(2) report on the results of the programs within one year to the Committee on Energy and Natural Resources of the United States and the Committee on Resources of the House of Representatives.

(b) In implementing the programs, the Secretary shall consult with the Native Corporations, nonprofit organizations, and Tribal entities in the immediate vicinity of such units and shall also, to the extent practicable, involve such groups in the development of interpretive materials and the pilot programs relating to such units.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 748:

SENATE REPORTS: No. 106–72 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



**4. Colorado**

PUBLIC LAW 106–353—OCT. 24, 2000

114 STAT. 1374

Public Law 106–353  
106th Congress

**An Act**

To establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

Oct. 24, 2000  
[H.R. 4275]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000”.

\* \* \* \* \*

**SEC. 9. PUBLIC ACCESS.**

(a) **IN GENERAL.**—The Secretary shall continue to allow private landowners reasonable access to inholdings in the Conservation Area and Wilderness.

(b) **GLADE PARK.**—The Secretary shall continue to allow public right of access, including commercial vehicles, to Glade Park, Colorado, in accordance with the decision in Board of County Commissioners of Mesa County v. Watt (634 F. Supp. 1265 (D.Colo.; May 2, 1986)).

Approved October 24, 2000.

Colorado  
Canyons  
National  
Conservation  
Area and Black  
Ridge Canyons  
Wilderness Act of  
2000.  
Utah.  
16 USC 460mm  
note.  
114 STAT. 1380  
16 USC  
460mm–7.

**LEGISLATIVE HISTORY—H.R. 4275:**

SENATE REPORTS: No. 106–460 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):  
July 25, considered and passed House.  
Oct. 5, considered and passed Senate.



## 5. Effigy Mounds

114 STAT. 1289

PUBLIC LAW 106–323—OCT. 19, 2000

### Public Law 106–323 106th Congress

#### An Act

Oct. 19, 2000  
[H.R. 3745]

To authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

Effigy Mounds  
National  
Monument  
Additions Act.  
16 USC 431 note.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Effigy Mounds National Monument Additions Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term “map” means the map entitled “Proposed Boundary Adjustments/Effigy Mounds National Monument”, numbered 394/800 35, and dated May 1999.

(2) MONUMENT.—The term “Monument” means the Effigy Mounds National Monument, Iowa.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

#### SEC. 3. ADDITIONS TO EFFIGY MOUNDS NATIONAL MONUMENT.

(a) IN GENERAL.—The Secretary may acquire by purchase, from willing sellers only, each of the parcels described in subsection (b).

(b) PARCELS.—The parcels referred to in subsection (a) are the following:

(1) FERGUSON/KISTLER TRACT.—The parcel consisting of approximately 1054 acres of undeveloped, privately-owned land located in portions of sections 28, 29, 31, 32, and 33, T. 95 N., R. 3 W., Fairview Township, Allamakee County, Iowa, as depicted on the map.

(2) RIVERFRONT TRACT.—The parcel consisting of approximately 50 acres of bottom land located between the Mississippi River and the north unit of the Monument in sections 27 and 34, Fairview Township, Allamakee County, Iowa, as depicted on the map.

(c) BOUNDARY ADJUSTMENT.—On acquisition of a parcel described in subsection (b), the Secretary shall modify the boundary of the Monument to include the parcel. Any parcel included within the boundary of the Monument pursuant to this subsection shall be administered by the Secretary as part of the Monument.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.



PUBLIC LAW 106–323—OCT. 19, 2000

114 STAT. 1290

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$750,000.

Approved October 19, 2000.

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LEGISLATIVE HISTORY—H.R. 3745 (S. 1643):

HOUSE REPORTS: No. 106–826 (Comm. on Resources).

SENATE REPORTS: No. 106–374 accompany S. 1643 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 26, considered and passed House.

Oct. 5, considered and passed Senate.



**6. Fort Matanzas**

114 STAT. 2493

PUBLIC LAW 106–524—NOV. 22, 2000

**Public Law 106–524**  
**106th Congress****An Act**

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Nov. 22, 2000  
[S. 1670]

To revise the boundary of Fort Matanzas National Monument, and for other purposes.

Florida.  
16 USC 431 note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. DEFINITIONS.**

In this Act:

(1) **MAP.**—The term “Map” means the map entitled “Fort Matanzas National Monument”, numbered 347/80,004 and dated February, 1991.(2) **MONUMENT.**—The term “Monument” means the Fort Matanzas National Monument in Florida.(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.**SEC. 2. REVISION OF BOUNDARY.**(a) **IN GENERAL.**—The boundary of the Monument is revised to include an area totaling approximately 70 acres, as generally depicted on the Map.(b) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.**SEC. 3. ACQUISITION OF ADDITIONAL LAND.**

The Secretary may acquire any land, water, or interests in land that are located within the revised boundary of the Monument by—

- (1) donation;
- (2) purchase with donated or appropriated funds;
- (3) transfer from any other Federal agency; or
- (4) exchange.

**SEC. 4. ADMINISTRATION.**

Subject to applicable laws, all land and interests in land held by the United States that are included in the revised boundary under section 2 shall be administered by the Secretary as part of the Monument.

PUBLIC LAW 106–524—NOV. 22, 2000

114 STAT. 2494

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved November 22, 2000.

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**LEGISLATIVE HISTORY—S. 1670:**

SENATE REPORTS: No. 106–331 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.

Oct. 31, considered and passed House.



## 7. Fort Sumter

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

### \* Public Law 106-554 106th Congress

#### An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105-217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106–554—APPENDIX D 114 STAT. 2763A–171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A–214

**TITLE I**

\* \* \* \* \*

SEC. 120. The National Park Service is directed to work with Fort Sumter Tours, Inc., the concessionaire currently providing services at Fort Sumter National Monument in South Carolina, on an amicable solution of the current legal dispute between the two parties. The Director of the Service is directed to extend immediately the current contract through March 15, 2001, to facilitate further negotiations and for 180 days if final settlement of all disputes is agreed to by both parties.

114 STAT.  
2763A–229

\* \* \* \* \*

## 8. George Washington Birthplace

116 STAT. 2984

PUBLIC LAW 107-354—DEC. 17, 2002

Public Law 107-354  
107th Congress

### An Act

Dec. 17, 2002  
[H.R. 3449]

To revise the boundaries of the George Washington Birthplace 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,*

16 USC 442 note. **SECTION 1. ADDITION TO NATIONAL MONUMENT.**

The boundaries of the George Washington Birthplace National Monument (hereinafter referred to as the “National Monument”) are hereby modified to include the area comprising approximately 115 acres, as generally depicted on the map entitled “George Washington Birthplace National Monument Boundary Map”, numbered 332/80,023 and dated October 2001, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

16 USC 442 note. **SEC. 2. ACQUISITION OF LANDS.**

Within the boundaries of the National Monument, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to acquire lands, or interests therein, from willing owners by donation, purchase with donated money or appropriated funds, or exchange.

16 USC 442 note. **SEC. 3. ADMINISTRATION OF NATIONAL MONUMENT.**

In administering the National Monument, the Secretary shall take actions necessary to preserve and interpret the history and resources associated with George Washington, the generations of the Washington family who lived in the vicinity and their contemporaries, and 18th century plantation life and society.

Approved December 17, 2002.

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#### LEGISLATIVE HISTORY—H.R. 3449 (S. 1943):

HOUSE REPORTS: No. 107-631 (Comm. on Resources).

SENATE REPORTS: No. 107-267 accompanying S. 1943 (Comm. on Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Sept. 24, considered and passed House.

Nov. 19, considered and passed Senate.





**9. Hagerman Fossil Beds**

PUBLIC LAW 106–421—NOV. 1, 2000

114 STAT. 1870

Public Law 106–421  
106th Congress

**An Act**

To direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

Nov. 1, 2000  
[S. 1705]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Castle Rock Ranch Acquisition Act of 2000”.

Castle Rock  
Ranch  
Acquisition Act of  
2000.  
16 USC 431 note.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **MONUMENT.**—The term “Monument” means the Hagerman Fossil Beds National Monument, Idaho, depicted on the National Park Service map numbered 300/80,000, C.O. No. 161, and dated January 7, 1998.

(2) **RANCH.**—The term “Ranch” means the land comprising approximately 1,240 acres situated outside the boundary of the Reserve, known as the “Castle Rock Ranch”.

(3) **RESERVE.**—The term “Reserve” means the City of Rocks National Reserve, located near Almo, Idaho, depicted on the National Park Service map numbered 003/80,018, C.O. No. 169, and dated March 25, 1999.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 3. ACQUISITION OF CASTLE ROCK RANCH.**

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall acquire, by donation or by purchase with donated or appropriated funds, the Ranch.

(b) **CONSENT OF LANDOWNER.**—The Secretary shall acquire land under subsection (a) only with the consent of the owner of the land.

**SEC. 4. LAND EXCHANGE.**

(a) **IN GENERAL.**—

(1) **FEDERAL AND STATE EXCHANGE.**—Subject to subsection (b), on completion of the acquisition under section 3(a), the Secretary shall convey the Ranch to the State of Idaho in exchange for approximately 492.87 acres of land near Hagerman, Idaho, located within the boundary of the Monument.

(2) **STATE AND PRIVATE LANDOWNER EXCHANGE.**—On completion of the exchange under paragraph (1), the State

114 STAT. 1871

PUBLIC LAW 106–421—NOV. 1, 2000

of Idaho may exchange portions of the Ranch for private land within the boundaries of the Reserve, with the consent of the owners of the private land.

(b) **CONDITION OF EXCHANGE.**—As a condition of the land exchange under subsection (a)(1), the State of Idaho shall administer all private land acquired within the Reserve through an exchange under this Act in accordance with title II of the Arizona-Idaho Conservation Act of 1988 (16 U.S.C. 460yy et seq.).

(c) **ADMINISTRATION.**—State land acquired by the United States in the land exchange under subsection (a)(1) shall be administered by the Secretary as part of the Monument.

(d) **NO EXPANSION OF RESERVE.**—Acquisition of the Ranch by a Federal or State agency shall not constitute any expansion of the Reserve.

(e) **NO EFFECT ON EASEMENTS.**—Nothing in this Act affects any easement in existence on the date of enactment of this Act.

Approved November 1, 2000.

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**LEGISLATIVE HISTORY—S. 1705:**

HOUSE REPORTS: No. 106–749 (Comm. on Resources).

SENATE REPORTS: No. 106–262 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

Oct. 17, considered and passed House.



**10. Homestead**

PUBLIC LAW 107–332—DEC. 16, 2002

116 STAT. 2871

Public Law 107–332  
107th Congress

**An Act**

To provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes.

Dec. 16, 2002

[H.R. 38]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Homestead National Monument of America Additions Act”.

Homestead  
National  
Monument of  
America  
Additions Act.  
16 USC 450u  
note.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) MAP.—The term “map” means the map entitled “Proposed Boundary Adjustment, Homestead National Monument of America, Gage County, Nebraska”, numbered 368/80036 and dated March 2000.

(2) MONUMENT.—The term “Monument” means the Homestead National Monument of America, Nebraska.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 3. ADDITIONS TO HOMESTEAD NATIONAL MONUMENT OF AMERICA.**

(a) IN GENERAL.—The Secretary may acquire, by donation or by purchase with appropriated or donated funds, from willing sellers only, the privately-owned property described in paragraphs (1) and (2) of subsection (b). The Secretary may acquire, by donation only, the State-owned property described in paragraphs (3) and (4) of subsection (b).

(b) PARCELS.—The parcels referred to in subsection (a) are the following:

(1) GRAFF PROPERTY.—The parcel consisting of approximately 15.98 acres of privately-owned land, as depicted on the map.

(2) PIONEER ACRES GREEN.—The parcel consisting of approximately 3 acres of privately-owned land, as depicted on the map.

(3) SEGMENT OF STATE HIGHWAY 4.—The parcel consisting of approximately 5.6 acres of State-owned land including Nebraska State Highway 4, as depicted on the map.

(4) STATE TRIANGLE.—The parcel consisting of approximately 8.3 acres of State-owned land, as depicted on the map.

(c) BOUNDARY ADJUSTMENT.—Upon acquisition of a parcel described in subsection (b), the Secretary shall modify the boundary of the Monument to include the parcel. Any parcel included within

116 STAT. 2872

PUBLIC LAW 107-332—DEC. 16, 2002

the boundary shall be administered by the Secretary as part of the Monument.

(d) DEADLINE FOR ACQUISITION OF CERTAIN PROPERTY.—If the property described in subsection (b)(1) is not acquired by the Secretary from a willing seller within 5 years after the date of the enactment of this Act, the Secretary shall no longer be authorized to acquire such property pursuant to this Act and such property shall not become part of the Monument pursuant to this Act.

(e) AVAILABILITY OF MAP.—The map shall be on file in the appropriate offices of the National Park Service.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$400,000.

#### SEC. 4. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with the State of Nebraska, Gage County, local units of government, private groups, and individuals for operation, maintenance, interpretation, recreation, and other purposes related to the proposed Homestead Heritage Highway to be located in the general vicinity of the Monument.

Approved December 16, 2002.

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#### LEGISLATIVE HISTORY—H.R. 38:

HOUSE REPORTS: No. 107-325 (Comm. on Resources).

SENATE REPORTS: No. 107-260 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 147 (2001): Dec. 11, considered and passed House.

Vol. 148 (2002): Nov. 19, considered and passed Senate.



**11. Pinnacles**

PUBLIC LAW 107–370—DEC. 19, 2002

116 STAT. 3071

Public Law 107–370  
107th Congress**An Act**To designate certain lands in the State of California as components of the National  
Wilderness Preservation System, and for other purposes.Dec. 19, 2002  
[H.R. 4750]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE AND DEFINITIONS.**(a) **SHORT TITLE.**—This Act may be cited as the “Big Sur  
Wilderness and Conservation Act of 2002”.(b) **DEFINITIONS.**—As used in this Act, the term “Secretary”  
means the Secretary of the Interior or the Secretary of Agriculture,  
as appropriate.Big Sur  
Wilderness and  
Conservation Act  
of 2002.**SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION SYSTEM.**

\* \* \* \* \*

(c) **ADDITIONS TO PINNACLES WILDERNESS.**—(1) **IN GENERAL.**—The areas described in paragraph (2)—(A) are hereby designated as wilderness and, therefore,  
as components of the National Wilderness Preservation  
System; and(B) are hereby incorporated in and shall be deemed  
to be a part of the Pinnacles Wilderness designated by  
Public Law 94–567.(2) **AREAS DESCRIBED.**—The areas referred to in paragraph  
(1) are the lands in the State of California administered by  
the National Park Service which comprise approximately 2,715  
acres, as generally depicted on a map entitled “Pinnacles Pro-  
posed Wilderness Additions” and dated October 30, 2001.

\* \* \* \* \*

Approved December 19, 2002.

116 STAT. 3072  
16 USC 1132  
note.

116 STAT. 3075

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**LEGISLATIVE HISTORY—H.R. 4750:****CONGRESSIONAL RECORD**, Vol. 148 (2002):  
Nov. 14, considered and passed House.  
Nov. 19, considered and passed Senate.

**12. Timpanogos Cave**

116 STAT. 2815

PUBLIC LAW 107–329—DEC. 6, 2002

Public Law 107–329  
107th Congress

**An Act**

Dec. 6, 2002  
[S. 1240]

To provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

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

16 USC 431 note.

**TITLE I—TIMPANOGOS INTERAGENCY  
LAND EXCHANGE**

**SEC. 101. FINDINGS AND PURPOSES.**

(a) **FINDINGS.**—Congress finds that—

(1) the facility that houses the administrative office of the Pleasant Grove Ranger District of the Uinta National Forest can no longer properly serve the purpose of the facility;

(2) a fire destroyed the Timpanogos Cave National Monument Visitor Center and administrative office in 1991, and the temporary structure that is used for a visitor center cannot adequately serve the public; and

(3) combining the administrative office of the Pleasant Grove Ranger District with a new Timpanogos Cave National Monument visitor center and administrative office in one facility would—

(A) facilitate interagency coordination;

(B) serve the public better; and

(C) improve cost effectiveness.

(b) **PURPOSES.**—The purposes of this title are—

(1) to authorize the Secretary of Agriculture to acquire by exchange non-Federal land located in Highland, Utah as the site for an interagency administrative and visitor facility;

(2) to direct the Secretary of the Interior to construct an administrative and visitor facility on the non-Federal land acquired by the Secretary of Agriculture; and

(3) to direct the Secretary of Agriculture and the Secretary of the Interior to cooperate in the development, construction, operation, and maintenance of the facility.

**SEC. 102. DEFINITIONS.**

In this title:

(1) **FACILITY.**—The term “facility” means the facility constructed under section 106 to house—

(A) the administrative office of the Pleasant Grove Ranger District of the Uinta National Forest; and

PUBLIC LAW 107-329—DEC. 6, 2002

116 STAT. 2816

(B) the visitor center and administrative office of the Timpanogos Cave National Monument.

(2) **FEDERAL LAND.**—The term “Federal land” means the parcels of land and improvements to the land in the Salt Lake Meridian comprising—

(A) approximately 237 acres located in T. 5 S., R. 3 E., sec. 13, lot 1, SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , E $\frac{1}{2}$ , NW $\frac{1}{4}$  and E $\frac{1}{2}$ , SW $\frac{1}{4}$ , as depicted on the map entitled “Long Hollow-Provo Canyon Parcel”, dated March 12, 2001;

(B) approximately 0.18 acre located in T. 7 S., R. 2 E., sec. 12, NW $\frac{1}{4}$ , as depicted on the map entitled “Provo Sign and Radio Shop”, dated March 12, 2001;

(C) approximately 20 acres located in T. 3 S., R. 1 E., sec. 33, SE $\frac{1}{4}$ , as depicted on the map entitled “Corner Canyon Parcel”, dated March 12, 2001;

(D) approximately 0.18 acre located in T. 29 S., R. 7 W., sec. 15, S $\frac{1}{2}$ , as depicted on the map entitled “Beaver Administrative Site”, dated March 12, 2001;

(E) approximately 7.37 acres located in T. 7 S., R. 3 E., sec. 28, NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , as depicted on the map entitled “Springville Parcel”, dated March 12, 2001; and

(F) approximately 0.83 acre located in T. 5 S., R. 2 E., sec. 20, as depicted on the map entitled “Pleasant Grove Ranger District Parcel”, dated March 12, 2001.

(3) **NON-FEDERAL LAND.**—The term “non-Federal land” means the parcel of land in the Salt Lake Meridian comprising approximately 37.42 acres located at approximately 4,400 West, 11,000 North (SR-92), Highland, Utah in T. 4 S., R. 2 E., sec. 31, NW $\frac{1}{4}$ , as depicted on the map entitled “The Highland Property”, dated March 12, 2001.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

#### **SEC. 103. MAPS AND LEGAL DESCRIPTIONS.**

(a) **AVAILABILITY OF MAPS.**—The maps described in paragraphs (2) and (3) of section 102 shall be on file and available for public inspection in the Office of the Chief of the Forest Service until the date on which the land depicted on the maps is exchanged under this title.

(b) **TECHNICAL CORRECTIONS TO LEGAL DESCRIPTIONS.**—The Secretary may correct minor errors in the legal descriptions in paragraphs (2) and (3) of section 102.

#### **SEC. 104. EXCHANGE OF LAND FOR FACILITY SITE.**

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary may, under such terms and conditions as the Secretary may prescribe, convey by quitclaim deed all right, title, and interest of the United States in and to the Federal land in exchange for the conveyance of the non-Federal land.

(b) **TITLE TO NON-FEDERAL LAND.**—Before the land exchange takes place under subsection (a), the Secretary shall determine that title to the non-Federal land is acceptable based on the approval standards applicable to Federal land acquisitions.

(c) **VALUATION OF NON-FEDERAL LAND.**—

(1) **DETERMINATION.**—The fair market value of the land and the improvements on the land exchanged under this title shall be determined by an appraisal that—

(A) is approved by the Secretary; and

116 STAT. 2817

PUBLIC LAW 107-329—DEC. 6, 2002

(B) conforms with the Federal appraisal standards, as defined in the publication entitled “Uniform Appraisal Standards for Federal Land Acquisitions”.

(2) SEPARATE APPRAISALS.—

(A) IN GENERAL.—Each parcel of Federal land described in subparagraphs (A) through (F) of section 102(2) shall be appraised separately.

(B) INDIVIDUAL PROPERTY VALUES.—The property values of each parcel shall not be affected by the unit rule described in the Uniform Appraisal Standards for Federal Land Acquisitions.

(d) CASH EQUALIZATION.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may, as the circumstances require, either make or accept a cash equalization payment in excess of 25 percent of the total value of the lands or interests transferred out of Federal ownership.

(e) ADMINISTRATION OF LAND ACQUISITION BY UNITED STATES.—

(1) BOUNDARY ADJUSTMENT.—

(A) IN GENERAL.—On acceptance of title by the Secretary—

(i) the non-Federal land conveyed to the United States shall become part of the Uinta National Forest; and

(ii) the boundaries of the national forest shall be adjusted to include the land.

(B) ALLOCATION OF LAND AND WATER CONSERVATION FUND MONEYS.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–099), the boundaries of the national forest, as adjusted under this section, shall be considered to be boundaries of the national forest as of January 1, 1965.

(2) APPLICABLE LAW.—Subject to valid existing rights, the Secretary shall manage any land acquired under this section in accordance with—

(A) the Act of March 1, 1911 (16 U.S.C. 480 et seq.) (commonly known as the “Weeks Act”); and

(B) other laws (including regulations) that apply to National Forest System land.

#### SEC. 105. DISPOSITION OF FUNDS.

(a) DEPOSIT.—The Secretary shall deposit any cash equalization funds received in the land exchange in the fund established under Public Law 90-171 (16 U.S.C. 484a) (commonly known as the “Sisk Act”).

(b) USE OF FUNDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further appropriation, for the acquisition of land and interests in land for administrative sites in the State of Utah and land for the National Forest System.

#### SEC. 106. CONSTRUCTION AND OPERATION OF FACILITY.

(a) CONSTRUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after funds are made available to carry out this title, the Secretary of the Interior shall construct, and bear responsibility for all costs of construction of, a facility and all necessary infrastructure on non-Federal land acquired under section 104.



PUBLIC LAW 107-329—DEC. 6, 2002

116 STAT. 2818

(2) DESIGN AND SPECIFICATIONS.—Prior to construction, the design and specifications of the facility shall be approved by the Secretary and the Secretary of the Interior.

(b) OPERATION AND MAINTENANCE OF FACILITY.—The facility shall be occupied, operated, and maintained jointly by the Secretary (acting through the Chief of the Forest Service) and the Secretary of the Interior (acting through the Director of the National Park Service) under terms and conditions agreed to by the Secretary and the Secretary of the Interior.

#### SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

### TITLE II—UTAH PUBLIC LANDS ARTIFACT PRESERVATION

#### SEC. 201. FINDINGS.

Congress finds that—

(1) the collection of the Utah Museum of Natural History in Salt Lake City, Utah, includes more than 1,000,000 archaeological, paleontological, zoological, geological, and botanical artifacts;

(2) the collection of items housed by the Museum contains artifacts from land managed by—

- (A) the Bureau of Land Management;
- (B) the Bureau of Reclamation;
- (C) the National Park Service;
- (D) the United States Fish and Wildlife Service; and
- (E) the Forest Service;

(3) more than 75 percent of the Museum's collection was recovered from federally managed public land; and

(4) the Museum has been designated by the legislature of the State of Utah as the State museum of natural history.

#### SEC. 202. DEFINITIONS.

In this title:

(1) MUSEUM.—The term “Museum” means the University of Utah Museum of Natural History in Salt Lake City, Utah.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

#### SEC. 203. ASSISTANCE FOR UNIVERSITY OF UTAH MUSEUM OF NATURAL HISTORY.

(a) ASSISTANCE FOR MUSEUM.—The Secretary shall make a grant to the University of Utah in Salt Lake City, Utah, to pay the Federal share of the costs of construction of a new facility for the Museum, including the design, planning, furnishing, and equipping of the Museum. Grants.

(b) GRANT REQUIREMENTS.—

(1) IN GENERAL.—To receive a grant under subsection (b), the Museum shall submit to the Secretary a proposal for the use of the grant.

(2) FEDERAL SHARE.—The Federal share of the costs described in subsection (a) shall not exceed 25 percent.

116 STAT. 2819

PUBLIC LAW 107-329—DEC. 6, 2002

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000, to remain available until expended.

\* \* \* \* \*

Approved December 6, 2002.

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LEGISLATIVE HISTORY—S. 1240 (H.R. 3928):

HOUSE REPORTS: No. 107-669 (Comm. on Resources).

SENATE REPORTS: No. 107-178 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Aug. 1, considered and passed Senate.

Sept. 24, considered and passed House, amended.

Nov. 19, Senate concurred in House amendment.



## XII. NATIONAL SEASHORES

### 1. Apostle Islands

PUBLIC LAW 107–20—JULY 24, 2001

115 STAT. 155

Public Law 107–20  
107th Congress

#### An Act

Making supplemental appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

July 24, 2001  
[H.R. 2216]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:*

Supplemental  
Appropriations  
Act, 2001.

\* \* \* \* \*

#### TITLE II—OTHER SUPPLEMENTAL APPROPRIATIONS

115 STAT. 164

\* \* \* \* \*

#### CHAPTER 6

115 STAT. 176

#### DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

#### GENERAL PROVISIONS—THIS CHAPTER

115 STAT. 177

SEC. 2601. Of the funds appropriated to “Operation of the National Park System” in Public Law 106–291, \$200,000 for completion of a wilderness study at Apostle Islands National Lakeshore, Wisconsin, shall remain available until expended.

\* \* \* \* \*

This Act may be cited as the “Supplemental Appropriations Act, 2001”.

Approved July 24, 2001.

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#### LEGISLATIVE HISTORY—H.R. 2216 (S. 1077):

HOUSE REPORTS: Nos. 107–102 (Comm. on Appropriations) and 107–148 (Comm. of Conference).

SENATE REPORTS: No. 107–33 accompanying S. 1077 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

June 20, considered and passed House.

July 10, considered and passed Senate, amended, in lieu of S. 1077.

July 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

July 24, Presidential statement.



**2. Cape Hatteras**

113 STAT. 1544

PUBLIC LAW 106–116—NOV. 29, 1999

**Public Law 106–116  
106th Congress****An Act**Nov. 29, 1999  
[S. 1398]

To clarify certain boundaries on maps relating to the Coastal Barrier Resources System.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Conservation.  
North Carolina.  
16 USC 3503  
note.**SECTION 1. REPLACEMENT OF COASTAL BARRIER RESOURCES SYSTEM MAPS.**

(a) IN GENERAL.—The 7 maps described in subsection (b) are replaced by 14 maps entitled “Dare County, North Carolina, Coastal Barrier Resources System, Cape Hatteras Unit NC–03P” or “Dare County, North Carolina, Coastal Barrier Resources System, Cape Hatteras Unit NC–03P, Hatteras Island Unit L03” and dated October 18, 1999.

(b) DESCRIPTION OF MAPS.—The maps described in this subsection are the 7 maps that—

(1) relate to the portions of Cape Hatteras Unit NC–03P and Hatteras Island Unit L03 that are located in Dare County, North Carolina; and

(2) are included in a set of maps entitled “Coastal Barrier Resources System”, dated October 24, 1990, and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)).

(c) AVAILABILITY.—The Secretary of the Interior shall keep the maps referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

Approved November 29, 1999.

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**LEGISLATIVE HISTORY—S. 1398:****SENATE REPORTS:** No. 106–171 (Comm. on Environment and Public Works).  
**CONGRESSIONAL RECORD,** Vol. 145 (1999):Nov. 8, considered and passed Senate.  
Nov. 17, considered and passed House.

**3. Fire Island**

PUBLIC LAW 106–53—AUG. 17, 1999

113 STAT. 269

Public Law 106–53  
106th Congress**An Act**

To provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Aug. 17, 1999

[S. 507]

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “Water Resources Development Act of 1999”.

\* \* \* \* \*

**SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term “Secretary” means the Secretary of the Army.

\* \* \* \* \*

**TITLE III—PROJECT-RELATED PROVISIONS**

\* \* \* \* \*

**SEC. 342. FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK.**

The project for combined beach erosion control and hurricane protection, Fire Island Inlet to Montauk Point, Long Island, New York, authorized by section 101(a) of the River and Harbor Act of 1960 (74 Stat. 483) and modified by the River and Harbor Act of 1962, the Water Resources Development Act of 1974, and the Water Resources Development Act of 1986, is further modified to direct the Secretary, in coordination with the heads of other Federal departments and agencies, to complete all procedures and reviews expeditiously and to adopt and submit to Congress, not later than 120 days after the date of enactment of this Act, a mutually acceptable shore erosion plan for the Fire Island Inlet to Moriches Inlet reach of the project.

\* \* \* \* \*

Approved August 17, 1999.

113 STAT. 397

**LEGISLATIVE HISTORY—S. 507 (H.R. 1480):**

HOUSE REPORTS: Nos. 106–106, Pt. 1 accompanying H.R. 1480 (Comm. on Transportation and Infrastructure) and 106–298 (Comm. of Conference).

SENATE REPORTS: No. 106–34 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Apr. 19, considered and passed Senate.

July 22, considered and passed House, amended, in lieu of H.R. 1480.

Aug. 5, Senate and House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Aug. 17, Presidential statement.

Water Resources Development Act of 1999. Inter-governmental relations. 33 USC 2201 note. 113 STAT. 273 33 USC 2201 note.

113 STAT. 298

113 STAT. 308

114 STAT. 2763

PUBLIC LAW 106–554—DEC. 21, 2000

\* Public Law 106–554  
106th Congress

An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667



**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A–214

**TITLE I**

\* \* \* \* \*

SEC. 119. Within the funds appropriated to the National Park Service under the heading “Operation of the National Park System” in Public Law 106–291, the Secretary of the Interior shall provide a grant of \$75,000 to the City of Ocean Beach, New York, for repair of facilities at the Ocean Beach Pavilion at Fire Island National Seashore.

114 STAT.  
2763A–229

\* \* \* \* \*

#### 4. Gulf Islands

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

**\* Public Law 106-554**  
**106th Congress**

**An Act**

Dec. 21, 2000  
 [H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
 and for other purposes.

Consolidated  
 Appropriations  
 Act, 2001.  
 Incorporation by  
 reference.

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

SECTION 1. (a) The provisions of the following bills of the  
 106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
 that the text of H.R. 5666, as so enacted, shall not include  
 section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
 1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
 States Statutes at Large pursuant to section 112 of title 1, United  
 States Code, the Archivist of the United States shall include after  
 the date of approval at the end appendixes setting forth the texts  
 of the bills referred to in subsection (a) of this section and the  
 text of any other bill enacted into law by reference by reason  
 of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
 Guidelines set forth in the joint explanatory statement of the  
 committee of conference accompanying Conference Report 105-217,  
 legislation enacted in section 505 of the Department of Transpor-  
 tation and Related Agencies Appropriations Act, 2001, section 312  
 of the Legislative Branch Appropriations Act, 2001, titles X and  
 XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
 Congress), division B of H.R. 5666 (106th Congress) as enacted  
 by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
 would have been estimated by the Office of Management and Budget  
 as changing direct spending or receipts under section 252 of the  
 Balanced Budget and Emergency Deficit Control Act of 1985 were  
 it included in an Act other than an appropriations Act shall be  
 treated as direct spending or receipts legislation, as appropriate,  
 under section 252 of the Balanced Budget and Emergency Deficit  
 Control Act of 1985.

(b) In preparing the final sequestration report required by  
 section 254(f)(3) of the Balanced Budget and Emergency Deficit  
 Control Act of 1985 for fiscal year 2001, in addition to the informa-  
 tion required by that section, the Director of the Office of Manage-  
 ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

---

LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A-214

**TITLE I**

\* \* \* \* \*

SEC. 137. (a) IN GENERAL.—The first section of Public Law 91-660 (16 U.S.C. 459h) is amended—

114 STAT.  
2763A-231

(1) in the first sentence, by striking “That, in” and inserting the following:

**“SECTION 1. GULF ISLANDS NATIONAL SEASHORE.**

“(a) ESTABLISHMENT.—In”; and

(2) in the second sentence—

(A) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively, and indenting appropriately;

(B) by striking “The seashore shall comprise” and inserting the following:

“(b) COMPOSITION.—

“(1) IN GENERAL.—The seashore shall comprise the areas described in paragraphs (2) and (3).

“(2) AREAS INCLUDED IN BOUNDARY PLAN NUMBERED NS-GI-7100J.—The areas described in this paragraph are”: and

(C) by adding at the end the following:

“(3) CAT ISLAND.—Upon its acquisition by the Secretary, the area described in this paragraph is the parcel consisting of approximately 2,000 acres of land on Cat Island, Mississippi, as generally depicted on the map entitled ‘Boundary Map, Gulf Islands National Seashore, Cat Island, Mississippi’, numbered 635/80085, and dated November 9, 1999 (referred to in this title as the ‘Cat Island Map’).

“(4) AVAILABILITY OF MAP.—The Cat Island Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.”.

(b) ACQUISITION AUTHORITY.—Section 2 of Public Law 91-660 (16 U.S.C. 459h-1) is amended—

(1) in the first sentence of subsection (a), by striking “lands,” and inserting “submerged land, land,”; and

(2) by adding at the end the following:

“(e) ACQUISITION AUTHORITY.—

“(1) IN GENERAL.—The Secretary may acquire, from a willing seller only—

“(A) all land comprising the parcel described in subsection (b)(3) that is above the mean line of ordinary high tide, lying and being situated in Harrison County, Mississippi;

“(B) an easement over the approximately 150-acre parcel depicted as the ‘Boddie Family Tract’ on the Cat Island

## 114 STAT. 2763A-231 PUBLIC LAW 106-554—APPENDIX D

114 STAT.  
2763A-232

Map for the purpose of implementing an agreement with the owners of the parcel concerning the development and use of the parcel; and

“(C)(i) land and interests in land on Cat Island outside the 2,000-acre area depicted on the Cat Island Map; and

“(ii) submerged land that lies within 1 mile seaward of Cat Island (referred to in this title as the ‘buffer zone’), except that submerged land owned by the State of Mississippi (or a subdivision of the State) may be acquired only by donation.

“(2) ADMINISTRATION.—

“(A) IN GENERAL.—Land and interests in land acquired under this subsection shall be administered by the Secretary, acting through the Director of the National Park Service.

“(B) BUFFER ZONE.—Nothing in this title or any other provision of law shall require the State of Mississippi to convey to the Secretary any right, title, or interest in or to the buffer zone as a condition for the establishment of the buffer zone.

“(3) MODIFICATION OF BOUNDARY.—The boundary of the seashore shall be modified to reflect the acquisition of land under this subsection only after completion of the acquisition.”.

(c) REGULATION OF FISHING.—Section 3 of Public Law 91-660 (16 U.S.C. 459h-2) is amended—

(1) by inserting “(a) IN GENERAL.—” before “The Secretary”; and

(2) by adding at the end the following:

“(b) NO AUTHORITY TO REGULATE MARITIME ACTIVITIES.—Nothing in this title or any other provision of law shall affect any right of the State of Mississippi, or give the Secretary any authority, to regulate maritime activities, including nonseashore fishing activities (including shrimping), in any area that, on the date of enactment of this subsection, is outside the designated boundary of the seashore (including the buffer zone).”.

(d) AUTHORIZATION OF MANAGEMENT AGREEMENTS.—Section 5 of Public Law 91-660 (16 U.S.C. 459h-4) is amended—

(1) by inserting “(a) IN GENERAL.—” before “Except”; and

(2) by adding at the end the following:

“(b) AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into agreements—

“(A) with the State of Mississippi for the purposes of managing resources and providing law enforcement assistance, subject to authorization by State law, and emergency services on or within any land on Cat Island and any water and submerged land within the buffer zone; and

“(B) with the owners of the approximately 150-acre parcel depicted as the ‘Boddie Family Tract’ on the Cat Island Map concerning the development and use of the land.

“(2) NO AUTHORITY TO ENFORCE CERTAIN REGULATIONS.—Nothing in this subsection authorizes the Secretary to enforce Federal regulations outside the land area within the designated boundary of the seashore.”.

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-232

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 11 of Public Law 91-660 (16 U.S.C. 459h-10) is amended—

(1) by inserting “(a) IN GENERAL.—” before “There”; and

(2) by adding at the end the following:

“(b) AUTHORIZATION FOR ACQUISITION OF LAND.—In addition to the funds authorized by subsection (a), there are authorized to be appropriated such sums as are necessary to acquire land and submerged land on and adjacent to Cat Island, Mississippi.”.

\* \* \* \* \*

## 5. Pictured Rocks

116 STAT. 2064

PUBLIC LAW 107–295—NOV. 25, 2002

### Public Law 107–295 107th Congress

#### An Act

Nov. 25, 2002  
[S. 1214]

To amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes.

Maritime  
Transportation  
Security Act of  
2002.  
46 USC 2101  
note.

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Maritime Transportation Security Act of 2002”.

\* \* \* \* \*

116 STAT. 2113  
Omnibus  
Maritime and  
Coast Guard  
Improvements  
Act of 2002.  
14 USC 1 note.

#### TITLE IV—OMNIBUS MARITIME IMPROVEMENTS

#### SEC. 401. SHORT TITLE.

This title may be cited as the “Omnibus Maritime and Coast Guard Improvements Act of 2002”.

\* \* \* \* \*

116 STAT. 2129  
16 USC 460s–15.

#### SEC. 437. PICTURED ROCKS NATIONAL LAKESHORE BOUNDARY REVISION.

116 STAT. 2130

(a) TRANSFER.—As soon as practicable after the date of enactment of this Act, the Administrator of General Services may transfer to the Secretary, without consideration, administrative jurisdiction over, and management of, the public land.

(b) BOUNDARY REVISION.—The boundary of the Lakeshore is revised to include the public land transferred under subsection (a).

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) ADMINISTRATION.—The Secretary may administer the public land transferred under section (a)—

(1) as part of the Lakeshore; and

(2) in accordance with applicable laws (including regulations).

(e) ACCESS TO AIDS TO NAVIGATION.—The Secretary of Transportation, in consultation with the Secretary, may access the front and rear range lights on the public land for the purposes of servicing, operating, maintaining, and repairing those lights.

(f) DEFINITIONS.—In this section:

(1) LAKESHORE.—The term “Lakeshore” means the Pictured Rocks National Lakeshore in the State of Michigan.

(2) MAP.—The term “map” means the map entitled “Proposed Addition to Pictured Rocks National Lakeshore”, numbered 625/80048, and dated April 2002.

(3) PUBLIC LAND.—The term “public land” means the approximately .32 acres of United States Coast Guard land and improvements to the land, including the United States



PUBLIC LAW 107–295—NOV. 25, 2002

116 STAT. 2130

Coast Guard Auxiliary Operations Station and the front and rear range lights, as depicted on the map.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$225,000 to restore, preserve, and maintain the public land transferred under subsection (a).

\* \* \* \* \*

Approved November 25, 2002.

116 STAT. 2134

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LEGISLATIVE HISTORY—S. 1214 (H.R. 3983):

HOUSE REPORTS: Nos. 107–405 accompanying H.R. 3983 (Comm. on Transportation and Infrastructure) and 107–777 (Comm. of Conference).

SENATE REPORTS: No. 107–64 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Dec. 20, considered and passed Senate.

Vol. 148 (2002): June 4, considered and passed House, amended, in lieu of H.R. 3983.

Nov. 14, Senate and House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Nov. 25, Presidential statement.





### XIII. NATIONAL RECREATION AREAS

#### 1. Boston Harbor Islands

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress

#### An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000

[H.R. 149]

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

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

#### SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

#### TITLE I—TECHNICAL CORRECTIONS TO DIVISION I

\* \* \* \* \*

#### SEC. 126. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.

114 STAT. 30

Section 1029 of division I of the Omnibus Parks Act (110 Stat. 4232; 16 U.S.C. 460kkk) is amended as follows:

(1) In the section heading, by striking “RECREATION AREA” and inserting “NATIONAL RECREATION AREA”.

(2) In subsection (b)(1), by inserting quotation marks around the term “recreation area”.

(3) In subsection (e)(3)(B), by striking “subsections (b)(3), (4), (5), (6), (7), (8), (9), and (10).” and inserting “subparagraphs (C), (D), (E), (F), (G), (H), (I), and (J) of paragraph (2).”.

(4) In subsection (f)(2)(A)(i), by striking “profit sector roles” and inserting “private-sector roles”.

(5) In subsection (g)(1), by striking “and revenue raising activities.” and inserting “and revenue-raising activities.”.

(6) In subsection (h)(2), by striking “ration” and inserting “ratio”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

#### LEGISLATIVE HISTORY—H.R. 149:

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



## 2. Chattahoochee River

113 STAT. 1736

PUBLIC LAW 106–154—DEC. 9, 1999

Public Law 106–154  
106th Congress

### An Act

Dec. 9, 1999  
[H.R. 2140]

To improve protection and management of 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,*

16 USC 460ii  
note.

#### SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Chattahoochee River National Recreation Area in the State of Georgia is a nationally significant resource;

(2) the Chattahoochee River National Recreation Area has been adversely affected by land use changes occurring inside and outside the recreation area;

(3) the population of the metropolitan Atlanta area continues to expand northward, leaving dwindling opportunities to protect the scenic, recreational, natural, and historical values of the 2,000-foot-wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment known as the “area of national concern”;

(4) the State of Georgia has enacted the Metropolitan River Protection Act to ensure protection of the corridor located within 2,000 feet of each bank of the Chattahoochee River, or the corridor located within the 100-year floodplain, whichever is larger;

(5) the corridor located within the 100-year floodplain includes the area of national concern;

(6) since establishment of the Chattahoochee River National Recreation Area, visitor use of the recreation area has shifted dramatically from waterborne to water-related and land-based activities;

(7) the State of Georgia and political subdivisions of the State along the Chattahoochee River have indicated willingness to join in a cooperative effort with the United States to link existing units of the recreation area through a series of linear corridors to be established within the area of national concern and elsewhere on the river; and

(8) if Congress appropriates funds in support of the cooperative effort described in paragraph (7), funding from the State, political subdivisions of the State, private foundations, corporate entities, private individuals, and other sources will be available to fund more than half the estimated cost of the cooperative effort.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase the level of protection of the open spaces within the area of national concern along the Chattahoochee

## PUBLIC LAW 106-154—DEC. 9, 1999

113 STAT. 1737

River and to enhance visitor enjoyment of the open spaces by adding land-based linear corridors to link existing units of the recreation area;

(2) to ensure that the Chattahoochee River National Recreation Area is managed to standardize acquisition, planning, design, construction, and operation of the linear corridors; and

(3) to authorize the appropriation of Federal funds to cover a portion of the costs of the Federal, State, local, and private cooperative effort to add additional areas to the recreation area so as to establish a series of linear corridors linking existing units of the recreation area and to protect other open spaces of the Chattahoochee River corridor.

**SEC. 2. AMENDMENTS TO CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA ACT.**

(a) **BOUNDARIES.**—Section 101 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii), is amended—

(1) in the third sentence, by inserting after “numbered CHAT-20,003, and dated September 1984,” the following: “and on the maps entitled ‘Chattahoochee River National Recreation Area Interim Boundary Map #1’, ‘Chattahoochee River National Recreation Area Interim Boundary Map #2’, and ‘Chattahoochee River National Recreation Area Interim Boundary Map #3’, and dated August 6, 1998,”;

(2) by striking the fourth sentence and inserting the following: “No sooner than 180 days after the date of the enactment of this sentence, the Secretary of the Interior (hereafter referred to as the ‘Secretary’) may modify the boundaries of the recreation area to include other land within the Chattahoochee River corridor by submitting a revised map or other boundary description to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. The revised map or other boundary description shall be prepared by the Secretary after consultation with affected landowners, the State of Georgia, and affected political subdivisions of the State. The revised boundaries shall take effect 180 days after the date of submission unless, within the 180-day period, Congress enacts a joint resolution disapproving the revised boundaries.”; and

(3) in the next-to-last sentence, by striking “may not exceed approximately 6,800 acres.” and inserting “may not exceed 10,000 acres.”.

(b) **ACQUISITION OF PROPERTY.**—Section 102 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii-1), is amended—

(1) in subsection (a), by inserting “from willing sellers” after “purchase”; and

(2) by striking subsection (f).

(c) **COOPERATIVE AGREEMENTS.**—Section 103 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other

113 STAT. 1738

PUBLIC LAW 106-154—DEC. 9, 1999

purposes”, approved August 15, 1978 (16 U.S.C. 460ii-2), is amended by striking subsection (b) and inserting the following:

“(b) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State of Georgia, political subdivisions of the State, and other entities to ensure standardized acquisition, planning, design, construction, and operation of the recreation area.”.

(d) FUNDING.—Section 105 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii-4), is amended—

(1) by striking “SEC. 105. (a)” and inserting the following:

**“SEC. 105. FUNDING SOURCES AND GENERAL MANAGEMENT PLAN.**

“(a) FUNDING.—

“(1) LIMITATION ON USE OF APPROPRIATED FUNDS.—”;

(2) in subsection (a)—

(A) by striking “\$79,400,000” and inserting “\$115,000,000”;

(B) by striking “this Act” and inserting “this title”;

and

(C) by adding at the end the following:

“(2) DONATIONS.—The Secretary may accept a donation of funds or land or an interest in land to carry out this title.

“(3) RELATION TO OTHER FUNDING SOURCES.—Funds made available under paragraph (1) are in addition to funding and the donation of land and interests in land by the State of Georgia, local government authorities, private foundations, corporate entities, and individuals for purposes of this title.”; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) by striking “(c) Within” and inserting the following:

“(c) GENERAL MANAGEMENT PLAN.—

“(1) INITIAL PLAN.—Within”;

(C) in paragraph (1) (as designated by subparagraph (B)), by striking “transmit to” and all that follows through “Representatives” and inserting “transmit to the Committee on Resources of the House of Representatives”; and

(D) by adding at the end the following:

“(2) REVISED PLAN.—

“(A) IN GENERAL.—Within 3 years after the date funds are made available, the Secretary shall submit to the committees specified in paragraph (1) a revised general management plan to provide for the protection, enhancement, enjoyment, development, and use of the recreation area.

“(B) PUBLIC PARTICIPATION.—In preparing the revised plan, the Secretary shall encourage the participation of the State of Georgia and affected political subdivisions of the State, private landowners, interested citizens, public officials, groups, agencies, educational institutions, and other entities.”.

(e) TECHNICAL CORRECTIONS.—Title I of the Act entitled “An Act to authorize the establishment of the Chattahoochee River

## PUBLIC LAW 106-154—DEC. 9, 1999

113 STAT. 1739

National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii et seq.), is amended—

- (1) in sections 102(d) and 103(a), by striking “of this Act” and inserting “of this title”; 16 USC 460ii-1, 460ii-2.
- (2) in section 104(b)— 16 USC 460ii-3.
  - (A) by striking “of this Act” and inserting “of this title”;
  - (B) by striking “under this Act” and inserting “under this title”;
  - (C) by striking “by this Act” and inserting “by this title”; and
  - (D) by striking “in this Act” and inserting “in this title”;
- (3) in section 104(d)(2), by striking “under this Act” and inserting “under this title”;
- (4) in section 105(c)(1)(A), as redesignated by subsection (d)(3), by striking “of this Act” and inserting “of this title”; 16 USC 460ii-4.
- (5) in section 106(a), by striking “in this Act” and inserting “in this title”; and 16 USC 460ii-5.
- (6) in section 106(d), by striking “under this Act” and inserting “under this title”.

Approved December 9, 1999.

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LEGISLATIVE HISTORY—H.R. 2140 (S. 109):

HOUSE REPORTS: No. 106-369 (Comm. on Resources).

SENATE REPORTS: No. 106-62 accompanying S. 109 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Oct. 18, considered and passed House.

Nov. 19, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Dec. 9, Presidential statement.



### 3. Curecanti

113 STAT. 1126

PUBLIC LAW 106-76—OCT. 21, 1999

#### Public Law 106-76 106th Congress

#### An Act

Oct. 21, 1999  
[S. 323]

To redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

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

Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999. Colorado. 16 USC 410fff note. 113 STAT. 1131 16 USC 410fff-9.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999”.

\* \* \* \* \*

#### SEC. 11. STUDY OF LANDS WITHIN AND ADJACENT TO CURECANTI NATIONAL RECREATION AREA.

Deadline.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary, acting through the Director of the National Park Service, shall conduct a study concerning land protection and open space within and adjacent to the area administered as the Curecanti National Recreation Area.

113 STAT. 1132

(b) PURPOSE OF STUDY.—The study required to be completed under subsection (a) shall—

(1) assess the natural, cultural, recreational and scenic resource value and character of the land within and surrounding the Curecanti National Recreation Area (including open vistas, wildlife habitat, and other public benefits);

(2) identify practicable alternatives that protect the resource value and character of the land within and surrounding the Curecanti National Recreation Area;

(3) recommend a variety of economically feasible and viable tools to achieve the purposes described in paragraphs (1) and (2); and

(4) estimate the costs of implementing the approaches recommended by the study.

Deadline.

(c) SUBMISSION OF REPORT.—Not later than 3 years from the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(1) contains the findings of the study required by subsection (a);

(2) makes recommendations to Congress with respect to the findings of the study required by subsection (a); and

(3) makes recommendations to Congress regarding action that may be taken with respect to the land described in the report.

#### (d) ACQUISITION OF ADDITIONAL LAND AND INTERESTS IN LAND.—

(1) IN GENERAL.—Prior to the completion of the study required by subsection (a), the Secretary may acquire certain private land or interests in land as depicted on the Map entitled “Proposed Additions to the Curecanti National Recreation



## PUBLIC LAW 106–76—OCT. 21, 1999

113 STAT. 1132

Area”, dated 01/25/99, totaling approximately 1,065 acres and entitled “Hall and Fitti properties”.

(2) METHOD OF ACQUISITION.—

(A) IN GENERAL.—Land or an interest in land under paragraph (1) may be acquired by—

(i) donation;

(ii) purchase with donated or appropriated funds;

or

(iii) exchange.

(B) CONSENT.—No land or interest in land may be acquired without the consent of the owner of the land.

(C) BOUNDARY REVISIONS FOLLOWING ACQUISITION.—Following the acquisition of land under paragraph (1), the Secretary shall—

(i) revise the boundary of the Curecanti National Recreation Area to include newly-acquired land; and

(ii) administer newly-acquired land according to applicable laws (including regulations).

\* \* \* \* \*

Approved October 21, 1999.

113 STAT. 1133

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LEGISLATIVE HISTORY—S. 323:

HOUSE REPORTS: No. 106–307 (Comm. on Resources).

SENATE REPORTS: No. 106–69 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

July 1, considered and passed Senate.

Sept. 27, considered and passed House, amended.

Oct. 1, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Oct. 21, Presidential statement.



**4. Delaware Water Gap**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

\* \* \* \* \*

**SEC. 301. REAUTHORIZATION OF DELAWARE WATER GAP NATIONAL  
RECREATION AREA CITIZEN ADVISORY COMMISSION.**

Effective date.

Effective as of November 6, 1998, section 507 of Public Law  
105–355 (112 Stat. 3264; 16 U.S.C. 460o note) is amended by  
striking “Public Law 101–573” and inserting “Public Law 100–  
573”.

114 STAT. 32

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**5. Gateway**

PUBLIC LAW 106–132—DEC. 7, 1999

113 STAT. 1681

Public Law 106–132  
106th Congress

**An Act**

To designate a portion of Gateway National Recreation Area as “World War Veterans  
Park at Miller Field”.

Dec. 7, 1999

[H.R. 592]

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

**SECTION 1. DESIGNATION OF PORTION OF GATEWAY NATIONAL  
RECREATION AREA AS WORLD WAR VETERANS PARK AT  
MILLER FIELD.**

Section 3(b) of Public Law 92–592 (16 U.S.C. 460cc–2(b)) is  
amended—

(1) by inserting “(1)” after “(b)”; and

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

16 USC 460cc.

“(2) The portion of the Staten Island Unit of the recreation  
area known as Miller Field is hereby designated as ‘World War  
Veterans Park at Miller Field’. Any reference to such Miller Field  
in any law, regulation, map, document, record, or other paper  
of the United States shall be considered to be a reference to ‘World  
War Veterans Park at Miller Field’.”.

Approved December 7, 1999.

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**LEGISLATIVE HISTORY—H.R. 592:**

HOUSE REPORTS: No. 106–188 (Comm. on Resources).

SENATE REPORTS: No. 106–212 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

June 30, considered and passed House.

Nov. 19, considered and passed Senate.



**6. Glen Canyon**

114 STAT. 1441

PUBLIC LAW 106–377—OCT. 27, 2000

**\* Public Law 106–377  
106th Congress****An Act**Oct. 27, 2000  
[H.R. 4635]

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

Approved October 27, 2000.

**LEGISLATIVE HISTORY—H.R. 4635:**

HOUSE REPORTS: Nos. 106–674 (Comm. on Appropriations) and 106–988 (Comm. of Conference).

SENATE REPORTS: No. 106–410 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 19–21, considered and passed House.

Oct. 12, considered and passed Senate, amended.

Oct. 19, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 27, Presidential statement.

\*ENDNOTE: The following appendixes were added pursuant to the provisions of section 1 of this Act.



NATIONAL RECREATION AREAS

539

PUBLIC LAW 106-377—APPENDIX

114 STAT. 1441A-1

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APPENDIX B—H.R. 5483

114 STAT. 1441A-59 PUBLIC LAW 106-377—APPENDIX B

**APPENDIX B—H.R. 5483**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
1441A-66**TITLE II**

\* \* \* \* \*

114 STAT.  
1441A-68**GENERAL PROVISIONS****DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT.  
1441A-69

SEC. 204. (a) **IN GENERAL.**—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than \$7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(b) **VOLUNTARY CONTRIBUTIONS.**—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) **ACTIVITIES TO BE FUNDED.**—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) **ADDITIONAL FUNDING.**—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

\* \* \* \* \*

**7. Golden Gate**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):Nov. 3, considered and passed House; considered and passed Senate, amend-  
ed.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–142**NATIONAL PARK SERVICE**

\* \* \* \* \*

113 STAT.  
1501A–154**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–159

SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.

\* \* \* \* \*



PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress

An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]

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

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”. 16 USC 1 note.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

**SEC. 101. PRESIDIO OF SAN FRANCISCO.**

Title I of division I of the Omnibus Parks Act (16 U.S.C. 460bb note) is amended as follows:

(1) In section 101(2) (110 Stat. 4097), by striking “the Presidio is” and inserting “the Presidio was”.

(2) In section 103(b)(1) (110 Stat. 4099), by striking “other lands administrated by the Secretary.” in the last sentence and inserting “other lands administered by the Secretary.”.

(3) In section 105(a)(2) (110 Stat. 4104), by striking “in accordance with section 104(h) of this title.” and inserting “in accordance with section 104(i) of this title.”.

(4) In section 104(b) (110 Stat. 4101), by—

(A) adding the following after the end of the first sentence: “The National Park Service or any other Federal agency is authorized to enter into agreements, leases, contracts and other arrangements with the Presidio Trust which are necessary and appropriate to carry out the purposes of this title.”;

Contracts.

(B) inserting after “June 30, 1932 (40 U.S.C. 303b).” the following “The Trust may use alternative means of dispute resolution authorized under subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 571 et seq.).”; and

(C) by inserting at the end of the paragraph “The Trust is authorized to use funds available to the Trust to purchase insurance and for reasonable reception and

representation expenses, including membership dues, business cards and business related meal expenditures.”.

(5) Section 104(g) (110 Stat. 4103) is amended to read as follows:

“(g) FINANCIAL MANAGEMENT.—Notwithstanding section 1341 of title 31 of the United States Code, all proceeds and other revenues received by the Trust shall be retained by the Trust. Those proceeds shall be available, without further appropriation, to the Trust for the administration, preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties under its administrative jurisdiction. The Secretary of the Treasury shall invest, at the direction of the Trust, such excess moneys that the Trust determines are not required to meet current withdrawals. Such investment shall be in public debt securities with maturities suitable to the needs of the Trust and bearing interest at rates determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity.”.

(6) In section 104(j) (110 Stat. 4103), by striking “exercised.” and inserting “exercised, including rules and regulations for the use and management of the property under the Trust’s jurisdiction.”.

(7) In section 104 (110 Stat. 4101, 4104), by adding after subsection (o) the following:

“(p) EXCLUSIVE RIGHTS TO NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words ‘Presidio Trust’ and any seal, emblem, or other insignia adopted by its Board of Directors. Without express written authority of the Trust, no person may use the words ‘Presidio Trust’, or any combination or variation of those words alone or with other words, as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.”.

(8) In section 104(n) (110 Stat. 4103), by inserting after “implementation of the” in the first sentence the following “general objectives of the”.

(9) In section 105(a)(2) (110 Stat. 4104), by striking “not more than \$3,000,000 annually” and inserting after “Of such sums,” the following “funds”.

(10) In section 105(c) (110 Stat. 4104), by inserting before “including” the following “on a reimbursable basis,”.

(11) Section 103(c)(2) (110 Stat. 4099) is amended by striking “consecutive terms.” and inserting “consecutive terms, except that upon the expiration of his or her term, an appointed member may continue to serve until his or her successor has been appointed.”.

(12) Section 103(c)(9) (110 Stat. 4100) is amended by striking “properties administered by the Trust” and inserting “properties administered by the Trust and all interest created under leases, concessions, permits and other agreements associated with the properties”.

(13) Section 104(d) (110 Stat. 4102) is amended as follows—

(A) by inserting “(1)” after “FINANCIAL AUTHORITIES.—”;

(B) by striking “(1) The authority” and inserting “(A) The authority”;

## PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 25

(C) by striking “(A) the terms” and inserting “(i) the terms”;

(D) by striking “(B) adequate” and inserting “(ii) adequate”;

(E) by striking “(C) such guarantees” and inserting “(iii) such guarantees”;

(F) by striking “(2) The authority” and inserting “(B) The authority”;

(G) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively;

(H) in paragraph (2) (as redesignated by this section)—

(i) by striking “The authority” and inserting “The Trust shall also have the authority”;

(ii) by striking “after determining that the projects to be funded from the proceeds thereof are creditworthy and that a repayment schedule is established and only”; and

(iii) by inserting after “and subject to such terms and conditions,” the following “including a review of the creditworthiness of the loan and establishment of a repayment schedule,”; and

(I) in paragraph (3) (as redesignated by this section) by inserting before “this subsection” the following “paragraph (2) of”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

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LEGISLATIVE HISTORY—H.R. 149:

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

Public Law 106–291  
106th Congress

An Act

Oct. 11, 2000  
[H.R. 4578]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 941

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 943  
16 USC 460bb-3  
note.

SEC. 115. Notwithstanding any provision of law, hereafter the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

\* \* \* \* \*

114 STAT. 949

SEC. 140. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



PUBLIC LAW 106–350—OCT. 24, 2000

114 STAT. 1361

Public Law 106–350  
106th Congress

An Act

To revise the boundaries of the Golden Gate National Recreation Area, and for  
other purposes.

Oct. 24, 2000

[H.R. 3632]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Golden Gate National Recreation  
Area Boundary Adjustment Act of 2000”.

**SEC. 2. ADDITIONS TO THE GOLDEN GATE NATIONAL RECREATION  
AREA.**

Section 2(a) of the Act entitled “An Act to establish the Golden  
Gate National Recreation Area in the State of California, and  
for other purposes” (16 U.S.C. 460bb–1(a)) is amended by adding  
at the end the following: “The recreation area shall also include  
the lands generally depicted on the map entitled ‘Additions to  
Golden Gate National Recreation Area’, numbered NPS–80,076,  
and dated July 2000/PWR–PLRPC.”.

Golden Gate  
National  
Recreation Area  
Boundary  
Adjustment Act  
of 2000.  
16 USC 460bb  
note.

Approved October 24, 2000.

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**LEGISLATIVE HISTORY—H.R. 3632 (S. 2051):**

HOUSE REPORTS: No. 106–825 (Comm. on Resources).

SENATE REPORTS: No. 106–376 accompanying S. 2051 (Comm. on Energy and  
Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 12, considered and passed House.

Oct. 5, considered and passed Senate.



115 STAT. 414

PUBLIC LAW 107–63—NOV. 5, 2001

Public Law 107–63  
107th Congress

An Act

Nov. 5, 2001  
[H.R. 2217]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2002,  
and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

115 STAT. 436

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

115 STAT. 440

SEC. 123. Notwithstanding other provisions of law, the National  
Park Service may authorize, through cooperative agreement, the  
Golden Gate National Parks Association to provide fee-based edu-  
cation, interpretive and visitor service functions within the Crissy  
Field and Fort Point areas of the Presidio.

\* \* \* \* \*

115 STAT. 473

This Act may be cited as the “Department of the Interior  
and Related Agencies Appropriations Act, 2002”.

Approved November 5, 2001.

LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107–103 (Comm. on Appropriations) and 107–234  
(Comm. of Conference).

SENATE REPORTS: No. 107–36 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):  
Nov. 5, Presidential statement.



PUBLIC LAW 107–107—DEC. 28, 2001

115 STAT. 1012

Public Law 107–107  
107th Congress

An Act

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Dec. 28, 2001  
[S. 1438]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

\* \* \* \* \*

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE; DEFINITION.**

(a) **SHORT TITLE.**—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.

(b) **DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.**—In this division, the term “Spence Act” means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1654).

\* \* \* \* \*

**TITLE XXVIII—GENERAL PROVISIONS**

\* \* \* \* \*

**Subtitle E—Other Matters**

**SEC. 2861. MANAGEMENT OF THE PRESIDIO OF SAN FRANCISCO.**

(a) **AUTHORITY TO LEASE CERTAIN HOUSING UNITS FOR USE AS ARMY HOUSING.**—Title I of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 16 U.S.C. 460bb note) is amended by adding at the end the following new section:

**“SEC. 107. CONDITIONAL AUTHORITY TO LEASE CERTAIN HOUSING UNITS WITHIN THE PRESIDIO.**

“(a) **AVAILABILITY OF HOUSING UNITS FOR LONG-TERM ARMY LEASE.**—Subject to subsection (c), the Trust shall make available for lease, to those persons designated by the Secretary of the Army and for such length of time as requested by the Secretary of the Army, 22 housing units located within the Presidio that are under the administrative jurisdiction of the Trust and specified in the agreement between the Trust and the Secretary of the Army in existence as of the date of the enactment of this section.

“(b) **LEASE AMOUNT.**—The monthly amount charged by the Trust for the lease of a housing unit under this section shall be equivalent to the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code.

115 STAT. 1280  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2002.

115 STAT. 1303

115 STAT. 1328

115 STAT. 1328

PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1329

“(c) CONDITION ON CONTINUED AVAILABILITY OF HOUSING UNITS.—Effective after the end of the four-year period beginning on the date of the enactment of this section, the Trust shall have no obligation to make housing units available under subsection (a) unless, during that four-year period, the Secretary of the Treasury purchases new obligations of at least \$80,000,000 issued by the Trust under section 104(d)(2). In the event that this condition is not satisfied, the existing agreement referred to in subsection (a) shall be renewed on the same terms and conditions for an additional five years.”.

16 USC 460bb  
note.

(b) INCREASED BORROWING AUTHORITY AND TECHNICAL CORRECTIONS.—Paragraphs (2) and (3) of section 104(d) of title I of division I of the Omnibus Parks and Public Lands Management Act of 1996, as amended by section 334 of appendix C of Public Law 106-113 (113 Stat. 1501A-198) and amended and redesignated by section 101(13) of Public Law 106-176 (114 Stat. 25), are amended—

(1) in paragraph (2), by striking “including a review of the creditworthiness of the loan and establishment of a repayment schedule,” the second place it appears; and

(2) in paragraph (3)—

(A) by striking “\$50,000,000” and inserting “\$150,000,000”; and

(B) by striking “paragraph (3) of”.

\* \* \* \* \*

115 STAT. 1393

Approved December 28, 2001.

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LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.





**8. Lake Mead**

PUBLIC LAW 106–181—APR. 5, 2000

114 STAT. 61

Public Law 106–181  
106th Congress**An Act**

To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Apr. 5, 2000  
[H.R. 1000]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**(a) **SHORT TITLE.**—This Act may be cited as the “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century”.Wendell H. Ford  
Aviation  
Investment and  
Reform Act for  
the 21st Century.  
49 USC 40101  
note.

\* \* \* \* \*

**SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

114 STAT. 64

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

**SEC. 3. APPLICABILITY.**

49 USC 106 note.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply only to fiscal years beginning after September 30, 1999.

**SEC. 4. DEFINITIONS.**49 USC 40102  
note.

Except as otherwise provided in this Act, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Aviation Administration.(2) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

\* \* \* \* \*

**TITLE VIII—NATIONAL PARKS AIR  
TOUR MANAGEMENT**114 STAT. 185  
National Parks  
Air Tour  
Management Act  
of 2000.  
49 USC 40128  
note.**SEC. 801. SHORT TITLE.**

This title may be cited as the “National Parks Air Tour Management Act of 2000”.

**SEC. 802. FINDINGS.**114 STAT. 186  
49 USC 40128  
note.

Congress finds that—

(1) the Federal Aviation Administration has sole authority to control airspace over the United States;

(2) the Federal Aviation Administration has the authority to preserve, protect, and enhance the environment by minimizing, mitigating, or preventing the adverse effects of aircraft overflights on public and tribal lands;

(3) the National Park Service has the responsibility of conserving the scenery and natural and historic objects and wildlife in national parks and of providing for the enjoyment

of the national parks in ways that leave the national parks unimpaired for future generations;

(4) the protection of tribal lands from aircraft overflights is consistent with protecting the public health and welfare and is essential to the maintenance of the natural and cultural resources of Indian tribes;

(5) the National Parks Overflights Working Group, composed of general aviation, commercial air tour, environmental, and Native American representatives, recommended that the Congress enact legislation based on the Group's consensus work product; and

(6) this title reflects the recommendations made by that Group.

49 USC 40128  
note.

**SEC. 803. AIR TOUR MANAGEMENT PLANS FOR NATIONAL PARKS.**

(a) IN GENERAL.—Chapter 401 (as amended by section 706(a) of this Act) is further amended by adding at the end the following:

**“§ 40128. Overflights of national parks**

“(a) IN GENERAL.—

“(1) GENERAL REQUIREMENTS.—A commercial air tour operator may not conduct commercial air tour operations over a national park or tribal lands except—

“(A) in accordance with this section;

“(B) in accordance with conditions and limitations prescribed for that operator by the Administrator; and

“(C) in accordance with any applicable air tour management plan for the park or tribal lands.

“(2) APPLICATION FOR OPERATING AUTHORITY.—

“(A) APPLICATION REQUIRED.—Before commencing commercial air tour operations over a national park or tribal lands, a commercial air tour operator shall apply to the Administrator for authority to conduct the operations over the park or tribal lands.

“(B) COMPETITIVE BIDDING FOR LIMITED CAPACITY PARKS.—Whenever an air tour management plan limits the number of commercial air tour operations over a national park during a specified time frame, the Administrator, in cooperation with the Director, shall issue operation specifications to commercial air tour operators that conduct such operations. The operation specifications shall include such terms and conditions as the Administrator and the Director find necessary for management of commercial air tour operations over the park. The Administrator, in cooperation with the Director, shall develop an open competitive process for evaluating proposals from persons interested in providing commercial air tour operations over the park. In making a selection from among various proposals submitted, the Administrator, in cooperation with the Director, shall consider relevant factors, including—

“(i) the safety record of the person submitting the proposal or pilots employed by the person;

“(ii) any quiet aircraft technology proposed to be used by the person submitting the proposal;

“(iii) the experience of the person submitting the proposal with commercial air tour operations over other national parks or scenic areas;

PUBLIC LAW 106–181—APR. 5, 2000

114 STAT. 187

“(iv) the financial capability of the person submitting the proposal;

“(v) any training programs for pilots provided by the person submitting the proposal; and

“(vi) responsiveness of the person submitting the proposal to any relevant criteria developed by the National Park Service for the affected park.

“(C) NUMBER OF OPERATIONS AUTHORIZED.—In determining the number of authorizations to issue to provide commercial air tour operations over a national park, the Administrator, in cooperation with the Director, shall take into consideration the provisions of the air tour management plan, the number of existing commercial air tour operators and current level of service and equipment provided by any such operators, and the financial viability of each commercial air tour operation.

“(D) COOPERATION WITH NPS.—Before granting an application under this paragraph, the Administrator, in cooperation with the Director, shall develop an air tour management plan in accordance with subsection (b) and implement such plan.

“(E) TIME LIMIT ON RESPONSE TO ATMP APPLICATIONS.—The Administrator shall make every effort to act on any application under this paragraph and issue a decision on the application not later than 24 months after it is received or amended.

Deadline.

“(F) PRIORITY.—In acting on applications under this paragraph to provide commercial air tour operations over a national park, the Administrator shall give priority to an application under this paragraph in any case in which a new entrant commercial air tour operator is seeking operating authority with respect to that national park.

“(3) EXCEPTION.—Notwithstanding paragraph (1), commercial air tour operators may conduct commercial air tour operations over a national park under part 91 of the title 14, Code of Federal Regulations if—

“(A) such activity is permitted under part 119 of such title;

“(B) the operator secures a letter of agreement from the Administrator and the national park superintendent for that national park describing the conditions under which the operations will be conducted; and

“(C) the total number of operations under this exception is limited to not more than five flights in any 30-day period over a particular park.

“(4) SPECIAL RULE FOR SAFETY REQUIREMENTS.—Notwithstanding subsection (c), an existing commercial air tour operator shall apply, not later than 90 days after the date of the enactment of this section, for operating authority under part 119, 121, or 135 of title 14, Code of Federal Regulations. A new entrant commercial air tour operator shall apply for such authority before conducting commercial air tour operations over a national park or tribal lands. The Administrator shall make every effort to act on any such application for a new entrant and issue a decision on the application not later than 24 months after it is received or amended.

114 STAT. 188  
Deadlines.

“(b) AIR TOUR MANAGEMENT PLANS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, shall establish an air tour management plan for any national park or tribal land for which such a plan is not in effect whenever a person applies for authority to conduct a commercial air tour operation over the park. The air tour management plan shall be developed by means of a public process in accordance with paragraph (4).

“(B) OBJECTIVE.—The objective of any air tour management plan shall be to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands.

“(2) ENVIRONMENTAL DETERMINATION.—In establishing an air tour management plan under this subsection, the Administrator and the Director shall each sign the environmental decision document required by section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) which may include a finding of no significant impact, an environmental assessment, or an environmental impact statement and the record of decision for the air tour management plan.

“(3) CONTENTS.—An air tour management plan for a national park—

“(A) may prohibit commercial air tour operations in whole or in part;

“(B) may establish conditions for the conduct of commercial air tour operations, including commercial air tour routes, maximum or minimum altitudes, time-of-day restrictions, restrictions for particular events, maximum number of flights per unit of time, intrusions on privacy on tribal lands, and mitigation of noise, visual, or other impacts;

“(C) shall apply to all commercial air tour operations within ½ mile outside the boundary of a national park;

“(D) shall include incentives (such as preferred commercial air tour routes and altitudes, relief from caps and curfews) for the adoption of quiet aircraft technology by commercial air tour operators conducting commercial air tour operations at the park;

“(E) shall provide for the initial allocation of opportunities to conduct commercial air tour operations if the plan includes a limitation on the number of commercial air tour operations for any time period; and

“(F) shall justify and document the need for measures taken pursuant to subparagraphs (A) through (E) and include such justifications in the record of decision.

“(4) PROCEDURE.—In establishing an air tour management plan for a national park or tribal lands, the Administrator and the Director shall—

“(A) hold at least one public meeting with interested parties to develop the air tour management plan;

“(B) publish the proposed plan in the Federal Register for notice and comment and make copies of the proposed plan available to the public;

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“(C) comply with the regulations set forth in sections 1501.3 and 1501.5 through 1501.8 of title 40, Code of Federal Regulations (for purposes of complying with the regulations, the Federal Aviation Administration shall be the lead agency and the National Park Service is a cooperating agency); and

“(D) solicit the participation of any Indian tribe whose tribal lands are, or may be, overflowed by aircraft involved in a commercial air tour operation over the park or tribal lands to which the plan applies, as a cooperating agency under the regulations referred to in subparagraph (C).

Native  
Americans.

“(5) JUDICIAL REVIEW.—An air tour management plan developed under this subsection shall be subject to judicial review.

“(6) AMENDMENTS.—The Administrator, in cooperation with the Director, may make amendments to an air tour management plan. Any such amendments shall be published in the Federal Register for notice and comment. A request for amendment of an air tour management plan shall be made in such form and manner as the Administrator may prescribe.

Federal Register,  
publication.

“(c) INTERIM OPERATING AUTHORITY.—

“(1) IN GENERAL.—Upon application for operating authority, the Administrator shall grant interim operating authority under this subsection to a commercial air tour operator for commercial air tour operations over a national park or tribal lands for which the operator is an existing commercial air tour operator.

“(2) REQUIREMENTS AND LIMITATIONS.—Interim operating authority granted under this subsection—

“(A) shall provide annual authorization only for the greater of—

“(i) the number of flights used by the operator to provide the commercial air tour operations within the 12-month period prior to the date of the enactment of this section; or

“(ii) the average number of flights per 12-month period used by the operator to provide such operations within the 36-month period prior to such date of enactment, and, for seasonal operations, the number of flights so used during the season or seasons covered by that 12-month period;

“(B) may not provide for an increase in the number of commercial air tour operations conducted during any time period by the commercial air tour operator above the number that the air tour operator was originally granted unless such an increase is agreed to by the Administrator and the Director;

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“(C) shall be published in the Federal Register to provide notice and opportunity for comment;

Federal Register,  
publication.

“(D) may be revoked by the Administrator for cause;

“(E) shall terminate 180 days after the date on which an air tour management plan is established for the park or tribal lands;

Termination  
date.

“(F) shall promote protection of national park resources, visitor experiences, and tribal lands;

“(G) shall promote safe commercial air tour operations;

“(H) shall promote the adoption of quiet technology, as appropriate; and

“(I) shall allow for modifications of the interim operating authority based on experience if the modification improves protection of national park resources and values and of tribal lands.

“(3) NEW ENTRANT AIR TOUR OPERATORS.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, may grant interim operating authority under this paragraph to an air tour operator for a national park or tribal lands for which that operator is a new entrant air tour operator if the Administrator determines the authority is necessary to ensure competition in the provision of commercial air tour operations over the park or tribal lands.

“(B) SAFETY LIMITATION.—The Administrator may not grant interim operating authority under subparagraph (A) if the Administrator determines that it would create a safety problem at the park or on the tribal lands, or the Director determines that it would create a noise problem at the park or on the tribal lands.

“(C) ATMP LIMITATION.—The Administrator may grant interim operating authority under subparagraph (A) of this paragraph only if the air tour management plan for the park or tribal lands to which the application relates has not been developed within 24 months after the date of the enactment of this section.

“(d) EXEMPTIONS.—This section shall not apply to—

“(1) the Grand Canyon National Park; or

“(2) tribal lands within or abutting the Grand Canyon National Park.

“(e) LAKE MEAD.—This section shall not apply to any air tour operator while flying over or near the Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) COMMERCIAL AIR TOUR OPERATOR.—The term ‘commercial air tour operator’ means any person who conducts a commercial air tour operation.

“(2) EXISTING COMMERCIAL AIR TOUR OPERATOR.—The term ‘existing commercial air tour operator’ means a commercial air tour operator that was actively engaged in the business of providing commercial air tour operations over a national park at any time during the 12-month period ending on the date of the enactment of this section.

“(3) NEW ENTRANT COMMERCIAL AIR TOUR OPERATOR.—The term ‘new entrant commercial air tour operator’ means a commercial air tour operator that—

“(A) applies for operating authority as a commercial air tour operator for a national park or tribal lands; and

“(B) has not engaged in the business of providing commercial air tour operations over the national park or tribal lands in the 12-month period preceding the application.

“(4) COMMERCIAL AIR TOUR OPERATION.—

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“(A) IN GENERAL.—The term ‘commercial air tour operation’ means any flight, conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over a national park, within ½ mile outside the boundary of any national park, or over tribal lands, during which the aircraft flies—

“(i) below a minimum altitude, determined by the Administrator in cooperation with the Director, above ground level (except solely for purposes of takeoff or landing, or necessary for safe operation of an aircraft as determined under the rules and regulations of the Federal Aviation Administration requiring the pilot-in-command to take action to ensure the safe operation of the aircraft); or

“(ii) less than 1 mile laterally from any geographic feature within the park (unless more than ½ mile outside the boundary).

“(B) FACTORS TO CONSIDER.—In making a determination of whether a flight is a commercial air tour operation for purposes of this section, the Administrator may consider—

“(i) whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

“(ii) whether a narrative that referred to areas or points of interest on the surface below the route of the flight was provided by the person offering the flight;

“(iii) the area of operation;

“(iv) the frequency of flights conducted by the person offering the flight;

“(v) the route of flight;

“(vi) the inclusion of sightseeing flights as part of any travel arrangement package offered by the person offering the flight;

“(vii) whether the flight would have been canceled based on poor visibility of the surface below the route of the flight; and

“(viii) any other factors that the Administrator and the Director consider appropriate.

“(5) NATIONAL PARK.—The term ‘national park’ means any unit of the National Park System.

“(6) TRIBAL LANDS.—The term ‘tribal lands’ means Indian country (as that term is defined in section 1151 of title 18) that is within or abutting a national park.

“(7) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Aviation Administration.

“(8) DIRECTOR.—The term ‘Director’ means the Director of the National Park Service.” 114 STAT. 192

(b) CONFORMING AMENDMENT.—The analysis for chapter 401 (as amended by section 706(b) of this Act) is further amended by adding at the end the following:

“40128. Overflights of national parks.”.

(c) COMPLIANCE WITH OTHER REGULATIONS.—For purposes of section 40126 of title 49, United States Code—

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(1) regulations issued by the Secretary of Transportation and the Administrator under section 3 of Public Law 100-91 (16 U.S.C. 1a-1 note); and

(2) commercial air tour operations carried out in compliance with the requirements of those regulations, shall be deemed to meet the requirements of such section 40126.

Arizona.  
Nevada.  
Deadline.

**SEC. 804. QUIET AIRCRAFT TECHNOLOGY FOR GRAND CANYON.**

Reports.

(a) **QUIET TECHNOLOGY REQUIREMENTS.**—Within 12 months after the date of the enactment of this Act, the Administrator shall designate reasonably achievable requirements for fixed-wing and helicopter aircraft necessary for such aircraft to be considered as employing quiet aircraft technology for purposes of this section. If the Administrator determines that the Administrator will not be able to make such designation before the last day of such 12-month period, the Administrator shall transmit to Congress a report on the reasons for not meeting such time period and the expected date of such designation.

Regulations.

(b) **ROUTES OR CORRIDORS.**—In consultation with the Director and the advisory group established under section 805, the Administrator shall establish, by rule, routes or corridors for commercial air tour operations (as defined in section 40126(e)(4) of title 49, United States Code) by fixed-wing and helicopter aircraft that employ quiet aircraft technology for—

(1) tours of the Grand Canyon originating in Clark County, Nevada; and

(2) “local loop” tours originating at the Grand Canyon National Park Airport, in Tusayan, Arizona, provided that such routes or corridors can be located in areas that will not negatively impact the substantial restoration of natural quiet, tribal lands, or safety.

(c) **OPERATIONAL CAPS.**—Commercial air tour operations by any fixed-wing or helicopter aircraft that employs quiet aircraft technology and that replaces an existing aircraft shall not be subject to the operational flight allocations that apply to other commercial air tour operations of the Grand Canyon, provided that the cumulative impact of such operations does not increase noise at the Grand Canyon.

(d) **MODIFICATION OF EXISTING AIRCRAFT TO MEET STANDARDS.**—A commercial air tour operation by a fixed-wing or helicopter aircraft in a commercial air tour operator’s fleet on the date of the enactment of this Act that meets the requirements designated under subsection (a), or is subsequently modified to meet the requirements designated under subsection (a), may be used for commercial air tour operations under the same terms and conditions as a replacement aircraft under subsection (c) without regard to whether it replaces an existing aircraft.

(e) **MANDATE TO RESTORE NATURAL QUIET.**—Nothing in this Act shall be construed to relieve or diminish—

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(1) the statutory mandate imposed upon the Secretary of the Interior and the Administrator of the Federal Aviation Administration under Public Law 100-91 (16 U.S.C. 1a-1 note) to achieve the substantial restoration of the natural quiet and experience at the Grand Canyon National Park; and

(2) the obligations of the Secretary and the Administrator to promulgate forthwith regulations to achieve the substantial



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restoration of the natural quiet and experience at the Grand Canyon National Park.

**SEC. 805. ADVISORY GROUP.**

49 USC 40128  
note.  
Deadline.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly establish an advisory group to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The advisory group shall be composed of—

(A) a balanced group of—

- (i) representatives of general aviation;
- (ii) representatives of commercial air tour operators;
- (iii) representatives of environmental concerns;
- and
- (iv) representatives of Indian tribes;

(B) a representative of the Federal Aviation Administration; and

(C) a representative of the National Park Service.

(2) **EX OFFICIO MEMBERS.**—The Administrator (or the designee of the Administrator) and the Director (or the designee of the Director) shall serve as ex officio members.

(3) **CHAIRPERSON.**—The representative of the Federal Aviation Administration and the representative of the National Park Service shall serve alternating 1-year terms as chairman of the advisory group, with the representative of the Federal Aviation Administration serving initially until the end of the calendar year following the year in which the advisory group is first appointed.

(c) **DUTIES.**—The advisory group shall provide advice, information, and recommendations to the Administrator and the Director—

(1) on the implementation of this title and the amendments made by this title;

(2) on commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) on other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) at the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands.

(d) **COMPENSATION; SUPPORT; FACILITATION.**—

(1) **COMPENSATION AND TRAVEL.**—Members of the advisory group who are not officers or employees of the United States, while attending conferences or meetings of the group or otherwise engaged in its business, or while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

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(2) **ADMINISTRATIVE SUPPORT.**—The Federal Aviation Administration and the National Park Service shall jointly furnish to the advisory group clerical and other assistance.

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(3) NONAPPLICATION OF FACA.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the advisory group.

\* \* \* \* \*

Deadlines.  
49 USC 40128  
note.

**SEC. 807. REPORTS.**

(a) OVERFLIGHT FEE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall transmit to Congress a report on the effects overflight fees are likely to have on the commercial air tour operation industry. The report shall include, but shall not be limited to—

(1) the viability of a tax credit for the commercial air tour operators equal to the amount of any overflight fees charged by the National Park Service; and

(2) the financial effects proposed offsets are likely to have on Federal Aviation Administration budgets and appropriations.

(b) QUIET AIRCRAFT TECHNOLOGY REPORT.—Not later than 2 years after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly transmit a report to Congress on the effectiveness of this title in providing incentives for the development and use of quiet aircraft technology.

49 USC 40128  
note.

**SEC. 808. METHODOLOGIES USED TO ASSESS AIR TOUR NOISE.**

Any methodology adopted by a Federal agency to assess air tour noise in any unit of the national park system (including the Grand Canyon and Alaska) shall be based on reasonable scientific methods.

\* \* \* \* \*

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Approved April 5, 2000.

**LEGISLATIVE HISTORY—H.R. 1000 (S. 82) (S. 1467):**

HOUSE REPORTS: Nos. 106–167 and Pt. 2 (Comm. on Transportation and Infrastructure) and 106–513 (Comm. of Conference).

SENATE REPORTS: No. 106–9 accompanying S. 82 (Comm. on Commerce, Science, and Transportation).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): June 15, considered and passed House.

Oct. 5, considered and passed Senate, amended, in lieu of S. 82.

Vol. 146 (2000): Mar. 8, Senate agreed to conference report.

Mar. 15, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):  
Apr. 5, Presidential statement.



PUBLIC LAW 106–249—JULY 26, 2000

114 STAT. 619

Public Law 106–249  
106th Congress

An Act

To direct the Secretary of the Interior to convey the Griffith Project to the Southern Nevada Water Authority.

July 26, 2000  
[S. 986]

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

Griffith Project  
Prepayment and  
Conveyance Act.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Griffith Project Prepayment and Conveyance Act”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) The term “Authority” means the Southern Nevada Water Authority, organized under the laws of the State of Nevada.

(2) The term “Griffith Project” means the Robert B. Griffith Water Project, authorized by and constructed pursuant to the Southern Nevada Water Project Act, Public Law 89–292, as amended (commonly known as the “Southern Nevada Water Project Act”) (79 Stat. 1068), including pipelines, conduits, pumping plants, intake facilities, aqueducts, laterals, water storage and regulatory facilities, electric substations, and related works and improvements listed pursuant to “Robert B. Griffith Water Project (Formerly Southern Nevada Water Project), Nevada: Southern Clark County, Lower Colorado Region Bureau of Reclamation”, on file at the Bureau of Reclamation and all interests in land acquired under Public Law 89–292, as amended.

(3) The term “Secretary” means the Secretary of the Interior.

(4) The term “Acquired Land(s)” means all interests in land, including fee title, right(s)-of-way, and easement(s), acquired by the United States from non-Federal sources by purchase, donation, exchange, or condemnation pursuant to Public Law 89–292, as amended for the Griffith Project.

(5) The term “Public Land” means lands which have never left Federal ownership and are under the jurisdiction of the Bureau of Land Management.

(6) The term “Withdrawn Land” means Federal lands which are withdrawn from settlement, sale, location of minerals, or entry under some or all of the general land laws and are reserved for a particular public purpose pursuant to Public Law 89–292, as amended, under the jurisdiction of the Bureau of Reclamation, or are reserved pursuant to Public Law 88–639 under the jurisdiction of the National Park Service.

**SEC. 3. CONVEYANCE OF GRIFFITH PROJECT.**

(a) **IN GENERAL.**—In consideration of the Authority assuming from the United States all liability for administration, operation, maintenance, and replacement of the Griffith Project and subject to the prepayment by the Authority of the Federal repayment amount of \$121,204,348 (which amount shall be increased to reflect any accrued unpaid interest and shall be decreased by the amount of any additional principal payments made by the Authority after September 15, 1999, prior to the date on which prepayment occurs), the Secretary shall, pursuant to the provisions of this Act—

(1) convey and assign to the Authority all of the right, title, and interest of the United States in and to improvements and facilities of the Griffith Project in existence as of the date of this Act;

(2) convey and assign to the Authority all of the right, title, and interest of the United States to Acquired Lands that were acquired for the Griffith Project; and

(3) convey and assign to the Authority all interests reserved and developed as of the date of this Act for the Griffith Project in lands patented by the United States.

(b) Pursuant to the authority of this section, from the effective date of conveyance of the Griffith Project, the Authority shall have a right-of-way at no cost across all Public Land and Withdrawn Land—

(1) on which the Griffith Project is situated; and

(2) across any Federal lands as reasonably necessary for the operation, maintenance, replacement, and repair of the Griffith Project, including existing access routes.

Rights-of-way established by this section shall be valid for as long as they are needed for municipal water supply purposes and shall not require payment of rental or other fee.

Deadline.

(c) Within twelve months after the effective date of this Act—

(1) the Secretary and the Authority shall agree upon a description of the land subject to the rights-of-way established by subsection (b) of this section; and

(2) the Secretary shall deliver to the Authority a document memorializing such rights-of-way.

(d) **REPORT.**—If the conveyance under subsection (a) has not occurred within twelve months after the effective date of this Act, the Secretary shall submit to Congress a report on the status of the conveyance.

**SEC. 4. RELATIONSHIP TO EXISTING CONTRACTS.**

The Secretary and the Authority may modify Contract No. 7-07-30-W0004 and other contracts and land permits as necessary to conform to the provisions of this Act.

**SEC. 5. RELATIONSHIP TO OTHER LAWS AND FUTURE BENEFITS.**

(a) If the Authority changes the use or operation of the Griffith Project, the Authority shall comply with all applicable laws and regulations governing the changes at that time.

(b) On conveyance of the Griffith Project under section 3 of this Act, the Act of June 17, 1902 (43 U.S.C. 391 et seq.), and all Acts amendatory thereof or supplemental thereto shall not apply to the Griffith Project. Effective upon transfer, the lands and facilities transferred pursuant to this Act shall not be entitled to receive any further Reclamation benefits pursuant to the Act of June 17,

Effective date.

## PUBLIC LAW 106–249—JULY 26, 2000

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1902, and all Acts amendatory thereof or supplemental thereto attributable to their status as a Federal Reclamation Project, and the Griffith Project shall no longer be a Federal Reclamation Project.

(c) Nothing in this Act shall transfer or affect Federal ownership, rights, or interests in Lake Mead National Recreation Area associated lands, nor affect the authorities of the National Park Service to manage Lake Mead National Recreation Area including lands on which the Griffith Project is located consistent with the Act of August 25, 1916 (39 Stat. 535), Public Law 88–639, October 8, 1964 (78 Stat. 1039), or any other applicable legislation, regulation, or policy.

(d) Nothing in this Act shall affect the application of Federal reclamation law to water delivered to the Authority pursuant to any contract with the Secretary under section 5 of the Boulder Canyon Project Act.

(e) Effective upon conveyance of the Griffith Project and acquired interests in land under section 3 of this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership of the conveyed property.

Effective date.

Approved July 26, 2000.

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**LEGISLATIVE HISTORY—S. 986:**

HOUSE REPORTS: No. 106–717 (Comm. on Resources).

SENATE REPORTS: No. 106–173 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): July 10, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 29, Presidential statement.



116 STAT. 1994

PUBLIC LAW 107–282—NOV. 6, 2002

Public Law 107–282  
107th Congress

An Act

Nov. 6, 2002  
[H.R. 5200]

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

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

Clark County  
Conservation of  
Public Land and  
Natural  
Resources Act of  
2002.  
16 USC  
460qqq note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Clark County Conservation of Public Land and Natural Resources Act of 2002”.

\* \* \* \* \*

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**TITLE II—WILDERNESS AREAS**

**SEC. 201. FINDINGS.**

The Congress finds that—

(1) public land in the County contains unique and spectacular natural resources, including—

(A) priceless habitat for numerous species of plants and wildlife; and

(B) thousands of acres of pristine land that remain in a natural state;

(2) continued preservation of those areas would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) conserving primitive recreational resources; and

(C) protecting air and water quality.

**SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.**

16 USC 1132  
note.

(a) **ADDITIONS.**—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

\* \* \* \* \*

(2) **BLACK CANYON WILDERNESS.**—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 17,220 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Black Canyon Wilderness”.

(3) **BRIDGE CANYON WILDERNESS.**—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 7,761 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Bridge Canyon Wilderness”.

(4) **ELDORADO WILDERNESS.**—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,950 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated

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October 1, 2002, which shall be known as the “Eldorado Wilderness”.

(5) IRETEBA PEAKS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 32,745 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Ireteba Peaks Wilderness”.

(6) JIMBILNAN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 18,879 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Jimbilnan Wilderness”.

\* \* \* \* \*

(11) MUDDY MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of land managed by the Bureau of Land Management, comprising approximately 48,019 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Muddy Mountains Wilderness”.

(12) NELLIS WASH WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 16,423 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Nellis Wash Wilderness”.

\* \* \* \* \*

(14) PINTO VALLEY WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 39,173 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Pinto Valley Wilderness”.

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\* \* \* \* \*

(17) SPIRIT MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 33,518 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Spirit Mountain Wilderness”.

\* \* \* \* \*

(b) BOUNDARY.—

(1) LAKE OFFSET.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by Lake Mead, Lake Mohave, or the Colorado River shall be 300 feet inland from the high water line.

(2) ROAD OFFSET.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

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## (c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area designated by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

Public inspection.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, National Park Service, or Forest Service, as applicable.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated in this section are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

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(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**SEC. 203. ADMINISTRATION.**

(a) MANAGEMENT.—Subject to valid existing rights, each area designated as wilderness by this title shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior with respect to lands administered by the Secretary of the Interior.

\* \* \* \* \*

(c) INCORPORATION OF ACQUIRED LANDS AND INTERESTS.—Any land or interest in land within the boundaries of an area designated as wilderness by this title that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area within which the acquired land or interest is located.

## (d) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the lands designated as Wilderness by this Act are within the Mojave Desert, are arid in nature, and include ephemeral streams;

(B) the hydrology of the lands designated as wilderness by this Act is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the lands designated as wilderness by this Act are generally not suitable for use or development of new



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water resource facilities and there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the wilderness or other values of such lands; and

(E) because of the unique nature and hydrology of these desert lands designated as wilderness by this Act and the existence of the Clark County Multi-Species Habitat Conservation Plan it is possible to provide for proper management and protection of the wilderness, perennial springs and other values of such lands in ways different from those used in other legislation.

(2) STATUTORY CONSTRUCTION.—

(A) Nothing in this Act shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the lands designated as Wilderness by this Act.

116 STAT. 2003

(B) Nothing in this Act shall affect any water rights in the State of Nevada existing on the date of the enactment of this Act, including any water rights held by the United States.

(C) Nothing in this subsection shall be construed as establishing a precedent with regard to any future wilderness designations.

(D) Nothing in this Act shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State of Nevada and other States.

(E) Nothing in this subsection shall be construed as limiting, altering, modifying, or amending the Clark County Multi-Species Habitat Conservation Plan (MSHCP) with respect to the lands designated as Wilderness by this Act including the MSHCP's specific management actions for the conservation of perennial springs.

(3) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of the law of the State of Nevada in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas designated by this Act.

(4) NEW PROJECTS.—

(A) As used in this paragraph, the term “water resource” facility means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures. The term “water resource” facility does not include wildlife guzzlers.

(B) Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness areas designated by this Act.

116 STAT. 2003

PUBLIC LAW 107-282—NOV. 6, 2002

**SEC. 204. ADJACENT MANAGEMENT.**

(a) **IN GENERAL.**—Congress does not intend for the designation of wilderness in the State pursuant to this title to lead to the creation of protective perimeters or buffer zones around any such wilderness area.

(b) **NONWILDERNESS ACTIVITIES.**—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness designated under this title shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

**SEC. 205. MILITARY OVERFLIGHTS.**

Nothing in this title restricts or precludes—

(1) low-level overflights of military aircraft over the areas designated as wilderness by this title, including military overflights that can be seen or heard within the wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

116 STAT. 2004

**SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.**

Nothing in this Act shall be construed to diminish the rights of any Indian Tribe. Nothing in this Act shall be construed to diminish tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

\* \* \* \* \*

116 STAT. 2005

**SEC. 208. WILDLIFE MANAGEMENT.**

(a) **IN GENERAL.**—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas designated by this title.

(b) **MANAGEMENT ACTIVITIES.**—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by this title where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes with the minimum impact necessary to reasonably accomplish the task.

(c) **EXISTING ACTIVITIES.**—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.

PUBLIC LAW 107–282—NOV. 6, 2002

116 STAT. 2005

(d) **WILDLIFE WATER DEVELOPMENT PROJECTS.**—Subject to subsection (f), the Secretary shall, authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) **HUNTING, FISHING, AND TRAPPING.**—The Secretary may designate by regulation areas in consultation with the appropriate State agency (except in emergencies), in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas designated by this title.

(f) **COOPERATIVE AGREEMENT.**—No later than one year after the date of enactment of this Act, the Secretary shall enter into a cooperative agreement with the State of Nevada. The cooperative agreement shall specify the terms and conditions under which the State (including a designee of the State) may use wildlife management activities in the wilderness areas designated by this title.

Deadline.

#### **SEC. 209. WILDFIRE MANAGEMENT.**

Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the wilderness areas designated by this title.

#### **SEC. 210. CLIMATOLOGICAL DATA COLLECTION.**

116 STAT. 2006

Subject to such terms and conditions as the Secretary may prescribe, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas designated by this title if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

#### **SEC. 211. NATIONAL PARK SERVICE LANDS.**

To the extent any of the provisions of this title are in conflict with laws, regulations, or management policies applicable to the National Park Service for Lake Mead National Recreation Area, those laws, regulations, or policies shall control.

### **TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION**

\* \* \* \* \*

#### **SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION TO NATIONAL PARK SERVICE.**

16 USC 460n–1  
note.

(a) **IN GENERAL.**—Administrative jurisdiction over the parcel of land described in subsection (b) is transferred from the Bureau of Land Management to the National Park Service for inclusion in the Lake Mead National Recreation Area.

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the approximately 10 acres of Bureau of Land

116 STAT. 2006

PUBLIC LAW 107–282—NOV. 6, 2002

Management land, as depicted on the map entitled “Eldorado/Spirit Mountain” and dated October 1, 2002.

(c) USE OF LAND.—The parcel of land described in subsection (b) shall be used by the National Park Service for administrative facilities.

\* \* \* \* \*

116 STAT. 2019

Approved November 6, 2002.

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LEGISLATIVE HISTORY—H.R. 5200 (S. 2612):

HOUSE REPORTS: No. 107–750 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 148 (2002):

Oct. 16, considered and passed House.  
Oct. 17, considered and passed Senate.



**9. Lake Roosevelt**

PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 414

Public Law 107-63  
107th Congress**An Act**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.Nov. 5, 2001  
[H.R. 2217]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

115 STAT. 436

\* \* \* \* \*

SEC. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority: *Provided*, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990, (Lake Roosevelt Cooperative Management Agreement) that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

115 STAT. 438

115 STAT. 439

\* \* \* \* \*

115 STAT. 473

PUBLIC LAW 107-63—NOV. 5, 2001

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”.

Approved November 5, 2001.

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LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107-103 (Comm. on Appropriations) and 107-234 (Comm. of Conference).

SENATE REPORTS: No. 107-36 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):  
Nov. 5, Presidential statement.



**10. Santa Monica Mountains**

PUBLIC LAW 107–236—OCT. 9, 2002

116 STAT. 1483

Public Law 107–236  
107th Congress

**An Act**

To adjust the boundaries of Santa Monica Mountains National Recreation Area,  
and for other purposes.

Oct. 9, 2002

[H.R. 640]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Santa Monica Mountains National  
Recreation Area Boundary Adjustment Act”.

**SEC. 2. BOUNDARY ADJUSTMENT.**

Section 507(c) of the National Parks and Recreation Act of  
1978 (92 Stat. 3501; 16 U.S.C. 460kk) establishing Santa Monica  
Mountains National Recreation Area is amended—

(1) in paragraph (1), by striking “Boundary Map, Santa  
Monica Mountains National Recreation Area, California, and  
Santa Monica Mountains Zone’, numbered SMM–NRA 80,000,  
and dated May 1978” and inserting “Santa Monica Mountains  
National Recreation Area and Santa Monica Mountains Zone,  
California, Boundary Map’, numbered 80,047–C and dated  
August 2001”; and

(2) by adding the following sentence after the third sentence  
of paragraph (2)(A): “Lands within the ‘Wildlife Corridor Expan-  
sion Zone’ identified on the boundary map referred to in para-  
graph (1) may be acquired only by donation or with donated  
funds.”.

**SEC. 3. TECHNICAL CORRECTIONS.**

Section 507 of the National Parks and Recreation Act of 1978  
(92 Stat. 3501; 16 U.S.C. 460kk) establishing Santa Monica Moun-  
tains National Recreation Area is amended—

(1) in subsection (c)(1), by striking “Committee on Natural  
Resources” and inserting “Committee on Resources”;

(2) in subsection (c)(2)(B), by striking “of certain” in the  
first sentence and inserting “certain”; and

Santa Monica  
Mountains  
National  
Recreation Area  
Adjustment Act.  
California.  
16 USC 1 note.

116 STAT. 1484

PUBLIC LAW 107-236—OCT. 9, 2002

(3) in subsection (n)(5), by striking “laws” in the second sentence and inserting “laws,”.

Approved October 9, 2002.

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LEGISLATIVE HISTORY—H.R. 640:

HOUSE REPORTS: No. 170-90 (Comm. on Resources).

SENATE REPORTS: No. 107-204 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): June 6, considered and passed House.

Vol. 148 (2002): Aug. 1, considered and passed Senate, amended.

Sept. 24, House concurred in Senate amendment.





XIV. NATIONAL RIVERS

1. Mississippi National River and Recreation Area

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress

An Act

Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.

Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

DIVISION B

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106–479 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



113 STAT. 1501A-135 PUBLIC LAW 106-113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A-142**NATIONAL PARK SERVICE**

\* \* \* \* \*

113 STAT.  
1501A-154**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A-170

SEC. 140. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

113 STAT.  
1501A-171

\* \* \* \* \*

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

## An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000

[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

## TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

\* \* \* \* \*

SEC. 127. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

114 STAT. 945

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



114 STAT. 2763

PUBLIC LAW 106–554—DEC. 21, 2000

\* Public Law 106–554  
106th Congress

An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

---

LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A-214

**TITLE I**

\* \* \* \* \*

SEC. 130. The Secretary of the Interior is authorized to make a grant of \$1,300,000 to the State of Minnesota or its political subdivision from funds available to the National Park Service under the heading “Land Acquisition and State Assistance” in Public Law 106-291 to cover the cost of acquisition of land in Lower Phalen Creek near St. Paul, Minnesota in the Mississippi National River and Recreation Area.

114 STAT.  
2763A-230

\* \* \* \* \*

SEC. 135. Funds provided in Public Law 106-291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

\* \* \* \* \*

## 2. New River Gorge

116 STAT. 3013

PUBLIC LAW 107-356—DEC. 17, 2002

### Public Law 107-356 107th Congress

#### An Act

Dec. 17, 2002  
[H.R. 3858]

New River Gorge  
Boundary Act of  
2002.  
16 USC 460m-15  
note.

To modify the boundaries of the New River Gorge National River, West Virginia.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “New River Gorge Boundary  
Act of 2002”.

#### SEC. 2. NEW RIVER GORGE NATIONAL RIVER BOUNDARY MODIFICA- TIONS.

(a) BOUNDARY MODIFICATION.—Section 1101 of the National  
Parks and Recreation Act of 1978 (16 U.S.C. 460m-15) is amended  
by striking “NERI-80,028A, dated March 1996” and inserting  
“NERI 80,034, dated May 2001”.

16 USC 460m-15  
note.

#### (b) LAND EXCHANGE.—

(1) IN GENERAL.—The Secretary of the Interior shall com-  
plete a fee simple land exchange in the vicinity of Beauty  
Mountain, Fayette County, West Virginia, to acquire a tract  
of land identified as NERI Tract Number 150-07 that lies  
adjacent to the boundary of the New River Gorge National  
River in exchange for a tract of land identified as NERI Tract  
Number 150-08 located within such boundary.

(2) TREATMENT OF EXCHANGED LANDS.—Upon the comple-  
tion of such land exchange—

(A) the land acquired by the United States in the  
exchange shall be included in the boundaries, and adminis-  
tered as part, of the New River Gorge National River;  
and

(B) the land conveyed by the United States in the  
exchange shall be excluded from the boundaries, and shall  
not be administered as part, of the New River Gorge  
National River.

Approved December 17, 2002.

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#### LEGISLATIVE HISTORY—H.R. 3858:

HOUSE REPORTS: No. 107-509 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 148 (2002):  
June 24, considered and passed House.  
Nov. 19, considered and passed Senate.





## XV. NATIONAL RESERVES

### 1. City of Rocks

PUBLIC LAW 106–421—NOV. 1, 2000

114 STAT. 1870

Public Law 106–421  
106th Congress

#### An Act

To direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

Nov. 1, 2000

[S. 1705]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Castle Rock Ranch Acquisition Act of 2000”.

Castle Rock  
Ranch  
Acquisition Act of  
2000.

16 USC 431 note.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) MONUMENT.—The term “Monument” means the Hagerman Fossil Beds National Monument, Idaho, depicted on the National Park Service map numbered 300/80,000, C.O. No. 161, and dated January 7, 1998.

(2) RANCH.—The term “Ranch” means the land comprising approximately 1,240 acres situated outside the boundary of the Reserve, known as the “Castle Rock Ranch”.

(3) RESERVE.—The term “Reserve” means the City of Rocks National Reserve, located near Almo, Idaho, depicted on the National Park Service map numbered 003/80,018, C.O. No. 169, and dated March 25, 1999.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

#### SEC. 3. ACQUISITION OF CASTLE ROCK RANCH.

(a) IN GENERAL.—Subject to subsection (b), the Secretary shall acquire, by donation or by purchase with donated or appropriated funds, the Ranch.

(b) CONSENT OF LANDOWNER.—The Secretary shall acquire land under subsection (a) only with the consent of the owner of the land.

#### SEC. 4. LAND EXCHANGE.

(a) IN GENERAL.—

(1) FEDERAL AND STATE EXCHANGE.—Subject to subsection (b), on completion of the acquisition under section 3(a), the Secretary shall convey the Ranch to the State of Idaho in exchange for approximately 492.87 acres of land near Hagerman, Idaho, located within the boundary of the Monument.

(2) STATE AND PRIVATE LANDOWNER EXCHANGE.—On completion of the exchange under paragraph (1), the State

114 STAT. 1871

PUBLIC LAW 106-421—NOV. 1, 2000

of Idaho may exchange portions of the Ranch for private land within the boundaries of the Reserve, with the consent of the owners of the private land.

(b) **CONDITION OF EXCHANGE.**—As a condition of the land exchange under subsection (a)(1), the State of Idaho shall administer all private land acquired within the Reserve through an exchange under this Act in accordance with title II of the Arizona-Idaho Conservation Act of 1988 (16 U.S.C. 460yy et seq.).

(c) **ADMINISTRATION.**—State land acquired by the United States in the land exchange under subsection (a)(1) shall be administered by the Secretary as part of the Monument.

(d) **NO EXPANSION OF RESERVE.**—Acquisition of the Ranch by a Federal or State agency shall not constitute any expansion of the Reserve.

(e) **NO EFFECT ON EASEMENTS.**—Nothing in this Act affects any easement in existence on the date of enactment of this Act.

Approved November 1, 2000.

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**LEGISLATIVE HISTORY—S. 1705:**

HOUSE REPORTS: No. 106-749 (Comm. on Resources).

SENATE REPORTS: No. 106-262 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

Oct. 17, considered and passed House.



## XVI. NATIONAL PARKS FOR THE PERFORMING ARTS

### 1. Wolf Trap

PUBLIC LAW 107–219—AUG. 21, 2002

116 STAT. 1330

Public Law 107–219  
107th Congress

#### An Act

To rename Wolf Trap Farm Park as “Wolf Trap National Park for the Performing Arts”, and for other purposes.

Aug. 21, 2002  
[H.R. 2440]

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

#### SECTION 1. RENAMING OF WOLF TRAP FARM PARK.

(a) AMENDMENT.—The Wolf Trap Farm Park Act (Public Law 89–671; 16 U.S.C. 284 et seq.) is amended—

(1) by striking “Wolf Trap Farm Park” each place it appears and inserting “Wolf Trap National Park for the Performing Arts”; 16 USC 284 and note, 284j.

(2) in section 2, by inserting before the final period “, except that laws, rules, or regulations that are applicable solely to units of the National Park System that are designated as a ‘National Park’ shall not apply to Wolf Trap National Park for the Performing Arts”; and 16 USC 284a.

(3) by adding at the end the following new section:

#### “SEC. 14. REFERENCES.

16 USC 284k.

“(a) BY FEDERAL EMPLOYEES.—The Secretary of the Interior, any other Federal employee, and any employee of the Foundation, with respect to any reference to the park in any map, publication, sign, notice, or other official document or communication of the Federal Government or Foundation shall refer to the park as ‘Wolf Trap National Park for the Performing Arts’.

“(b) OTHER SIGNS AND NOTICES.—Any directional or official sign or notice pertaining to the park shall refer to the park as ‘Wolf Trap National Park for the Performing Arts’.

“(c) FEDERAL LAWS AND DOCUMENTS.—Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to ‘Wolf Trap Farm Park’ shall be considered to be a reference to ‘Wolf Trap National Park for the Performing Arts’.”. 16 USC 1e, 284c note.

(b) APPLICABILITY.—Section 14(c) of the Wolf Trap Farm Park Act (as added by subsection (a) of this section) shall not apply to this Act. 16 USC 284k note.

#### SEC. 2. TECHNICAL CORRECTIONS.

Section 4(c) of the Wolf Trap Farm Park Act (Public Law 89–671; 16 U.S.C. 284c(c)) is amended—

(1) by realigning the second sentence so as to appear flush with the left margin; and

(2) by striking “Funds” and inserting “funds”.

Approved August 21, 2002.

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LEGISLATIVE HISTORY—H.R. 2440:

HOUSE REPORTS: No. 107-330 (Comm. on Resources).

SENATE REPORTS: No. 107-182 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Dec. 11, considered and passed House.

Vol. 148 (2002): Aug. 1, considered and passed Senate.



XVII. NATIONAL PARKWAYS

1. Blue Ridge

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000

[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2001,  
and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

\* \* \* \* \*

SEC. 155. BLUE RIDGE PARKWAY. (a) The Blue Ridge Parkway  
headquarters building located at 199 Hemphill Knob in Asheville,  
North Carolina, shall be known and designated as the “Gary E.  
Everhardt Headquarters Building”.

114 STAT. 962

(b) Any reference in a law, map, regulation, document, paper,  
or other record of the United States to the headquarters building  
referred to in subsection (a) shall be deemed to be a reference  
to the “Gary E. Everhardt Headquarters Building”.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior  
and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



**2. George Washington**

114 STAT. 1795

PUBLIC LAW 106–412—NOV. 1, 2000

**Public Law 106–412  
106th Congress****An Act**

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Nov. 1, 2000  
[H.R. 4835]

To authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, 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. AUTHORIZATION OF LAND EXCHANGE.**

The Secretary of the Interior and the Director of Central Intelligence are authorized to exchange approximately 1.74 acres of land under the jurisdiction of the Department of the Interior within the boundary of the George Washington Memorial Parkway for approximately 2.92 acres of land under the jurisdiction of the Central Intelligence Agency adjacent to the boundary of the George Washington Memorial Parkway. The land to be conveyed by the Secretary of the Interior to the Central Intelligence Agency is depicted on National Park Service Drawing No. 850/81992, dated August 6, 1998. The land to be conveyed by the Central Intelligence Agency to the Secretary of the Interior is depicted on National Park Service Drawing No. 850/81991, Sheet 1, dated August 6, 1998. These maps shall be available for public inspection in the appropriate offices of the National Park Service.

**SEC. 2. CONDITIONS OF LAND EXCHANGE.**

The land exchange authorized under section 1 shall be subject to the following conditions:

(1) **NO REIMBURSEMENT OF CONSIDERATION.**—The exchange shall occur without reimbursement or consideration.

(2) **PUBLIC ACCESS.**—The Director of Central Intelligence shall allow public access to the property transferred from the National Park Service and depicted on National Park Service Drawing No. 850/81992. Such access shall be for a motor vehicle turn-around on the George Washington Memorial Parkway.

(3) **OTHER ACCESS.**—The Director of Central Intelligence shall allow access to—

(A) personnel of the Federal Highway Administration Turner-Fairbank Highway Research Center as is provided for in the Federal Highway Administration's (FHWA) report of excess, dated May 20, 1971, which states, "Right-of-access by FHWA to and from the tract retained to the George Washington Parkway and to State Route 193 is to be held in perpetuity, or until released by FHWA"; and

## PUBLIC LAW 106–412—NOV. 1, 2000

114 STAT. 1796

(B) other Federal Government employees and visitors whose admission to the Research Center is authorized by the Turner-Fairbank Highway Research Center.

(4) CLOSURE.—The Central Intelligence Agency shall have the right to close off, by whatever means necessary, the transferred property depicted on National Park Service Drawing No. 850/81992, dated August 6, 1998, to all persons except United States Park Police, other necessary National Park Service personnel, and personnel of the Federal Highway Administration Turner-Fairbank Highway Research Center when the Central Intelligence Agency has determined that the physical security conditions dictate in order to protect Central Intelligence Agency personnel, facilities, or property. Any such closure shall not exceed 12 hours in duration within a 24-hour period without consultation with the National Park Service, Federal Highway Administration Turner-Fairbank Highway Research Center facility and the United States Park Police. No action shall be taken to diminish use of the area for access to the Federal Highway Administration Turner-Fairbank facility except when the area is closed for security reasons.

(5) COMPLIANCE WITH DEED RESTRICTIONS.—The Director shall ensure compliance by the Central Intelligence Agency with the deed restrictions for the transferred property as depicted on National Park Service Drawing No. 850/81992, dated August 6, 1998.

(6) COMPLIANCE WITH AGREEMENT.—The National Park Service and the Central Intelligence Agency shall comply with the terms and conditions of the Interagency Agreement between the National Park Service and the Central Intelligence Agency signed in 1998 regarding the exchange and management of the lands discussed in that agreement.

(7) DEADLINE.—The Secretary of the Interior and the Director of Central Intelligence shall complete the transfers authorized by this section not later than 120 days after the date of the enactment of this Act.

**SEC. 3. MANAGEMENT OF EXCHANGED LANDS.**

(a) INTERIOR LANDS.—The land conveyed to the Secretary of the Interior under section 1 shall be included within the boundary of the George Washington Memorial Parkway and shall be administered by the National Park Service as part of the parkway subject to the laws and regulations applicable thereto.

114 STAT. 1797

PUBLIC LAW 106–412—NOV. 1, 2000

(b) CIA LANDS.—The land conveyed to the Central Intelligence Agency under section 1 shall be administered as part of the headquarters building compound of the Central Intelligence Agency.

Approved November 1, 2000.

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LEGISLATIVE HISTORY—H.R. 4835 (S. 3000):

HOUSE REPORTS: No. 106–895, Pt. 1 (Comm. on Resources).

SENATE REPORTS: No. 106–432 accompanying S. 3000 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 26, considered and passed House.

Oct. 19, considered and passed Senate.





**3. Natchez Trace**

PUBLIC LAW 106–527—NOV. 22, 2000

114 STAT. 2515

Public Law 106–527  
106th Congress

**An Act**

To adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

Nov. 22, 2000  
[S. 2020]

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

**SECTION 1. DEFINITIONS.**

16 USC 460 note.

In this Act:

(1) PARKWAY.—The term “Parkway” means the Natchez Trace Parkway, Mississippi.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 2. BOUNDARY ADJUSTMENT AND LAND ACQUISITION.**

16 USC 460 note.

(a) IN GENERAL.—The Secretary shall adjust the boundary of the Parkway to include approximately—

(1) 150 acres of land, as generally depicted on the map entitled “Alternative Alignments/Area”, numbered 604–20062A and dated May 1998; and

(2) 80 acres of land, as generally depicted on the map entitled “Emerald Mound Development Concept Plan”, numbered 604–20042E and dated August 1987.

(b) MAPS.—The maps referred to in subsection (a) shall be on file and available for public inspection in the office of the Director of the National Park Service.

(c) ACQUISITION.—The Secretary may acquire the land described in subsection (a) by donation, purchase with donated or appropriated funds, or exchange (including exchange with the State of Mississippi, local governments, and private persons).

(d) ADMINISTRATION.—Land acquired under this section shall be administered by the Secretary as part of the Parkway.

**SEC. 3. AUTHORIZATION OF LEASING.**

16 USC 460 note.

The Secretary, acting through the Superintendent of the Parkway, may lease land within the boundary of the Parkway to the city of Natchez, Mississippi, for any purpose compatible with the Parkway.

114 STAT. 2516

PUBLIC LAW 106–527—NOV. 22, 2000

16 USC 460 note. **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved November 22, 2000.

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**LEGISLATIVE HISTORY—S. 2020:**

**SENATE REPORTS:** No. 106–332 (Comm. on Energy and Natural Resources).  
**CONGRESSIONAL RECORD,** Vol. 146 (2000):

July 27, considered and passed Senate.

Oct. 30, 31, considered and passed House.



XVIII. INTERNATIONAL HISTORIC SITE

1. Saint Croix Island

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress

An Act

Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.

Nov. 29, 1999

[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:*

\* \* \* \* \*

DIVISION B

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106–479 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–154**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A–168

**SEC. 134. QUADRICENTENNIAL COMMEMORATION OF THE SAINT CROIX ISLAND INTERNATIONAL HISTORIC SITE.** (a) **FINDINGS.**—The Senate finds that—

(1) in 1604, one of the first European colonization efforts was attempted at St. Croix Island in Calais, Maine;

(2) St. Croix Island settlement predated both the Jamestown and Plymouth colonies;

(3) St. Croix Island offers a rare opportunity to preserve and interpret early interactions between European explorers and colonists and Native Americans;

(4) St. Croix Island is one of only two international historic sites comprised of land administered by the National Park Service;

(5) the quadricentennial commemorative celebration honoring the importance of the St. Croix Island settlement to the countries and people of both Canada and the United States is rapidly approaching;

(6) the 1998 National Park Service management plans and long-range interpretive plan call for enhancing visitor facilities at both Red Beach and downtown Calais;

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

113 STAT.  
1501A–169

(8) the Department of Canadian Heritage has installed extensive interpretive sites on the Canadian side of the border; and

(9) current facilities at Red Beach and Calais are extremely limited or nonexistent for a site of this historic and cultural importance.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) using funds made available by this Act, the National Park Service should expeditiously pursue planning for exhibits at Red Beach and the town of Calais, Maine; and

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–169

(2) the National Park Service should take what steps are necessary, including consulting with the people of Calais, to ensure that appropriate exhibits at Red Beach and the town of Calais are completed by 2004.

\* \* \* \* \*

114 STAT. 2524

PUBLIC LAW 106–529—NOV. 22, 2000

Public Law 106–529  
106th Congress

An Act

Nov. 22, 2000  
[S. 2485]

To direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

Saint Croix  
Island Heritage  
Act.  
16 USC 450hh  
note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Saint Croix Island Heritage Act”.

16 USC 450hh  
note.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) Saint Croix Island is located in the Saint Croix River, a river that is the boundary between the State of Maine and Canada;

(2) the Island is the only international historic site in the National Park System;

(3) in 1604, French nobleman Pierre Dugua Sieur de Mons, accompanied by a courageous group of adventurers that included Samuel Champlain, landed on the Island and began the construction of a settlement;

(4) the French settlement on the Island in 1604 and 1605 was the initial site of the first permanent settlement in the New World, predating the English settlement of 1607 at Jamestown, Virginia;

(5) many people view the expedition that settled on the Island in 1604 as the beginning of the Acadian culture in North America;

(6) in October, 1998, the National Park Service completed a general management plan to manage and interpret the Saint Croix Island International Historic Site;

(7) the plan addresses a variety of management alternatives, and concludes that the best management strategy entails developing an interpretive trail and ranger station at Red Beach, Maine, and a regional heritage center in downtown Calais, Maine, in cooperation with Federal, State, and local agencies;

(8) a 1982 memorandum of understanding, signed by the Department of the Interior and the Canadian Department for the Environment, outlines a cooperative program to commemorate the international heritage of the Saint Croix Island site and specifically to prepare for the 400th anniversary of the settlement in 2004; and

## PUBLIC LAW 106–529—NOV. 22, 2000

114 STAT. 2525

(9) only 4 years remain before the 400th anniversary of the settlement at Saint Croix Island, an occasion that should be appropriately commemorated.

(b) **PURPOSE.**—The purpose of this Act is to direct the Secretary of the Interior to take all necessary and appropriate steps to work with Federal, State, and local agencies, historical societies, and nonprofit organizations to facilitate the development of a regional heritage center in downtown Calais, Maine before the 400th anniversary of the settlement of Saint Croix Island.

**SEC. 3. DEFINITIONS.**16 USC 450hh  
note.

In this Act:

(1) **ISLAND.**—The term “Island” means Saint Croix Island, located in the Saint Croix River, between Canada and the State of Maine.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

**SEC. 4. SAINT CROIX ISLAND REGIONAL HERITAGE CENTER.**16 USC 450hh  
note.

(a) **IN GENERAL.**—The Secretary shall provide assistance in planning, constructing, and operating a regional heritage center in downtown Calais, Maine, to facilitate the management and interpretation of the Saint Croix Island International Historic Site.

(b) **COOPERATIVE AGREEMENTS.**—To carry out subsection (a), in administering the Saint Croix Island International Historic Site, the Secretary may enter into cooperative agreements under appropriate terms and conditions with other Federal agencies, State and local agencies and nonprofit organizations—

(1) to provide exhibits, interpretive services (including employing individuals to provide such services), and technical assistance;

(2) to conduct activities that facilitate the dissemination of information relating to the Saint Croix Island International Historic Site;

(3) to provide financial assistance for the construction of the regional heritage center in exchange for space in the center that is sufficient to interpret the Saint Croix Island International Historic Site; and

(4) to assist with the operation and maintenance of the regional heritage center.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**16 USC 450hh  
note.

(a) **DESIGN AND CONSTRUCTION.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this Act (including the design and construction of the regional heritage center) \$2,000,000.

(2) **EXPENDITURE.**—Paragraph (1) authorizes funds to be appropriated on the condition that any expenditure of those funds shall be matched on a dollar-for-dollar basis by funds from non-Federal sources.

114 STAT. 2526

PUBLIC LAW 106-529—NOV. 22, 2000

(b) OPERATION AND MAINTENANCE.—There are authorized to be appropriated such sums as are necessary to maintain and operate interpretive exhibits in the regional heritage center.

Approved November 22, 2000.

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LEGISLATIVE HISTORY—S. 2485:

SENATE REPORTS: No. 106-319 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.  
Oct. 30, considered and passed House.





## XIX. WILD AND SCENIC RIVERS

### 1. Eightmile (study)

PUBLIC LAW 107–65—NOV. 6, 2001

115 STAT. 484

Public Law 107–65  
107th Congress

#### An Act

To amend the Wild and Scenic Rivers Act to designate a segment of the Eightmile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

Nov. 6, 2001

[H.R. 182]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Eightmile River Wild and Scenic River Study Act of 2001”.

Eightmile River  
Wild and Scenic  
River Study Act  
of 2001.  
16 USC 1271  
note.

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) the Eightmile River in the State of Connecticut possesses important resource values, including wildlife, ecological, and scenic values, and historic sites and a cultural past important to America’s heritage;

(2) there is strong support among State and local officials, area residents, and river users for a cooperative wild and scenic river study of the area; and

(3) there is a longstanding interest among State and local officials, area residents, and river users in undertaking a concerted cooperative effort to manage the river in a productive and meaningful way.

#### SEC. 3. DESIGNATION FOR STUDY.

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following new paragraph:

“(138) EIGHTMILE RIVER, CONNECTICUT.—The segment from its headwaters downstream to its confluence with the Connecticut River.”.

#### SEC. 4. STUDY AND REPORT.

Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following new paragraph:

“(18) The study of the Eightmile River, Connecticut, named in paragraph (138) of subsection (a) shall be completed by the Secretary of the Interior and the report thereon submitted to Congress not later than 3 years after the date of the enactment of this paragraph.”.

115 STAT. 485

PUBLIC LAW 107–65—NOV. 6, 2001

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved November 6, 2001.

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**LEGISLATIVE HISTORY—H.R. 182:**

HOUSE REPORTS: No. 107–36 (Comm. on Resources).

SENATE REPORTS: No. 107–75 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 147 (2001):

May 1, considered and passed House.

Oct. 17, considered and passed Senate.



**2. Lamprey**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 106. LAMPREY WILD AND SCENIC RIVER.**

114 STAT. 25

(a) TECHNICAL CORRECTION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by section 405(a) of division I of the Omnibus Parks Act (110 Stat. 4149), is amended in the second sentence of the paragraph relating to the Lamprey River, New Hampshire, by striking “through cooperation agreements” and inserting “through cooperative agreements”.

114 STAT. 26

(b) CROSS REFERENCE.—Section 405(b)(1) of division I of the Omnibus Parks Act (110 Stat. 4149; 16 U.S.C. 1274 note) is amended by striking “this Act” and inserting “the Wild and Scenic Rivers Act”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



114 STAT. 233

PUBLIC LAW 106–192—MAY 2, 2000

Public Law 106–192  
106th Congress

An Act

May 2, 2000  
[H.R. 1615]

To amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment.

Lamprey Wild  
and Scenic River  
Extension Act.  
16 USC 1271  
note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Lamprey Wild and Scenic River Extension Act”.

**SEC. 2. LAMPREY RECREATIONAL RIVER, NEW HAMPSHIRE.**

(a) **ADDITIONAL SEGMENT.**—The paragraph entitled “LAMPREY RIVER, NEW HAMPSHIRE” in section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by striking “11.5-mile segment extending from the southern Lee town line” and inserting “23.5-mile segment extending from the Bunker Pond Dam in Epping”; and

(2) by striking “towns of” and inserting “towns of Epping”.

(b) **MANAGEMENT.**—Section 405 of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4149; 16 U.S.C. 1274 note) is amended—

(1) in subsection (b)(2), by inserting “Epping,” before “Durham”; and

(2) by striking subsection (c).

Approved May 2, 2000.

**LEGISLATIVE HISTORY—H.R. 1615:**

HOUSE REPORTS: No. 106–368 (Comm. on Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Oct. 12, considered and passed House.

Vol. 146 (2000): Apr. 13, considered and passed Senate.



**3. Lower Delaware**

PUBLIC LAW 106–418—NOV. 1, 2000

114 STAT. 1817

Public Law 106–418  
106th Congress

**An Act**

To designate portions of the lower Delaware River and associated tributaries as  
a component of the National Wild and Scenic Rivers System.

Nov. 1, 2000  
[S. 1296]

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

Lower Delaware  
Wild and Scenic  
Rivers Act.  
16 USC 1271  
note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Lower Delaware Wild and Scenic Rivers Act”.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) Public Law 102–460 directed the Secretary of the Interior, in cooperation and consultation with appropriate Federal, State, regional, and local agencies, to conduct a study of the eligibility and suitability of the lower Delaware River for inclusion in the Wild and Scenic Rivers System;

(2) during the study, the Lower Delaware Wild and Scenic River Study Task Force and the National Park Service prepared a river management plan for the study area entitled “Lower Delaware River Management Plan” and dated August 1997, which establishes goals and actions that will ensure long-term protection of the river’s outstanding values and compatible management of land and water resources associated with the river; and

(3) after completion of the study, 24 municipalities along segments of the Delaware River eligible for designation passed resolutions supporting the Lower Delaware River Management Plan, agreeing to take action to implement the goals of the plan, and endorsing designation of the river.

**SEC. 3 DESIGNATION.**

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by designating the first undesignated paragraph following paragraph 156, pertaining to Elkhorn Creek and enacted by Public Law 104–208, as paragraph 157;

(2) by designating the second undesignated paragraph following paragraph 156, pertaining to the Clarion River, Pennsylvania, and enacted by Public Law 104–314, as paragraph 158;

(3) by designating the third undesignated paragraph following paragraph 156, pertaining to the Lamprey River, New Hampshire, and enacted by Public Law 104–333, as paragraph 159;

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(4) by striking the fourth undesignated paragraph following paragraph 156, pertaining to Elkhorn Creek and enacted by Public Law 104-333; and

(5) by adding at the end the following:

New Jersey.  
Pennsylvania.

“(161) LOWER DELAWARE RIVER AND ASSOCIATED TRIBUTARIES, NEW JERSEY AND PENNSYLVANIA.—(A) The 65.6 miles of river segments in New Jersey and Pennsylvania, consisting of—

“(i) the segment from river mile 193.8 to the northern border of the city of Easton, Pennsylvania (approximately 10.5 miles), as a recreational river;

“(ii) the segment from a point just south of the Gilbert Generating Station to a point just north of the Point Pleasant Pumping Station (approximately 14.2 miles), as a recreational river;

“(iii) the segment from the point just south of the Point Pleasant Pumping Station to a point 1,000 feet north of the Route 202 bridge (approximately 6.3 miles), as a recreational river;

“(iv) the segment from a point 1,750 feet south of the Route 202 bridge to the southern border of the town of New Hope, Pennsylvania (approximately 1.9 miles), as a recreational river;

“(v) the segment from the southern boundary of the town of New Hope, Pennsylvania, to the town of Washington Crossing, Pennsylvania (approximately 6 miles), as a recreational river;

“(vi) Tinicum Creek (approximately 14.7 miles), as a scenic river;

“(vii) Tohickon Creek from the Lake Nockamixon Dam to the Delaware River (approximately 10.7 miles), as a scenic river; and

“(viii) Paunacussing Creek in Solebury Township (approximately 3 miles), as a recreational river.

“(B) ADMINISTRATION.—The river segments referred to in subparagraph (A) shall be administered by the Secretary of the Interior. Notwithstanding section 10(c), the river segments shall not be administered as part of the National Park System.”.

16 USC 1274  
note.

#### SEC. 4. MANAGEMENT OF RIVER SEGMENTS.

(a) MANAGEMENT OF SEGMENTS.—The river segments designated in section 3 shall be managed—

(1) in accordance with the river management plan entitled “Lower Delaware River Management Plan” and dated August 1997 (referred to as the “management plan”), prepared by the Lower Delaware Wild and Scenic River Study Task Force and the National Park Service, which establishes goals and actions that will ensure long-term protection of the river’s outstanding values and compatible management of land and water resources associated with the river; and

(2) in cooperation with appropriate Federal, State, regional, and local agencies, including—

(A) the New Jersey Department of Environmental Protection;

(B) the Pennsylvania Department of Conservation and Natural Resources;

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(C) the Delaware and Lehigh Navigation Canal Heritage Corridor Commission;

(D) the Delaware and Raritan Canal Commission; and

(E) the Delaware River Greenway Partnership.

(b) **SATISFACTION OF REQUIREMENTS FOR PLAN.**—The management plan shall be considered to satisfy the requirements for a comprehensive management plan under subsection 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(c) **FEDERAL ROLE.**—

(1) **RESTRICTIONS ON WATER RESOURCE PROJECTS.**—In determining under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)) whether a proposed water resources project would have a direct and adverse effect on the value for which a segment is designated as part of the Wild and Scenic Rivers System, the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall consider the extent to which the project is consistent with the management plan.

(2) **COOPERATIVE AGREEMENTS.**—Any cooperative agreements entered into under section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)) relating to any of the segments designated by this Act shall—

(A) be consistent with the management plan; and

(B) may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of the segments.

(3) **SUPPORT FOR IMPLEMENTATION.**—The Secretary may provide technical assistance, staff support, and funding to assist in the implementation of the management plan.

(d) **LAND MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary may provide planning, financial, and technical assistance to local municipalities to assist in the implementation of actions to protect the natural, economic, and historic resources of the river segments designated by this Act.

(2) **PLAN REQUIREMENTS.**—After adoption of recommendations made in section III of the management plan, the zoning ordinances of the municipalities bordering the segments shall be considered to satisfy the standards and requirements under section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(e) **ADDITIONAL SEGMENTS.**—

(1) **IN GENERAL.**—In this paragraph, the term “additional segment” means—

(A) the segment from the Delaware Water Gap to the Toll Bridge connecting Columbia, New Jersey, and Portland, Pennsylvania (approximately 9.2 miles), which, if made part of the Wild and Scenic Rivers System in accordance with this paragraph, shall be administered by the Secretary as a recreational river;

(B) the segment from the Erie Lackawanna railroad bridge to the southern tip of Dildine Island (approximately 3.6 miles), which, if made part of the Wild and Scenic Rivers System in accordance with this paragraph, shall be administered by the Secretary as a recreational river;

(C) the segment from the southern tip of Mack Island to the northern border of the town of Belvidere, New Jersey (approximately 2 miles), which, if made part of the Wild

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and Scenic Rivers System in accordance with this paragraph, shall be administered by the Secretary as a recreational river;

(D) the segment from the southern border of the town of Phillipsburg, New Jersey, to a point just north of Gilbert Generating Station (approximately 9.5 miles), which, if made part of the Wild and Scenic Rivers System in accordance with this paragraph, shall be administered by the Secretary as a recreational river;

(E) Paulinskill River in Knowlton Township (approximately 2.4 miles), which, if made part of the Wild and Scenic Rivers System in accordance with this paragraph, shall be administered by the Secretary as a recreational river; and

(F) Cook's Creek (approximately 3.5 miles), which, if made part of the Wild and Scenic Rivers System in accordance with this paragraph, shall be administered by the Secretary as a scenic river.

(2) FINDING.—Congress finds that each of the additional segments is suitable for designation as a recreational river or scenic river under this paragraph, if there is adequate local support for the designation.

(3) DESIGNATION.—If the Secretary finds that there is adequate local support for designating any of the additional segments as a recreational river or scenic river—

(A) the Secretary shall publish in the Federal Register a notice of the designation of the segment; and

(B) the segment shall thereby be designated as a recreational river or scenic river, as the case may be, in accordance with the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(4) CRITERIA FOR LOCAL SUPPORT.—In determining whether there is adequate local support for the designation of an additional segment, the Secretary shall consider, among other things, the preferences of local governments expressed in resolutions concerning designation of the segment.

Federal Register,  
publication.



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114 STAT. 1821

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

16 USC 1274  
note.

There is authorized to be appropriated such sums as are necessary to carry out this Act.

Approved November 1, 2000.

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**LEGISLATIVE HISTORY—S. 1296:**

**SENATE REPORTS:** No. 106–207 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 17, considered and passed House.



**4. Sudbury, Assabet, and Concord**

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PUBLIC LAW 106–20—APR. 9, 1999

**Public Law 106–20  
106th Congress****An Act**

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Apr. 9, 1999  
[H.R. 193]

To designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Sudbury,  
Assabet, and  
Concord Wild  
and Scenic River  
Act.  
Massachusetts.  
16 USC 1271  
note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Sudbury, Assabet, and Concord Wild and Scenic River Act”.

**SEC. 2. DESIGNATION OF SUDBURY, ASSABET, AND CONCORD SCENIC AND RECREATIONAL RIVERS, MASSACHUSETTS.**

(a) FINDINGS.—The Congress finds the following:

(1) The Sudbury, Assabet, and Concord Wild and Scenic River Study Act (title VII of Public Law 101–628; 104 Stat. 4497)—

(A) designated segments of the Sudbury, Assabet, and Concord Rivers in the Commonwealth of Massachusetts, totaling 29 river miles, for study and potential addition to the National Wild and Scenic Rivers System; and

(B) directed the Secretary of the Interior to establish the Sudbury, Assabet, and Concord Rivers Study Committee (in this section referred to as the “Study Committee”) to advise the Secretary in conducting the study and in the consideration of management alternatives should the rivers be included in the National Wild and Scenic Rivers System.

(2) The study determined the following river segments are eligible for inclusion in the National Wild and Scenic Rivers System based on their free-flowing condition and outstanding scenic, recreation, wildlife, cultural, and historic values:

(A) The 16.6-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, to its confluence with the Assabet River.

(B) The 4.4-mile segment of the Assabet River from 1,000 feet downstream from the Damon Mill Dam in the town of Concord to the confluence with the Sudbury River at Egg Rock in Concord.

(C) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers to the Route 3 bridge in the town of Billerica.

(3) The towns that directly abut the segments, including Framingham, Sudbury, Wayland, Lincoln, Concord, Bedford, Carlisle, and Billerica, Massachusetts, have each demonstrated

## PUBLIC LAW 106-20—APR. 9, 1999

113 STAT. 31

their desire for National Wild and Scenic River designation through town meeting votes endorsing designation.

(4) During the study, the Study Committee and the National Park Service prepared a comprehensive management plan for the segment, entitled “Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan” and dated March 16, 1995 (in this section referred to as the “plan”), which establishes objectives, standards, and action programs that will ensure long-term protection of the rivers’ outstanding values and compatible management of their land and water resources.

(5) The Study Committee voted unanimously on February 23, 1995, to recommend that the Congress include these segments in the National Wild and Scenic Rivers System for management in accordance with the plan.

(b) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(160) SUDBURY, ASSABET, AND CONCORD RIVERS, MASSACHUSETTS.—(A) The 29 miles of river segments in Massachusetts, as follows:

“(i) The 14.9-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, downstream to the Route 2 Bridge in Concord, as a scenic river.

“(ii) The 1.7-mile segment of the Sudbury River from the Route 2 Bridge downstream to its confluence with the Assabet River at Egg Rock, as a recreational river.

“(iii) The 4.4-mile segment of the Assabet River beginning 1,000 feet downstream from the Damon Mill Dam in the town of Concord, to its confluence with the Sudbury River at Egg Rock in Concord; as a recreational river.

“(iv) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers downstream to the Route 3 Bridge in the town of Billerica, as a recreational river.

“(B) The segments referred to in subparagraph (A) shall be administered by the Secretary of the Interior in cooperation with the SUASCO River Stewardship Council provided for in the plan referred to in subparagraph (C) through cooperative agreements under section 10(e) between the Secretary and the Commonwealth of Massachusetts and its relevant political subdivisions (including the towns of Framingham, Wayland, Sudbury, Lincoln, Concord, Carlisle, Bedford, and Billerica).

“(C) The segments referred to in subparagraph (A) shall be managed in accordance with the plan entitled ‘Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan’, dated March 16, 1995. The plan is deemed to satisfy the requirement for a comprehensive management plan under subsection (d) of this section.”

(c) FEDERAL ROLE IN MANAGEMENT.—(1) The Director of the National Park Service or the Director’s designee shall represent the Secretary of the Interior in the implementation of the plan, this section, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by subsection (b), including the review of proposed federally assisted water resources projects that could have a direct and adverse effect

16 USC 1274  
note.

on the values for which the segment is established, as authorized under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)).

(2) Pursuant to sections 10(e) and section 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the Director shall offer to enter into cooperative agreements with the Commonwealth of Massachusetts, its relevant political subdivisions, the Sudbury Valley Trustees, and the Organization for the Assabet River. Such cooperative agreements shall be consistent with the plan and may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of each of the segments designated by the amendment made by subsection (b).

(3) The Director may provide technical assistance, staff support, and funding to assist in the implementation of the plan, except that the total cost to the Federal Government of activities to implement the plan may not exceed \$100,000 each fiscal year.

(4) Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a segment designated by the amendment made by subsection (b) that is not already within the National Park System shall not under this section—

(A) become a part of the National Park System;

(B) be managed by the National Park Service; or

(C) be subject to regulations which govern the National Park System.

16 USC 1274  
note.

(d) WATER RESOURCES PROJECTS.—(1) In determining whether a proposed water resources project would have a direct and adverse effect on the values for which the segments designated by the amendment made by subsection (b) were included in the National Wild and Scenic Rivers System, the Secretary of the Interior shall specifically consider the extent to which the project is consistent with the plan.

(2) The plan, including the detailed Water Resources Study incorporated by reference in the plan and such additional analysis as may be incorporated in the future, shall serve as the primary source of information regarding the flows needed to maintain instream resources and potential compatibility between resource protection and possible additional water withdrawals.

16 USC 1274  
note.

(e) LAND MANAGEMENT.—(1) The zoning bylaws of the towns of Framingham, Sudbury, Wayland, Lincoln, Concord, Carlisle, Bedford, and Billerica, Massachusetts, as in effect on the date of enactment of this Act, are deemed to satisfy the standards and requirements under section 6(c) of the Wild and Scenic rivers Act (16 U.S.C. 1277(c)). For the purpose of that section, the towns are deemed to be “villages” and the provisions of that section which prohibit Federal acquisition of lands through condemnation shall apply.

(2) The United States Government shall not acquire by any means title to land, easements, or other interests in land along the segments designated by the amendment made by subsection (b) or their tributaries for the purposes of designation of the segments under the amendment. Nothing in this section shall prohibit Federal acquisition of interests in land along those segments or tributaries under other laws for other purposes.

16 USC 1274  
note.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior to carry out this section not to exceed \$100,000 for each fiscal year.

## PUBLIC LAW 106–20—APR. 9, 1999

113 STAT. 33

(g) EXISTING UNDESIGNATED PARAGRAPHS; REMOVAL OF DUPLICATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by striking the first undesignated paragraph after paragraph (156), relating to Elkhorn Creek, Oregon; and

(2) by designating the three remaining undesignated paragraphs after paragraph (156) as paragraphs (157), (158), and (159), respectively.

Approved April 9, 1999.

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LEGISLATIVE HISTORY—H.R. 193:

HOUSE REPORTS: No. 106–10 (Comm. on Resources).

SENATE REPORTS: No. 106–25 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Feb. 23, considered and passed House.

Mar. 25, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Apr. 9, Presidential statement.



**5. Taunton (study)**

114 STAT. 1278

PUBLIC LAW 106–318—OCT. 19, 2000

Public Law 106–318  
106th Congress

## An Act

Oct. 19, 2000  
[H.R. 2778]

To amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

Taunton River  
Wild and Scenic  
River Study Act  
of 2000.  
16 USC 1271  
note.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**

This Act may be cited as the “Taunton River Wild and Scenic River Study Act of 2000”.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the Taunton River in the Commonwealth of Massachusetts possesses important resource values (including wildlife, ecological, and scenic values), historic sites, and a cultural past important to the heritage of the United States;

(2) there is strong support among State and local officials, area residents, and river users for a cooperative wild and scenic river study of the area; and

(3) there is a longstanding interest among State and local officials, area residents, and river users in undertaking a concerted cooperative effort to manage the river in a productive and meaningful way.

**SEC. 3. DESIGNATION FOR STUDY.**

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended—

(1) by designating the undesignated paragraph following (135) as paragraph (136); and

(2) by adding at the end the following:

“(137) TAUNTON RIVER, MASSACHUSETTS.—The segment downstream from the headwaters, from the confluence of the Town River and the Matfield River in Bridgewater to the confluence with the Forge River in Raynham, Massachusetts.”.

**SEC. 4. STUDY AND REPORT.**

Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended—

(1) by redesignating the second paragraph (8) as paragraph (10);

(2) by redesignating the second paragraph (11) as paragraph (12);

(3) by redesignating the third paragraph (11) as paragraph (13);

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114 STAT. 1279

(4) by redesignating the fourth paragraph (11) as paragraph (14);

(5) by redesignating the first undesignated paragraph as paragraph (15);

(6) by redesignating the second undesignated paragraph as paragraph (16);

(7) in paragraph (16), as so redesignated by paragraph (6) of this subsection, by striking “paragraph ( )” and inserting “paragraph (136)”; and

(8) by adding at the end the following:

“(17) TAUNTON RIVER, MASSACHUSETTS.—Not later than 3 years after the date of the enactment of this paragraph, the Secretary of the Interior—

Deadline.

“(A) shall complete the study of the Taunton River, Massachusetts; and

“(B) shall submit to Congress a report describing the results of the study.”.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved October 19, 2000.

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#### LEGISLATIVE HISTORY—H.R. 2778 (S. 1569):

HOUSE REPORTS: No. 106-678 (Comm. on Resources).

SENATE REPORTS: No. 106-209 accompanying S. 1569 (Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, S. 1569 considered and passed Senate.

Vol. 146 (2000): June 19, considered and passed House.

Oct. 5, considered and passed Senate.



## 6. Upper Delaware Scenic and Recreational

113 STAT. 1604

PUBLIC LAW 106–119—DEC. 3, 1999

### Public Law 106–119 106th Congress

#### An Act

Dec. 3, 1999  
[H.R. 20]

To authorize the Secretary of the Interior to construct and operate a visitor center for the Upper Delaware Scenic and Recreational River on land owned by the State of New York.

Upper Delaware  
Scenic and  
Recreational  
River Mongaup  
Visitor Center  
Act of 1999.  
16 USC 1274  
note.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act of 1999”.

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Secretary of the Interior approved a management plan for the Upper Delaware Scenic and Recreational River, as required by section 704 of Public Law 95–625 (16 U.S.C. 1274 note), on September 29, 1987.

(2) The river management plan called for the development of a primary visitor contact facility located at the southern end of the river corridor.

(3) The river management plan determined that the visitor center would be built and operated by the National Park Service.

(4) The Act that designated the Upper Delaware Scenic and Recreational River and the approved river management plan limits the Secretary of the Interior’s authority to acquire land within the boundary of the river corridor.

(5) The State of New York authorized on June 21, 1993, a 99-year lease between the New York State Department of Environmental Conservation and the National Park Service for the construction and operation of a visitor center by the Federal Government on State-owned land in the Town of Deerpark, Orange County, New York, in the vicinity of Mongaup, which is the preferred site for the visitor center.

#### SEC. 3. AUTHORIZATION OF VISITOR CENTER FOR UPPER DELAWARE SCENIC AND RECREATIONAL RIVER.

For the purpose of constructing and operating a visitor center for the Upper Delaware Scenic and Recreational River and subject to the availability of appropriations, the Secretary of the Interior may—

(1) enter into a lease with the State of New York, for a term of 99 years, for State-owned land within the boundaries of the Upper Delaware Scenic and Recreational River located at an area known as Mongaup near the confluence of the



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113 STAT. 1605

Mongaup and Upper Delaware Rivers in the State of New York; and

(2) construct and operate such a visitor center on land leased under paragraph (2).

Approved December 3, 1999.

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LEGISLATIVE HISTORY—H.R. 20:

HOUSE REPORTS: No. 106–361 (Comm. on Resources).

SENATE REPORTS: No. 106–211 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Oct. 12, considered and passed House.

Nov. 19, considered and passed Senate.



**7. Wekiva**

114 STAT. 1050

PUBLIC LAW 106–299—OCT. 13, 2000

**Public Law 106–299  
106th Congress****An Act**Oct. 13, 2000  
[H.R. 2773]

To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

Wekiva Wild and  
Scenic River Act  
of 2000.  
16 USC 1271  
note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Wekiva Wild and Scenic River Act of 2000”.

**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) Public Law 104–311 (110 Stat. 3818) amended section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276) to require the study of the Wekiva River and its tributaries of Rock Springs Run and Seminole Creek for potential inclusion in the national wild and scenic rivers system.

(2) The study determined that the Wekiva River, Wekiwa Springs Run, Rock Springs Run, and Black Water Creek are eligible for inclusion in the national wild and scenic rivers system.

(3) The State of Florida has demonstrated its commitment to protecting these rivers and streams by the enactment of the Wekiva River Protection Act (Florida Statute chapter 369), by the establishment of a riparian wildlife protection zone and water quality protection zone by the St. Johns River Water Management District, and by the acquisition of lands adjacent to these rivers and streams for conservation purposes.

(4) The Florida counties of Lake, Seminole, and Orange have demonstrated their commitment to protect these rivers and streams in their comprehensive land use plans and land development regulations.

(5) The desire for designation of these rivers and streams as components of the national wild and scenic rivers system has been demonstrated through strong public support, State and local agency support, and the endorsement of designation by the Wekiva River Basin Ecosystem Working Group, which represents a broad cross section of State and local agencies, landowners, environmentalists, nonprofit organizations, and recreational users.

(6) The entire lengths of the Wekiva River, Rock Springs Run, and Black Water Creek are held in public ownership

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114 STAT. 1051

or conservation easements or are defined as waters of the State of Florida.

**SEC. 3. DESIGNATION OF WEKIVA RIVER AND TRIBUTARIES, FLORIDA, AS COMPONENTS OF NATIONAL WILD AND SCENIC RIVERS SYSTEM.**

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(161) WEKIVA RIVER, WEKIWA SPRINGS RUN, ROCK SPRINGS RUN, AND BLACK WATER CREEK, FLORIDA.—The 41.6-mile segments referred to in this paragraph, to be administered by the Secretary of the Interior:

“(A) WEKIVA RIVER AND WEKIWA SPRINGS RUN.—The 14.9 miles of the Wekiva River, along Wekiwa Springs Run from its confluence with the St. Johns River to Wekiwa Springs, to be administered in the following classifications:

“(i) From the confluence with the St. Johns River to the southern boundary of the Lower Wekiva River State Preserve, approximately 4.4 miles, as a wild river.

“(ii) From the southern boundary of the Lower Wekiva River State Preserve to the northern boundary of Rock Springs State Reserve at the Wekiva River, approximately 3.4 miles, as a recreational river.

“(iii) From the northern boundary of Rock Springs State Reserve at the Wekiva River to the southern boundary of Rock Springs State Reserve at the Wekiva River, approximately 5.9 miles, as a wild river.

“(iv) From the southern boundary of Rock Springs State Reserve at the Wekiva River upstream along Wekiwa Springs Run to Wekiwa Springs, approximately 1.2 miles, as a recreational river.

“(B) ROCK SPRINGS RUN.—The 8.8 miles from the confluence of Rock Springs Run with the Wekiwa Springs Run forming the Wekiva River to its headwaters at Rock Springs, to be administered in the following classifications:

“(i) From the confluence with Wekiwa Springs Run to the western boundary of Rock Springs Run State Reserve at Rock Springs Run, approximately 6.9 miles, as a wild river.

“(ii) From the western boundary of Rock Springs Run State Reserve at Rock Springs Run to Rock Springs, approximately 1.9 miles, as a recreational river.

“(C) BLACK WATER CREEK.—The 17.9 miles from the confluence of Black Water Creek with the Wekiva River to outflow from Lake Norris, to be administered in the following classifications:

“(i) From the confluence with the Wekiva River to approximately .25 mile downstream of the Seminole State Forest road crossing, approximately 4.1 miles, as a wild river.

“(ii) From approximately .25 mile downstream of the Seminole State Forest road to approximately .25 mile upstream of the Seminole State Forest road crossing, approximately .5 mile, as a scenic river.

“(iii) From approximately .25 mile upstream of the Seminole State Forest road crossing to approximately .25

mile downstream of the old railroad grade crossing (approximately River Mile 9), approximately 4.4 miles, as a wild river.

“(iv) From approximately .25 mile downstream of the old railroad grade crossing (approximately River Mile 9), upstream to the boundary of Seminole State Forest (approximately River Mile 10.6), approximately 1.6 miles, as a scenic river.

“(v) From the boundary of Seminole State Forest (approximately River Mile 10.6) to approximately .25 mile downstream of the State Road 44 crossing, approximately .9 mile, as a wild river.

“(vi) From approximately .25 mile downstream of State Road 44 to approximately .25 mile upstream of the State Road 44A crossing, approximately .6 mile, as a recreational river.

“(vii) From approximately .25 mile upstream of the State Road 44A crossing to approximately .25 mile downstream of the Lake Norris Road crossing, approximately 4.7 miles, as a wild river.

“(viii) From approximately .25 mile downstream of the Lake Norris Road crossing to the outflow from Lake Norris, approximately 1.1 miles, as a recreational river.”.

16 USC 1274  
note.

#### **SEC. 4. SPECIAL REQUIREMENTS APPLICABLE TO WEKIVA RIVER AND TRIBUTARIES.**

(a) DEFINITIONS.—In this section and section 5:

(1) WEKIVA RIVER SYSTEM.—The term “Wekiva River system” means the segments of the Wekiva River, Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida designated as components of the national wild and scenic rivers system by paragraph (161) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as added by this Act.

(2) COMMITTEE.—The term “Committee” means the Wekiva River System Advisory Management Committee established pursuant to section 5.

(3) COMPREHENSIVE MANAGEMENT PLAN.—The terms “comprehensive management plan” and “plan” mean the comprehensive management plan to be developed pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) COOPERATIVE AGREEMENTS.—

(1) USE AUTHORIZED.—In order to provide for the long-term protection, preservation, and enhancement of the Wekiva River system, the Secretary shall offer to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the State of Florida, appropriate local political jurisdictions of the State, namely the counties of Lake, Orange, and Seminole, and appropriate local planning and environmental organizations.

(2) EFFECT OF AGREEMENT.—Administration by the Secretary of the Wekiva River system through the use of cooperative agreements shall not constitute National Park Service administration of the Wekiva River system for purposes of

## PUBLIC LAW 106-299—OCT. 13, 2000

114 STAT. 1053

section 10(c) of such Act (10 U.S.C. 1281(c)) and shall not cause the Wekiva River system to be considered as being a unit of the National Park System. Publicly owned lands within the boundaries of the Wekiva River system shall continue to be managed by the agency having jurisdiction over the lands, in accordance with the statutory authority and mission of the agency.

(c) COMPLIANCE REVIEW.—After completion of the comprehensive management plan, the Secretary shall biennially review compliance with the plan and shall promptly report to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate any deviation from the plan that could result in any diminution of the values for which the Wekiva River system was designated as a component of the national wild and scenic rivers system.

Reports.

(d) TECHNICAL ASSISTANCE AND OTHER SUPPORT.—The Secretary may provide technical assistance, staff support, and funding to assist in the development and implementation of the comprehensive management plan.

(e) LIMITATION ON FEDERAL SUPPORT.—Nothing in this section shall be construed to authorize funding for land acquisition, facility development, or operations.

**SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT COMMITTEE.**16 USC 1274  
note.

(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee, to be known as the Wekiva River System Advisory Management Committee, to assist in the development of the comprehensive management plan for the Wekiva River system.

(b) MEMBERSHIP.—The Committee shall be composed of a representative of each of the following agencies and organizations:

(1) The Department of the Interior, represented by the Director of the National Park Service or the Director's designee.

(2) The East Central Florida Regional Planning Council.

(3) The Florida Department of Environmental Protection, Division of Recreation and Parks.

(4) The Florida Department of Environmental Protection, Wekiva River Aquatic Preserve.

(5) The Florida Department of Agriculture and Consumer Services, Division of Forestry, Seminole State Forest.

(6) The Florida Audubon Society.

(7) The nonprofit organization known as the Friends of the Wekiva.

(8) The Lake County Water Authority.

(9) The Lake County Planning Department.

(10) The Orange County Parks and Recreation Department, Kelly Park.

(11) The Seminole County Planning Department.

(12) The St. Johns River Water Management District.

(13) The Florida Fish and Wildlife Conservation Commission.

(14) The City of Altamonte Springs.

(15) The City of Longwood.

(16) The City of Apopka.

(17) The Florida Farm Bureau Federation.

(18) The Florida Forestry Association.

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(c) **ADDITIONAL MEMBERS.**—Other interested parties may be added to the Committee by request to the Secretary and unanimous consent of the existing members.

(d) **APPOINTMENT.**—Representatives and alternates to the Committee shall be appointed as follows:

(1) State agency representatives, by the head of the agency.

(2) County representatives, by the Boards of County Commissioners.

(3) Water management district, by the Governing Board.

(4) Department of the Interior representative, by the Southeast Regional Director, National Park Service.

(5) East Central Florida Regional Planning Council, by Governing Board.

(6) Other organizations, by the Southeast Regional Director, National Park Service.

(e) **ROLE OF COMMITTEE.**—The Committee shall assist in the development of the comprehensive management plan for the Wekiva River system and provide advice to the Secretary in carrying out the management responsibilities of the Secretary under this Act. The Committee shall have an advisory role only, it will not have regulatory or land acquisition authority.

(f) **VOTING AND COMMITTEE PROCEDURES.**—Each member agency, agency division, or organization referred to in subsection (b) shall have one vote and provide one member and one alternate. Committee decisions and actions will be made with consent of three-fourths of all voting members. Additional necessary Committee procedures shall be developed as part of the comprehensive management plan.

16 USC 1274  
note.

#### **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act and paragraph (161) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as added by this Act.

Approved October 13, 2000.

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#### **LEGISLATIVE HISTORY—H.R. 2773 (S. 2352):**

HOUSE REPORTS: No. 106-739 (Comm. on Resources).

SENATE REPORTS: No. 106-316 accompanying S. 2352 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 24, considered and passed House.

Oct. 3, considered and passed Senate.



**8. White Clay Creek**

PUBLIC LAW 106–357—OCT. 24, 2000

114 STAT. 1393

Public Law 106–357  
106th Congress

**An Act**

To designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

Oct. 24, 2000  
[S. 1849]

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

White Clay Creek  
Wild and Scenic  
Rivers System  
Act.  
16 USC 1271  
note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “White Clay Creek Wild and Scenic Rivers System Act”.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) Public Law 102–215 (105 Stat. 1664) directed the Secretary of the Interior, in cooperation and consultation with appropriate State and local governments and affected landowners, to conduct a study of the eligibility and suitability of White Clay Creek, Delaware and Pennsylvania, and the tributaries of the creek for inclusion in the National Wild and Scenic Rivers System;

(2) as a part of the study described in paragraph (1), the White Clay Creek Wild and Scenic Study Task Force and the National Park Service prepared a watershed management plan for the study area entitled “White Clay Creek and Its Tributaries Watershed Management Plan”, dated May 1998, that establishes goals and actions to ensure the long-term protection of the outstanding values of, and compatible management of land and water resources associated with, the watershed; and

(3) after completion of the study described in paragraph (1), Chester County, Pennsylvania, New Castle County, Delaware, Newark, Delaware, and 12 Pennsylvania municipalities located within the watershed boundaries passed resolutions that—

(A) expressed support for the White Clay Creek Watershed Management Plan;

(B) expressed agreement to take action to implement the goals of the Plan; and

(C) endorsed the designation of the White Clay Creek and the tributaries of the creek for inclusion in the National Wild and Scenic Rivers System.

**SEC. 3. DESIGNATION OF WHITE CLAY CREEK.**

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(162) WHITE CLAY CREEK, DELAWARE AND PENNSYLVANIA.—The 190 miles of river segments of White Clay Creek (including tributaries of White Clay Creek and all second order tributaries of the designated segments) in the States of Delaware and Pennsylvania, as depicted on the recommended designation and classification maps (dated June 2000), to be administered by the Secretary of the Interior, as follows:

“(A) 30.8 miles of the east branch, including Trout Run, beginning at the headwaters within West Marlborough township downstream to a point that is 500 feet north of the Borough of Avondale wastewater treatment facility, as a recreational river.

“(B) 15.0 miles of the east branch beginning at the southern boundary line of the Borough of Avondale to a point where the East Branch enters New Garden Township at the Franklin Township boundary line, including Walnut Run and Broad Run outside the boundaries of the White Clay Creek Preserve, as a recreational river.

“(C) 4.0 miles of the east branch that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania, beginning at the northern boundary line of London Britain township and downstream to the confluence of the middle and east branches, as a scenic river.

“(D) 6.8 miles of the middle branch, beginning at the headwaters within Londonderry township downstream to a point that is 500 feet north of the Borough of West Grove wastewater treatment facility, as a recreational river.

“(E) 14 miles of the middle branch, beginning at a point that is 500 feet south of the Borough of West Grove wastewater treatment facility downstream to the boundary of the White Clay Creek Preserve in London Britain township, as a recreational river.

“(F) 2.1 miles of the middle branch that flow within the boundaries of the White Clay Creek Preserve in London Britain township, as a scenic river.

“(G) 17.2 miles of the west branch, beginning at the headwaters within Penn township downstream to the confluence with the middle branch, as a recreational river.

“(H) 12.7 miles of the main stem, excluding Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware, beginning at the confluence of the east and middle branches in London Britain township, Pennsylvania, downstream to the northern boundary line of the city of Newark, Delaware, as a scenic river.

“(I) 5.4 miles of the main stem (including all second order tributaries outside the boundaries of the White Clay Creek Preserve and White Clay Creek State Park), beginning at the confluence of the east and middle branches in London Britain township, Pennsylvania, downstream to the northern boundary of the city of Newark, Delaware, as a recreational river.

“(J) 16.8 miles of the main stem beginning at Paper Mill Road downstream to the Old Route 4 bridge, as a recreational river.

“(K) 4.4 miles of the main stem beginning at the southern boundary of the property of the corporation known as United



## PUBLIC LAW 106-357—OCT. 24, 2000

114 STAT. 1395

Water Delaware downstream to the confluence of White Clay Creek with the Christina River, as a recreational river.

“(L) 1.3 miles of Middle Run outside the boundaries of the Middle Run Natural Area, as a recreational river.

“(M) 5.2 miles of Middle Run that flow within the boundaries of the Middle Run Natural Area, as a scenic river.

“(N) 15.6 miles of Pike Creek, as a recreational river.

“(O) 38.7 miles of Mill Creek, as a recreational river.”.

**SEC. 4. BOUNDARIES.**

16 USC 1274  
note.

With respect to each of the segments of White Clay Creek and its tributaries designated by the amendment made by section 3, in lieu of the boundaries provided for in section 3(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(b)), the boundaries of the segment shall be 250 feet as measured from the ordinary high water mark on both sides of the segment.

**SEC. 5. ADMINISTRATION.**

16 USC 1274  
note.

(a) BY SECRETARY OF THE INTERIOR.—The segments designated by the amendment made by section 3 shall be administered by the Secretary of the Interior (referred to in this Act as the “Secretary”), in cooperation with the White Clay Creek Watershed Management Committee as provided for in the plan prepared by the White Clay Creek Wild and Scenic Study Task Force and the National Park Service, entitled “White Clay Creek and Its Tributaries Watershed Management Plan” and dated May 1998 (referred to in this Act as the “Management Plan”).

(b) REQUIREMENT FOR COMPREHENSIVE MANAGEMENT PLAN.—The Management Plan shall be considered to satisfy the requirements for a comprehensive management plan under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(c) COOPERATIVE AGREEMENTS.—In order to provide for the long-term protection, preservation, and enhancement of the segments designated by the amendment made by section 3, the Secretary shall offer to enter into a cooperative agreement pursuant to sections 10(c) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the White Clay Creek Watershed Management Committee as provided for in the Management Plan.

**SEC. 6. FEDERAL ROLE IN MANAGEMENT.**

16 USC 1274  
note.

(a) IN GENERAL.—The Director of the National Park Service (or a designee) shall represent the Secretary in the implementation of the Management Plan, this Act, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by section 3, including the review, required under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)), of proposed federally-assisted water resources projects that could have a direct and adverse effect on the values for which the segment is designated.

(b) ASSISTANCE.—To assist in the implementation of the Management Plan, this Act, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by section 3, the Secretary may provide technical assistance, staff support, and funding at a cost to the Federal Government in an amount, in the aggregate, of not to exceed \$150,000 for each fiscal year.

114 STAT. 1396

PUBLIC LAW 106-357—OCT. 24, 2000

(c) COOPERATIVE AGREEMENTS.—Any cooperative agreement entered into under section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)) relating to any of the segments designated by the amendment made by section 3—

(1) shall be consistent with the Management Plan; and

(2) may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of the segments.

(d) NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a segment designated by the amendment made by section 3 that is not in the National Park System as of the date of the enactment of this Act shall not, under this Act—

(1) be considered a part of the National Park System;

(2) be managed by the National Park Service; or

(3) be subject to laws (including regulations) that govern the National Park System.

16 USC 1274  
note.

#### **SEC. 7. STATE REQUIREMENTS.**

State and local zoning laws and ordinances, as in effect on the date of the enactment of this Act, shall be considered to satisfy the standards and requirements under section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) with respect to the segment designated by the amendment made by section 3.

16 USC 1274  
note.

#### **SEC. 8. NO LAND ACQUISITION.**

The Federal Government shall not acquire, by any means, any right or title in or to land, any easement, or any other interest along the segments designated by the amendment made by section 3 for the purpose of carrying out the amendment or this Act.

Approved October 24, 2000.

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#### **LEGISLATIVE HISTORY—S. 1849 (H.R. 3520):**

HOUSE REPORTS: No. 106-813 accompanying H.R. 3520 (Comm. on Resources).

SENATE REPORTS: No. 106-266 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

Sept. 18, considered and passed House, amended.

Oct. 5, Senate concurred in House amendment.



## XX. NATIONAL CAPITOL PARKS

### 1. Arlington House

PUBLIC LAW 107–107—DEC. 28, 2001

115 STAT. 1012

Public Law 107–107  
107th Congress

#### An Act

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Dec. 28, 2001

[S. 1438]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

\* \* \* \* \*

#### DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

115 STAT. 1280  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2002.

#### SEC. 2001. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.

(b) DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.—In this division, the term “Spence Act” means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1654).

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#### TITLE XXVIII—GENERAL PROVISIONS

115 STAT. 1303

\* \* \* \* \*

#### Subtitle E—Other Matters

115 STAT. 1328

\* \* \* \* \*

#### SEC. 2863. ALTERNATE SITE FOR UNITED STATES AIR FORCE MEMORIAL, PRESERVATION OF OPEN SPACE ON ARLINGTON RIDGE TRACT, AND RELATED LAND TRANSFER AT ARLINGTON NATIONAL CEMETERY, VIRGINIA.

115 STAT. 1330

(a) DEFINITIONS.—In this section:

40 USC 1003  
note.

(1) The term “Arlington Naval Annex” means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the administrative jurisdiction of the Secretary of the Army under section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879).

(2) The term “Foundation” means the Air Force Memorial Foundation, which was authorized in Public Law 103–163 (107 Stat. 1973; 40 U.S.C. 1003 note) to establish a memorial in the District of Columbia or its environs to honor the men

115 STAT. 1330

PUBLIC LAW 107-107—DEC. 28, 2001

and women who have served in the United States Air Force and its predecessors.

(3) The term “Air Force Memorial” means the United States Air Force Memorial to be established by the Foundation.

(4) The term “Arlington Ridge tract” means the parcel of Federal land in Arlington County, Virginia, known as the Nevius Tract and transferred to the Department of the Interior in 1953, that is bounded generally by—

(A) Arlington Boulevard (United States Route 50) to the north;

(B) Jefferson Davis Highway (Virginia Route 110) to the east;

(C) Marshall Drive to the south; and

(D) North Meade Street to the west.

(5) The term “Section 29” means a parcel of Federal land in Arlington County, Virginia, that is currently administered by the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as “Section 29”.

40 USC 1003  
note.

(b) USE OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.—

115 STAT. 1331

(1) AVAILABILITY OF SITE.—The Secretary of Defense shall make available to the Foundation, without reimbursement, up to three acres of the Arlington Naval Annex, which the Foundation shall use as the location for the Air Force Memorial in lieu of any previously approved location for the Air Force Memorial. The land made available shall include the promontory adjacent to, and the land underlying, Wing 8 of Federal Office Building #2 in the northeast quadrant of the Arlington Naval Annex.

(2) EXCEPTION.—The requirement to use the land made available under paragraph (1) as the location for the Air Force Memorial, and the prohibition on the use of any previously approved location, shall not apply if the Secretary of Defense determines that it is physically impracticable to construct the Air Force Memorial on such land on account of the geological nature of the land.

(3) RELATION TO OTHER TRANSFER AUTHORITY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall transfer to the Secretary of the Army administrative jurisdiction over the Arlington Naval Annex site made available under this subsection for construction of the Air Force Memorial. Nothing in this subsection alters the deadline for transfer of the remainder of the Arlington Naval Annex to the Secretary of the Army and remediation of the transferred land for use as part of Arlington National Cemetery, as required by section 2881 of the Military Construction Authorization Act for Fiscal Year 2000.

40 USC 1003  
note.

(c) SITE PREPARATION.—

(1) PREPARATION FOR CONSTRUCTION.—Upon receipt of notification from the Foundation that the Foundation has sufficient funds to commence construction of the Air Force Memorial, the Secretary of Defense, in coordination with the Foundation, shall remove Wing 8 of Federal Office Building #2 at the Arlington Naval Annex, as well as its associated outbuilding and parking lot, and prepare the land made available under subsection (b) for construction of the Air Force Memorial. In addition to demolition and removal, such site preparation work

## PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1331

may include environmental remediation, installation of water, sewer, telephone, electrical, and storm water management infrastructure necessary for the memorial, installation of sidewalks consistent with the design of the memorial compliant with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the placement of screening berms and mature evergreen trees between Federal Office Building #2 and the memorial.

(2) COMPLETION.—Not later than two years after the date on which the Foundation provides the notification referred to in paragraph (1), the Secretary of Defense shall complete the demolition and removal of the structures and such site preparation work as the Secretary agrees to undertake under this subsection.

Deadline.

(3) FUNDING SOURCE.—The Secretary of Defense shall use amounts appropriated for operation and maintenance to carry out the demolition and removal work and site preparation described in paragraph (1).

(4) ASSISTANCE FOR DISPLACED AGENCY.—The Secretary of the Army shall serve as the Executive Agent for the Ballistic Missile Defense Organization in securing suitable sites, including, if necessary, sites not currently owned by the United States, to replace offices lost as a result of the demolition of Wing 8 of Federal Office Building #2 at the Arlington Naval Annex.

115 STAT. 1332

(d) CONSTRUCTION OF AIR FORCE MEMORIAL.—

(1) COMMENCEMENT.—Upon the demolition and removal of the structures required to be removed under subsection (c)(1), the Secretary of Defense shall permit the Foundation to commence construction of the Air Force Memorial on the Arlington Naval Annex site made available under subsection (b).

40 USC 1003  
note.

(2) OVERSIGHT.—The Secretary of Defense shall have exclusive authority in all matters relating to approval of the siting and design of the Air Force Memorial on the Arlington Naval Annex site, and the siting, design, and construction of the memorial on such site shall not be subject to the requirements of the Commemorative Works Act (40 U.S.C. 1001 et seq.).

(3) EFFECT OF FAILURE TO COMMENCE CONSTRUCTION.—If, within five years after the date of the enactment of this Act, the Foundation has not commenced construction of the Air Force Memorial on the Arlington Naval Annex site made available under subsection (b), the Secretary of Defense may revoke the authority of the Foundation to use the site as the location of the memorial.

(e) ACCESS AND MANAGEMENT OF AIR FORCE MEMORIAL.—The Secretary of the Army may enter into a cooperative agreement with the Foundation to provide for management, maintenance, and repair of the Air Force Memorial constructed on the Arlington Naval Annex site made available under subsection (b) and to guarantee public access to the memorial.

40 USC 1003  
note.

(f) LIMITATION ON USE OF ARLINGTON NAVAL ANNEX AS SITE FOR OTHER MEMORIALS OR MUSEUMS.—Section 2881(b) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 879) is amended by striking paragraph (2) and inserting the following new paragraph (2):

115 STAT. 1332

PUBLIC LAW 107-107—DEC. 28, 2001

“(2) The Secretary of Defense shall reserve not more than four acres of the Navy Annex property south of the existing Columbia Pike as a site for—

“(A) a National Military Museum, if such site is recommended for such purpose by the Commission on the National Military Museum established under section 2901 and the Secretary of Defense considers such site compatible with Arlington National Cemetery and the Air Force Memorial; or

“(B) such other memorials or museums that the Secretary of Defense considers compatible with Arlington National Cemetery and the Air Force Memorial.”.

(g) PRESERVATION OF ARLINGTON RIDGE TRACT.—

(1) GENERAL RULE.—After the date of the enactment of this Act, no additional structure or memorials shall be constructed on the Arlington Ridge tract.

(2) OPTION FOR FUTURE BURIALS.—Paragraph (1) does not prohibit the eventual use of a portion of the Arlington Ridge tract as a location for in-ground burial sites and columbarium for the burial of individuals eligible for burial in Arlington National Cemetery, if the development of such sites is specifically authorized in a law enacted after the date of the enactment of this Act.

(h) LAND TRANSFER, SECTION 29.—

(1) TRANSFER REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer, without reimbursement, to the Secretary of the Army administrative jurisdiction over that portion of Section 29 designated as the interment zone and consisting of approximately 12 acres. The Secretary of the Interior shall modify the boundaries of the George Washington Memorial Parkway as may be necessary to reflect the land transfer required by this subsection.

(2) USE OF TRANSFERRED LAND.—The Secretary of the Army shall use the transferred property for the development of in-ground burial sites and columbarium that are designed to meet the contours of Section 29.

(3) MANAGEMENT OF REMAINDER.—The Secretary of the Interior shall manage that portion of Section 29 not transferred under this subsection in perpetuity to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial.

(4) REPEAL OF OBSOLETE LAW.—Section 2821(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2791) is repealed.

\* \* \* \* \*

115 STAT. 1333  
Deadline.

115 STAT. 1393

Approved December 28, 2001.

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LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.



**2. Prince William Forest Park**

PUBLIC LAW 107–314—DEC. 2, 2002

116 STAT. 2458

Public Law 107–314  
107th Congress**An Act**

To authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Dec. 2, 2002

[H.R. 4546]

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

**SECTION 1. SHORT TITLE; FINDINGS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Bob Stump National Defense Authorization Act for Fiscal Year 2003”.

Bob Stump  
National Defense  
Authorization  
Act for Fiscal  
Year 2003.

\* \* \* \* \*

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

116 STAT. 2681  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2003.

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2003”.

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**TITLE XXVIII—GENERAL PROVISIONS**

116 STAT. 2702

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**SUBTITLE C—LAND CONVEYANCES**

116 STAT. 2710

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**PART II—NAVY CONVEYANCES**

116 STAT. 2719

\* \* \* \* \*

**SEC. 2835. LAND EXCHANGE AND BOUNDARY ADJUSTMENTS, MARINE  
CORPS BASE, QUANTICO, AND PRINCE WILLIAM FOREST  
PARK, VIRGINIA.**

116 STAT. 2723

(a) **LAND EXCHANGE.**—Administrative jurisdiction over certain lands at Prince William Forest Park, Virginia, and at the Marine Corps Base, Quantico, Virginia, shall be adjusted through the following actions:

(1) The Secretary of the Navy shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior approximately 352 acres of land, depicted as “Lands Transferred from Department of the Navy to Department of the Interior” on the map entitled “Boundary Adjustments Between Prince William Forest Park and Marine Corps Base, Quantico”, numbered 860/80283, and dated May 1, 2002.

(2) The Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Sec-

116 STAT. 2723

PUBLIC LAW 107-314—DEC. 2, 2002

retary of the Navy approximately 3,398 acres of land, depicted as “Lands Transferred from Department of the Interior to Department of the Navy” on the map described in paragraph (1).

(b) RETENTION OF CERTAIN LAND.—The Secretary of the Interior shall continue to administer approximately 1,346 acres of land, depicted as “Lands Retained by Department of the Interior” on the map described in subsection (a)(1). Effective on the date of the enactment of this Act, the special use permit dated March 16, 1972, which provides for the use of part of this land by the Marine Corps, shall no longer be in effect.

(c) SUBSEQUENT DISPOSAL OF LAND.—(1) If any of the land described in subsection (a)(1) or (b) is determined to be excess to the needs of the Department of the Interior, the Secretary of the Interior shall offer to transfer, without reimbursement, administrative jurisdiction over the land to the Secretary of the Navy.

116 STAT. 2724

(2) If any of the land described in subsection (a)(2) is determined to be excess to the needs of the Department of the Navy, the Secretary of the Navy shall offer to transfer, without reimbursement, administrative jurisdiction over the land to the Secretary of the Interior.

(3) If an offer made under this subsection is not accepted within 90 days, the land covered by the offer may be disposed of in accordance with the laws and regulations governing the disposal of excess property.

(d) BOUNDARY MODIFICATION AND ADMINISTRATION.—(1) The boundaries of Prince William Forest Park and the Marine Corps Base, Quantico, shall be modified to reflect the land exchanges or disposals made under this section.

(2) Land transferred to the Secretary of the Interior under subsection (a)(1) or retained under subsection (b) shall be administered as part of Prince William Forest Park in accordance with applicable laws and regulations.

(e) AVAILABILITY OF MAP.—The map described in subsection (a)(1) shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(f) CONFORMING AMENDMENTS.—The Act of June 22, 1948 (Chapter 596; 62 Stat. 571), is amended—

(1) by striking the first section and inserting the following new section:

**“SECTION 1. PRINCE WILLIAM FOREST PARK, VIRGINIA.**

“Chopawamsic Park, which was established in 1933 as Chopawamsic Recreational Demonstration Area, shall be known as ‘Prince William Forest Park’.”;

(2) in section 2—

(A) by striking “That all” and inserting “All”; and

(B) by striking “the Chopawamsic Park” and inserting “Prince William Forest Park”; and

(3) in section 3—

(A) by striking “That the Secretary of the Interior and the Secretary of the Navy be, and they are hereby” and inserting “The Secretary of the Interior is”; and



PUBLIC LAW 107–314—DEC. 2, 2002

116 STAT. 2724

(B) by striking “the Chopawamsic Park” both places  
it appears and inserting “Prince William Forest Park”.

\* \* \* \* \*

Approved December 2, 2002.

116 STAT. 2762

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**LEGISLATIVE HISTORY—H.R. 4546 (S. 2514) (S. 2515):**

HOUSE REPORTS: Nos. 107–436, Pts. 1 and 2 (Comm. on Armed Services) and  
107–772 (Comm. of Conference).

SENATE REPORTS: No. 107–151 accompanying S. 2514 (Comm. on Armed Serv-  
ices).

**CONGRESSIONAL RECORD, Vol. 148 (2002):**

May 9, considered and passed House.

June 27, considered and passed Senate, amended, in lieu of S. 2514.

July 25, House concurred in Senate amendment with an amendment.

Nov. 12, House agreed to conference report.

Nov. 13, Senate agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):**

Dec. 2, Presidential remarks and statement.





## XXI. NATIONAL TRAILS SYSTEM

### 1. Ala Kahakai

PUBLIC LAW 106–509—NOV. 13, 2000

114 STAT. 2361

Public Law 106–509  
106th Congress

#### An Act

To amend the National Trails System Act to designate the Ala Kahakai Trail  
as a National Historic Trail.

Nov. 13, 2000

[S. 700]

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

Ala Kahakai  
National Historic  
Trail Act.  
16 USC 1241  
note.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ala Kahakai National Historic  
Trail Act”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the Ala Kahakai (Trail by the Sea) is an important  
part of the ancient trail known as the “Ala Loa” (the long  
trail), which circumscribes the island of Hawaii;

(2) the Ala Loa was the major land route connecting 600  
or more communities of the island kingdom of Hawaii from  
1400 to 1700;

(3) the trail is associated with many prehistoric and historic  
housing areas of the island of Hawaii, nearly all the royal  
centers, and most of the major temples of the island;

(4) the use of the Ala Loa is also associated with many  
rulers of the kingdom of Hawaii, with battlefields and the  
movement of armies during their reigns, and with annual tax-  
ation;

(5) the use of the trail played a significant part in events  
that affected Hawaiian history and culture, including—

(A) Captain Cook’s landing and subsequent death in  
1779;

(B) Kamehameha I’s rise to power and consolidation  
of the Hawaiian Islands under monarchical rule; and

(C) the death of Kamehameha in 1819, followed by  
the overthrow of the ancient religious system, the Kapu,  
and the arrival of the first western missionaries in 1820;  
and

(6) the trail—

(A) was used throughout the 19th and 20th centuries  
and continues in use today; and

(B) contains a variety of significant cultural and nat-  
ural resources.

#### SEC. 3. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C.  
1244(a)) is amended—

114 STAT. 2362

PUBLIC LAW 106-509—NOV. 13, 2000

(1) by designating the paragraphs relating to the California National Historic Trail, the Pony Express National Historic Trail, and the Selma to Montgomery National Historic Trail as paragraphs (18), (19), and (20), respectively; and

(2) by adding at the end the following:

“(21) ALA KAHAKAI NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—The Ala Kahakai National Historic Trail (the Trail by the Sea), a 175 mile long trail extending from ‘Upolu Point on the north tip of Hawaii Island down the west coast of the Island around Ka Lae to the east boundary of Hawaii Volcanoes National Park at the ancient shoreline temple known as ‘Waha’ula’, as generally depicted on the map entitled ‘Ala Kahakai Trail’, contained in the report prepared pursuant to subsection (b) entitled ‘Ala Kahakai National Trail Study and Environmental Impact Statement’, dated January 1998.

“(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

“(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior.

“(D) LAND ACQUISITION.—No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.

“(E) PUBLIC PARTICIPATION; CONSULTATION.—The Secretary of the Interior shall—

“(i) encourage communities and owners of land along the trail, native Hawaiians, and volunteer trail groups to participate in the planning, development, and maintenance of the trail; and

“(ii) consult with affected Federal, State, and local agencies, native Hawaiian groups, and landowners in the administration of the trail.”.

Approved November 13, 2000.

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**LEGISLATIVE HISTORY—S. 700:**

SENATE REPORTS: No. 106-65 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): July 1, considered and passed Senate.

Vol. 146 (2000): Oct. 24, considered and passed House.



**2. Appalachian**

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2763

\* Public Law 106–554  
106th Congress

**An Act**

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Dec. 21, 2000  
[H.R. 4577]

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

Publication.  
1 USC 112 note.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the infor-  
mation required by that section, the Director of the Office of Man-  
agement and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

114 STAT. 2764

PUBLIC LAW 106-554—DEC. 21, 2000

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106-645 (Comm. on Appropriations) and 106-1033 (Comm. of Conference).

SENATE REPORTS: No. 106-293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12-14, considered and passed House.

June 22, 23, 26-30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

114 STAT. 2763A–171 PUBLIC LAW 106–554—APPENDIX D

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
2763A–214**DIVISION B****TITLE I**

\* \* \* \* \*

114 STAT.  
2763A–229**SEC. 124. APPALACHIAN NATIONAL SCENIC TRAIL. (a) ACQUISITIONS.—**

(1) IN GENERAL.—The Secretary of the Interior shall—

(A) negotiate agreements with landowners setting terms and conditions for the acquisition of parcels of land and interests in land totaling approximately 580 acres at Saddleback Mountain near Rangeley, Maine, for the benefit of the Appalachian National Scenic Trail;

(B) complete the pending environmental compliance process for the acquisitions; and

(C) acquire the parcels of land and interests in land for consideration in the amount of \$4,000,000 plus closing costs customarily paid by the United States.

(2) ACCEPTANCE OF DONATIONS.—The Secretary may accept as donations parcels of land and interests in land at Saddleback Mountain, in addition to those acquired by purchase under paragraph (1), for the benefit of the Appalachian National Scenic Trail.

(b) CONVEYANCE TO THE STATE.—The Secretary shall convey to the State of Maine a portion of the land and interests in land acquired under subsection (a) without consideration, subject to such terms and conditions as the Secretary and the State of Maine agree are necessary to ensure the protection of the Appalachian National Scenic Trail.

\* \* \* \* \*



**3. El Camino Real de Tierra Adentro**

PUBLIC LAW 106–307—OCT. 13, 2000

114 STAT. 1074

Public Law 106–307  
106th Congress**An Act**

To amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail.

Oct. 13, 2000  
[S. 366]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**

This Act may be cited as the “El Camino Real de Tierra Adentro National Historic Trail Act”.

El Camino Real  
de Tierra  
Adentro National  
Historic Trail  
Act.  
New Mexico.  
Texas.  
16 USC 1241  
note.**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) El Camino Real de Tierra Adentro (the Royal Road of the Interior), served as the primary route between the colonial Spanish capital of Mexico City and the Spanish provincial capitals at San Juan de Los Caballeros (1598–1600), San Gabriel (1600–1609) and then Santa Fe (1610–1821).

(2) The portion of El Camino Real de Tierra Adentro that resided in what is now the United States extended between El Paso, Texas and present San Juan Pueblo, New Mexico, a distance of 404 miles;

(3) El Camino Real is a symbol of the cultural interaction between nations and ethnic groups and of the commercial exchange that made possible the development and growth of the borderland;

(4) American Indian groups, especially the Pueblo Indians of the Rio Grande, developed trails for trade long before Europeans arrived;

(5) In 1598, Juan de Oñate led a Spanish military expedition along those trails to establish the northern portion of El Camino Real;

(6) During the Mexican National Period and part of the United States Territorial Period, El Camino Real de Tierra Adentro facilitated the emigration of people to New Mexico and other areas that would become the United States;

(7) The exploration, conquest, colonization, settlement, religious conversion, and military occupation of a large area of the borderlands was made possible by this route, whose historical period extended from 1598 to 1882;

114 STAT. 1075

PUBLIC LAW 106-307—OCT. 13, 2000

(8) American Indians, European emigrants, miners, ranchers, soldiers, and missionaries used El Camino Real during the historic development of the borderlands. These travelers promoted cultural interaction among Spaniards, other Europeans, American Indians, Mexicans, and Americans;

(9) El Camino Real fostered the spread of Catholicism, mining, an extensive network of commerce, and ethnic and cultural traditions including music, folklore, medicine, foods, architecture, language, place names, irrigation systems, and Spanish law.

### SEC. 3. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended—

(1) by designating the paragraphs relating to the California National Historic Trail, the Pony Express National Historic Trail, and the Selma to Montgomery National Historic Trail as paragraphs (18), (19), and (20), respectively; and

(2) by adding at the end the following:

“(21) EL CAMINO REAL DE TIERRA ADENTRO.—

“(A) El Camino Real de Tierra Adentro (the Royal Road of the Interior) National Historic Trail, a 404 mile long trail from the Rio Grande near El Paso, Texas to San Juan Pueblo, New Mexico, as generally depicted on the maps entitled ‘United States Route: El Camino Real de Tierra Adentro’, contained in the report prepared pursuant to subsection (b) entitled ‘National Historic Trail Feasibility Study and Environmental Assessment: El Camino Real de Tierra Adentro, Texas-New Mexico’, dated March 1997.

“(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

“(C) ADMINISTRATION.—The Trail shall be administered by the Secretary of the Interior.

“(D) LAND ACQUISITION.—No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for El Camino Real de Tierra Adentro except with the consent of the owner thereof.

“(E) VOLUNTEER GROUPS; CONSULTATION.—The Secretary of the Interior shall—

“(i) encourage volunteer trail groups to participate in the development and maintenance of the trail; and

“(ii) consult with other affected Federal, State, local governmental, and tribal agencies in the administration of the trail.

PUBLIC LAW 106-307—OCT. 13, 2000

114 STAT. 1076

“(F) COORDINATION OF ACTIVITIES.—The Secretary of the Interior may coordinate with United States and Mexican public and non-governmental organizations, academic institutions, and, in consultation with the Secretary of State, the government of Mexico and its political subdivisions, for the purpose of exchanging trail information and research, fostering trail preservation and educational programs, providing technical assistance, and working to establish an international historic trail with complementary preservation and education programs in each nation.”.

Approved October 13, 2000.

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LEGISLATIVE HISTORY—S. 366:

SENATE REPORTS: No. 106-22 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 3, considered and passed House.



#### 4. Ice Age

114 STAT. 2763

PUBLIC LAW 106–554—DEC. 21, 2000

**\* Public Law 106–554**  
**106th Congress**

**An Act**

Dec. 21, 2000  
 [H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
 and for other purposes.

Consolidated  
 Appropriations  
 Act, 2001.  
 Incorporation by  
 reference.

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

SECTION 1. (a) The provisions of the following bills of the  
 106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
 that the text of H.R. 5666, as so enacted, shall not include  
 section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
 1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
 States Statutes at Large pursuant to section 112 of title 1, United  
 States Code, the Archivist of the United States shall include after  
 the date of approval at the end appendixes setting forth the texts  
 of the bills referred to in subsection (a) of this section and the  
 text of any other bill enacted into law by reference by reason  
 of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
 Guidelines set forth in the joint explanatory statement of the  
 committee of conference accompanying Conference Report 105–217,  
 legislation enacted in section 505 of the Department of Transpor-  
 tation and Related Agencies Appropriations Act, 2001, section 312  
 of the Legislative Branch Appropriations Act, 2001, titles X and  
 XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
 Congress), division B of H.R. 5666 (106th Congress) as enacted  
 by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
 would have been estimated by the Office of Management and Budget  
 as changing direct spending or receipts under section 252 of the  
 Balanced Budget and Emergency Deficit Control Act of 1985 were  
 it included in an Act other than an appropriations Act shall be  
 treated as direct spending or receipts legislation, as appropriate,  
 under section 252 of the Balanced Budget and Emergency Deficit  
 Control Act of 1985.

(b) In preparing the final sequestration report required by  
 section 254(f)(3) of the Balanced Budget and Emergency Deficit  
 Control Act of 1985 for fiscal year 2001, in addition to the informa-  
 tion required by that section, the Director of the Office of Manage-  
 ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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## PUBLIC LAW 106–554—APPENDIX D 114 STAT. 2763A–171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A–214

**TITLE I**

\* \* \* \* \*

SEC. 135. Funds provided in Public Law 106–291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

114 STAT.  
2763A–230

\* \* \* \* \*

**5. Lewis and Clark**

113 STAT. 1743

PUBLIC LAW 106–157—DEC. 9, 1999

**Public Law 106–157  
106th Congress****An Act**Dec. 9, 1999  
[H.R. 2737]

To authorize the Secretary of the Interior to convey to the State of Illinois certain Federal land associated with the Lewis and Clark National Historic Trail to be used as an historic and interpretive site along the trail.

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

**SECTION 1. LAND CONVEYANCE, LEWIS AND CLARK NATIONAL HISTORIC TRAIL, ILLINOIS.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to the State of Illinois all right, title, and interest of the United States in and to a parcel of federally-owned land under the jurisdiction of the Secretary consisting of approximately 39 acres located in the north half of section 16, township 4 north, range 9 west, Third Principal Meridian, Madison County, Illinois, within the corridor of the Lewis and Clark National Historic Trail.

(b) SURVEY; CONVEYANCE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey and all other costs incurred by the Secretary to convey the land shall be borne by the State of Illinois.

**(c) CONDITIONS OF CONVEYANCE.—**

(1) USE OF CONVEYED LAND.—The conveyance authorized under subsection (a) shall be subject to the condition that the State of Illinois, acting through the Illinois Historic Preservation Agency, use the conveyed land as an historic site and interpretive center for the Lewis and Clark National Historic Trail.

Deadline.  
Public review.

(2) PLAN FOR DEVELOPMENT AND OPERATION OF SITE.—The conveyance authorized under subsection (a) shall be subject to the further condition that the Governor of the State of Illinois develop, within 2 years after the date of the conveyance, a plan for the development and operation of the historic site and interpretive center proposed for the conveyed land. In developing the plan, the Governor shall provide an opportunity for review and comment by the Secretary and the public.

(d) DISCONTINUANCE OF USE.—If the State of Illinois determines to discontinue use of the land conveyed under subsection (a) as an historic site and interpretive center for the Lewis and Clark National Historic Trail, the State of Illinois shall convey the lands back to the Secretary without consideration.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with



PUBLIC LAW 106–157—DEC. 9, 1999

113 STAT. 1744

the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to carry out this section.

Approved December 9, 1999.

---

LEGISLATIVE HISTORY—H.R. 2737:

HOUSE REPORTS: No. 106–427 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 1, considered and passed House.  
Nov. 19, considered and passed Senate.



**6. Metacomet-Monadnock-Mattabesett (study)**

116 STAT. 2886

PUBLIC LAW 107-338—DEC. 16, 2002

**Public Law 107-338  
107th Congress****An Act**Dec. 16, 2002  
[H.R. 1814]

To amend the National Trails System Act to designate the Metacomet-Monadnock-Mattabesett Trail extending through western Massachusetts and central Connecticut for study for potential addition to the National Trails System.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Metacomet-Monadnock-Mattabesett Trail Study Act of 2002.  
16 USC 1241 note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Metacomet-Monadnock-Mattabesett Trail Study Act of 2002”.

**SEC. 2. DESIGNATION OF METACOMET-MONADNOCK-MATTABESETT TRAIL FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL TRAILS SYSTEM.**

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

“(\_\_\_\_) METACOMET-MONADNOCK-MATTABESETT TRAIL.—The Metacomet-Monadnock-Mattabesett Trail, a system of trails and potential trails extending southward approximately 180 miles through western Massachusetts on the Metacomet-Monadnock Trail, across central Connecticut on the Metacomet Trail and the Mattabesett Trail, and ending at Long Island Sound.”.

Deadline.  
16 USC 1244 note.**SEC. 3. EXPEDITED REPORT TO CONGRESS.**

Notwithstanding the fourth sentence of section 5(b) of the National Trails System Act (16 U.S.C. 1244(b)), the Secretary of the Interior shall submit the study required by the amendment made by section 2 to Congress not later than 2 years after the date of the enactment of this Act.

Approved December 16, 2002.

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**LEGISLATIVE HISTORY—H.R. 1814:**

HOUSE REPORTS: No. 107-224 (Comm. on Resources).

SENATE REPORTS: No. 107-263 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 147 (2001): Oct. 23, considered and passed House.

Vol. 148 (2002): Nov. 19, considered and passed Senate.



**7. Navajo Long Walk (study)**

PUBLIC LAW 107-214—AUG. 21, 2002

116 STAT. 1053

Public Law 107-214  
107th Congress**An Act**

To amend the National Trails System Act to designate the route in Arizona and New Mexico which the Navajo and Mescalero Apache Indian tribes were forced to walk in 1863 and 1864, for study for potential addition to the National Trails System.

Aug. 21, 2002

[H.R. 1384]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Long Walk National Historic Trail Study Act”.

Long Walk  
National Historic  
Trail Study Act.  
16 USC 1241  
note.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Beginning in the fall of 1863 and ending in the winter of 1864, the United States Government forced thousands of Navajos and Mescalero Apaches to relocate from their ancestral lands to Fort Sumner, New Mexico, where the tribal members were held captive, virtually as prisoners of war, for over 4 years.

(2) Thousands of Native Americans died at Fort Sumner from starvation, malnutrition, disease, exposure, or conflicts between the tribes and United States military personnel.

**SEC. 3. DESIGNATION FOR STUDY.**

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

“(\_\_\_\_) The Long Walk Trail, a series of routes which the Navajo and Mescalero Apache Indian tribes were forced to walk beginning in the fall of 1863 as a result of their removal by the United States Government from their ancestral lands, generally located within a corridor extending through portions of Canyon de Chelly, Arizona, and Albuquerque, Canyon Blanco, Anton Chico, Canyon Piedra Pintado, and Fort Sumner, New Mexico.”.

Approved August 21, 2002.

**LEGISLATIVE HISTORY—H.R. 1384:**

HOUSE REPORTS: No. 107-222 (Comm. on Resources).

SENATE REPORTS: No. 107-184 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 147 (2001): Oct. 2, considered and passed House.

Vol. 148 (2002): Aug. 1, considered and passed Senate.



## 8. Old Spanish

116 STAT. 2790

PUBLIC LAW 107–325—DEC. 4, 2002

### Public Law 107–325 107th Congress

#### An Act

Dec. 4, 2002  
[S. 1946]

To amend the National Trails System Act to designate the Old Spanish Trail  
as a National Historic Trail.

Old Spanish  
Trail Recognition  
Act of 2002.  
New Mexico.  
California.  
16 USC 1241  
note.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Old Spanish Trail Recognition  
Act of 2002”.

#### SEC. 2. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C.  
1244(a)) is amended—

(1) by redesignating the second paragraph (21) as para-  
graph (22); and

(2) by adding at the end the following:

“(23) OLD SPANISH NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—The Old Spanish National Historic Trail,  
an approximately 2,700 mile long trail extending from Santa  
Fe, New Mexico, to Los Angeles, California, that served as  
a major trade route between 1829 and 1848, as generally  
depicted on the maps numbered 1 through 9, as contained  
in the report entitled ‘Old Spanish Trail National Historic  
Trail Feasibility Study’, dated July 2001, including the Armijo  
Route, Northern Route, North Branch, and Mojave Road.

“(B) MAP.—A map generally depicting the trail shall be  
on file and available for public inspection in the appropriate  
offices of the Department of the Interior.

“(C) ADMINISTRATION.—The trail shall be administered by  
the Secretary of the Interior (referred to in this paragraph  
as the ‘Secretary’).

“(D) LAND ACQUISITION.—The United States shall not  
acquire for the trail any land or interest in land outside the  
exterior boundary of any federally-managed area without the  
consent of the owner of the land or interest in land.

“(E) CONSULTATION.—The Secretary shall consult with  
other Federal, State, local, and tribal agencies in the adminis-  
tration of the trail.

“(F) ADDITIONAL ROUTES.—The Secretary may designate  
additional routes to the trail if—

“(i) the additional routes were included in the Old  
Spanish Trail National Historic Trail Feasibility Study,  
but were not recommended for designation as a national  
historic trail; and

PUBLIC LAW 107-325—DEC. 4, 2002

116 STAT. 2791

“(ii) the Secretary determines that the additional routes were used for trade and commerce between 1829 and 1848.”.

Approved December 4, 2002.

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LEGISLATIVE HISTORY—S. 1946:

HOUSE REPORTS: No. 107-670 (Comm. on Resources).

SENATE REPORTS: No. 107-203 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Aug. 1, considered and passed Senate.

Nov. 14, considered and passed House.



## 9. Star-Spangled Banner (study)

113 STAT. 1685

PUBLIC LAW 106–135—DEC. 7, 1999

Public Law 106–135  
106th Congress

### An Act

Dec. 7, 1999  
[H.R. 791]

To amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system.

Star-Spangled  
Banner National  
Historic Trail  
Study Act of  
1999.  
16 USC 1241  
note.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Star-Spangled Banner National Historic Trail Study Act of 1999”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the British invasion of Maryland and Washington, District of Columbia, during the War of 1812 marks a defining period in the history of our Nation, the only occasion on which the United States of America has been invaded by a foreign power;

(2) the Star-Spangled Banner National Historic Trail traces the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary’s County, Maryland, the landing of British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point in Prince George’s County and Anne Arundel County, Maryland, the American defeat at the Battle of Bladensburg, the siege of the Nation’s Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval diversions in the upper Chesapeake Bay leading to the Battle of Caulk’s Field in Kent County, Maryland, the route of the American troops from Washington through Georgetown, the Maryland Counties of Montgomery, Howard, and Baltimore, and the City of Baltimore, Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814, where a distinguished Maryland lawyer and poet, Francis Scott Key, wrote the words that captured the essence of our national struggle for independence, words that now serve as our national anthem, the Star-Spangled Banner; and

(3) the designation of this route as a national historic trail—

(A) would serve as a reminder of the importance of the concept of liberty to all who experience the Star-Spangled Banner National Historic Trail; and

PUBLIC LAW 106-135—DEC. 7, 1999

113 STAT. 1686

(B) would give long overdue recognition to the patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

**SEC. 3. DESIGNATION OF TRAIL FOR STUDY.**

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended—

(1) by redesignating paragraph (36) (as added by section 3 of the El Camino Real Para Los Texas Study Act of 1993 (107 Stat. 1497)) as paragraph (37) and in subparagraph (C) by striking “detemine” and inserting “determine”;

(2) by designating the paragraphs relating to the Old Spanish Trail and the Great Western Scenic Trail as paragraphs (38) and (39), respectively; and

(3) by adding at the end the following:

“(40) STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—The Star-Spangled Banner National Historic Trail, tracing the War of 1812 route from the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary’s County, Maryland, the landing of the British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point, the American defeat at the Battle of Bladensburg, the siege of the Nation’s Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval diversions in the upper Chesapeake Bay leading to the Battle of Caulk’s Field in Kent County, Maryland, the route of the American troops from Washington through Georgetown, the Maryland Counties of Montgomery, Howard, and Baltimore, and the City of Baltimore, Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814.

“(B) AFFECTED AREAS.—The trail crosses eight counties within the boundaries of the State of Maryland, the City of Baltimore, Maryland, and Washington, District of Columbia.

“(C) COORDINATION WITH OTHER CONGRESSIONALLY MANDATED ACTIVITIES.—The study under this paragraph shall be undertaken in coordination with the study authorized under section 603 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 1a-5 note; 110 Stat. 4172) and the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961). Such coordination shall extend to any research needed to complete the studies and any findings and implementation actions that result from the studies and shall use available resources to the greatest extent possible to avoid unnecessary duplication of effort.

“(D) DEADLINE FOR STUDY.—Not later than 2 years after funds are made available for the study under this paragraph, the study shall be completed and transmitted with final recommendations to the Committee on Resources in the House

113 STAT. 1687

PUBLIC LAW 106–135—DEC. 7, 1999

of Representatives and the Committee on Energy and Natural Resources in the Senate.”.

Approved December 7, 1999.

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LEGISLATIVE HISTORY—H.R. 791 (S. 441):

HOUSE REPORTS: No. 106–189 (Comm. on Resources).

SENATE REPORTS: No. 106–63 accompanying S. 441 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

June 30, considered and passed House.

Nov. 19, considered and passed Senate.





XXII. NATIONAL HERITAGE AREAS

1. America's Agricultural Heritage

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress

An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000

[H.R. 149]

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

114 STAT. 31

\* \* \* \* \*

**SEC. 309. AMERICA'S AGRICULTURAL HERITAGE PARTNERSHIP ACT  
AMENDMENT.**

114 STAT. 34

Section 702(5) of division II of the Public Law 104–333 (110 Stat. 4265), is amended by striking “Secretary of Agriculture” and inserting “Secretary of the Interior”.

16 USC 461 note.

\* \* \* \* \*

Approved March 10, 2000.

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



## 2. Augusta Canal

114 STAT. 23 PUBLIC LAW 106–176—MAR. 10, 2000

Public Law 106–176  
106th Congress

An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE II—TECHNICAL CORRECTIONS  
TO DIVISION II**

\* \* \* \* \*

**SEC. 203. AUGUSTA CANAL NATIONAL HERITAGE AREA.**

Section 301(1) of division II of the Omnibus Parks Act (110  
Stat. 4249; 16 U.S.C. 461 note) is amended by striking “National  
Historic Register of Historic Places,” and inserting “National Reg-  
ister of Historic Places,”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**3. Buffalo Bayou (study)**

PUBLIC LAW 107–337—DEC. 16, 2002

116 STAT. 2883

Public Law 107–337  
107th Congress

**An Act**

To authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas.

Dec. 16, 2002  
[H.R. 1776]

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

Buffalo Bayou  
National  
Heritage Area  
Study Act.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Buffalo Bayou National Heritage Area Study Act”.

**SEC. 2. NATIONAL PARK SERVICE STUDY REGARDING BUFFALO BAYOU, TEXAS.**

(a) FINDINGS.—The Congress finds the following:

(1) The area beginning at Shepherd Drive in west Houston, Texas, and extending to the Turning Basin, commonly referred to as the “Buffalo Bayou”, made a unique contribution to the cultural, political, and industrial development of the United States.

(2) The Buffalo Bayou is distinctive as the first spine of modern industrial development in Texas and one of the first along the Gulf of Mexico coast.

(3) The Buffalo Bayou played a significant role in the struggle for Texas independence.

(4) The Buffalo Bayou developed a prosperous and productive shipping industry that survives today.

(5) The Buffalo Bayou led in the development of Texas’ petrochemical industry that made Houston the center of the early oil boom in America.

(6) The Buffalo Bayou developed a sophisticated shipping system, leading to the formation of the modern day Houston Ship Channel.

(7) The Buffalo Bayou developed a significant industrial base, and served as the focal point for the new city of Houston.

(8) There is a longstanding commitment by the Buffalo Bayou Partnership, Inc., to complete the Buffalo Bayou Trail along the 12-mile segment of the Buffalo Bayou.

(9) There is a need for assistance for the preservation and promotion of the significance of the Buffalo Bayou as a system for transportation, industry, commerce, and immigration.

(10) The Department of the Interior is responsible for protecting the Nation’s cultural and historical resources. There are significant examples of such resources within the Buffalo

116 STAT. 2884

PUBLIC LAW 107-337—DEC. 16, 2002

Bayou region to merit the involvement of the Federal Government in the development of programs and projects, in cooperation with the Buffalo Bayou Partnership, Inc., the State of Texas, and other local and governmental entities, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall, in consultation with the State of Texas, the City of Houston, and other appropriate organizations, carry out a study regarding the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in Houston, Texas.

(2) CONTENTS.—The study shall include analysis and documentation regarding whether the Study Area—

(A) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes noncontiguous resources and active communities;

(B) reflects traditions, customs, beliefs, and folklife that are a valuable part of the national story;

(C) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(D) provides outstanding recreational and educational opportunities;

(E) contains resources important to the identified theme or themes of the Study Area that retain a degree of integrity capable of supporting interpretation;

(F) includes residents, business interests, nonprofit organizations, and local and State governments that are involved in the planning, have developed a conceptual financial plan that outlines the roles for all participants, including the Federal Government, and have demonstrated support for the concept of a national heritage area;

(G) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a national heritage area consistent with continued local and State economic activity; and

(H) has a conceptual boundary map that is supported by the public.

(c) BOUNDARIES OF THE STUDY AREA.—The Study Area shall be comprised of sites in Houston, Texas, in an area roughly bounded by Shepherd Drive and extending to the Turning Basin, commonly referred to as the “Buffalo Bayou”.

(d) SUBMISSION OF STUDY RESULTS.—Not later than 3 years after funds are first made available for this section, the Secretary

Deadline.  
Reports.

PUBLIC LAW 107-337—DEC. 16, 2002

116 STAT. 2885

shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

Approved December 16, 2002.

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LEGISLATIVE HISTORY—H.R. 1776:

HOUSE REPORTS: No. 107-256 (Comm. on Resources).

SENATE REPORTS: No. 107-262 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Oct. 30, considered and passed House.

Vol. 148 (2002): Nov. 19, considered and passed Senate.



#### 4. Crossroads of the American Revolution, New Jersey (study)

113 STAT. 1501 PUBLIC LAW 106–113—NOV. 29, 1999

Public Law 106–113  
106th Congress

#### An Act

Nov. 29, 1999  
[H.R. 3194]

Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

#### DIVISION B

Incorporation by  
reference.

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

#### LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A-190

\* \* \* \* \*

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”. 113 STAT. 1501A-194

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91-383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105-391; 112 Stat. 3501).

113 STAT.  
1501A-195

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) **REPORTS.**—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

## 5. Erie Canalway

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

### \* Public Law 106-554 106th Congress

### An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105-217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.



PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

DIVISION B

114 STAT.  
2763A-214

\* \* \* \* \*

TITLE VIII—ERIE CANALWAY NATIONAL HERITAGE  
CORRIDOR

114 STAT.  
2763A-295

**SEC. 801. SHORT TITLE; DEFINITIONS.**

(a) **SHORT TITLE.**—This title may be cited as the “Erie Canalway National Heritage Corridor Act”.

(b) **DEFINITIONS.**—For the purposes of this title, the following definitions shall apply:

(1) **ERIE CANALWAY.**—The term “Erie Canalway” means the 524 miles of navigable canal that comprise the New York State Canal System, including the Erie, Cayuga and Seneca, Oswego, and Champlain Canals and the historic alignments of these canals, including the cities of Albany and Buffalo.

(2) **CANALWAY PLAN.**—The term “Canalway Plan” means the comprehensive preservation and management plan for the Corridor required under section 806.

(3) **COMMISSION.**—The term “Commission” means the Erie Canalway National Heritage Corridor Commission established under section 804.

(4) **CORRIDOR.**—The term “Corridor” means the Erie Canalway National Heritage Corridor established under section 803.

(5) **GOVERNOR.**—The term “Governor” means the Governor of the State of New York.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 802. FINDINGS AND PURPOSES.**

(a) **FINDINGS.**—Congress finds that—

(1) the year 2000 marks the 175th Anniversary of New York State’s creation and stewardship of the Erie Canalway for commerce, transportation, and recreational purposes, establishing the network which made New York the “Empire State” and the Nation’s premier commercial and financial center;

(2) the canals and adjacent areas that comprise the Erie Canalway are a nationally significant resource of historic and recreational value, which merit Federal recognition and assistance;

(3) the Erie Canalway was instrumental in the establishment of strong political and cultural ties between New England, upstate New York, and the old Northwest and facilitated the movement of ideas and people ensuring that social reforms

114 STAT.  
2763A-296

## 114 STAT. 2763A–296 PUBLIC LAW 106–554—APPENDIX D

like the abolition of slavery and the women’s rights movement spread across upstate New York to the rest of the country;

(4) the construction of the Erie Canalway was considered a supreme engineering feat, and most American canals were modeled after New York State’s canal;

(5) at the time of construction, the Erie Canalway was the largest public works project ever undertaken by a State, resulting in the creation of critical transportation and commercial routes to transport passengers and goods;

(6) the Erie Canalway played a key role in turning New York City into a major port and New York State into the preeminent center for commerce, industry, and finance in North America and provided a permanent commercial link between the Port of New York and the cities of eastern Canada, a cornerstone of the peaceful relationship between the two countries;

(7) the Erie Canalway proved the depth and force of American ingenuity, solidified a national identity, and found an enduring place in American legend, song, and art;

(8) there is national interest in the preservation and interpretation of the Erie Canalway’s important historical, natural, cultural, and scenic resources; and

(9) partnerships among Federal, State, and local governments and their regional entities, nonprofit organizations, and the private sector offer the most effective opportunities for the preservation and interpretation of the Erie Canalway.

(b) PURPOSES.—The purposes of this title are—

(1) to designate the Erie Canalway National Heritage Corridor;

(2) to provide for and assist in the identification, preservation, promotion, maintenance, and interpretation of the historical, natural, cultural, scenic, and recreational resources of the Erie Canalway in ways that reflect its national significance for the benefit of current and future generations;

(3) to promote and provide access to the Erie Canalway’s historical, natural, cultural, scenic, and recreational resources;

(4) to provide a framework to assist the State of New York, its units of local government, and the communities within the Erie Canalway in the development of integrated cultural, historical, recreational, economic, and community development programs in order to enhance and interpret the unique and nationally significant resources of the Erie Canalway; and

(5) to authorize Federal financial and technical assistance to the Commission to serve these purposes for the benefit of the people of the State of New York and the Nation.

**SEC. 803. THE ERIE CANALWAY NATIONAL HERITAGE CORRIDOR.**

(a) ESTABLISHMENT.—To carry out the purposes of this title there is established the Erie Canalway National Heritage Corridor in the State of New York.

(b) BOUNDARIES.—The boundaries of the Corridor shall include those lands generally depicted on a map entitled “Erie Canalway National Heritage Area” numbered ERIE/80,000 and dated October 2000. This map shall be on file and available for public inspection in the appropriate office of the National Park Service, the office of the Commission, and the office of the New York State Canal Corporation in Albany, New York.

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(c) OWNERSHIP AND OPERATION OF THE NEW YORK STATE CANAL SYSTEM.—The New York State Canal System shall continue to be owned, operated, and managed by the State of New York.

**SEC. 804. THE ERIE CANALWAY NATIONAL HERITAGE CORRIDOR COMMISSION.**

(a) ESTABLISHMENT.—There is established the Erie Canalway National Heritage Corridor Commission. The purpose of the Commission shall be—

(1) to work with Federal, State, and local authorities to develop and implement the Canalway Plan; and

(2) to foster the integration of canal-related historical, cultural, recreational, scenic, economic, and community development initiatives within the Corridor.

(b) MEMBERSHIP.—The Commission shall be composed of 27 members as follows:

(1) The Secretary of the Interior, ex officio or the Secretary's designee.

(2) Seven members, appointed by the Secretary after consideration of recommendations submitted by the Governor and other appropriate officials, with knowledge and experience of the following agencies or those agencies' successors: The New York State Secretary of State, the New York State Department of Environment Conservation, the New York State Office of Parks, Recreation and Historic Preservation, the New York State Department of Agriculture and Markets, the New York State Department of Transportation, and the New York State Canal Corporation, and the Empire State Development Corporation.

(3) The remaining 19 members who reside within the Corridor and are geographically dispersed throughout the Corridor shall be from local governments and the private sector with knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resource management, conservation, recreation, and education or museum services. These members will be appointed by the Secretary as follows:

(A) Eleven members based on a recommendation from each member of the United States House of Representatives whose district shall encompass the Corridor. Each shall be a resident of the district from which they shall be recommended.

(B) Two members based on a recommendation from each United States Senator from New York State.

(C) Six members who shall be residents of any county constituting the Corridor. One such member shall have knowledge and experience of the Canal Recreationway Commission.

(c) APPOINTMENTS AND VACANCIES.—Members of the Commission other than ex officio members shall be appointed for terms of 3 years. Of the original appointments, six shall be for a term of 1 year, six shall be for a term of 2 years, and seven shall be for a term of 3 years. Any member of the Commission appointed for a definite term may serve after expiration of the term until the successor of the member is appointed. Any member appointed to fill a vacancy shall serve for the remainder of the term for

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which the predecessor was appointed. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Commission shall receive no compensation for their service on the Commission. Members of the Commission, other than employees of the State and Canal Corporation, while away from their homes or regular places of business to perform services for 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 under section 5703 of title 5, United States Code.

(e) ELECTION OF OFFICES.—The Commission shall elect the chairperson and the vice chairperson on an annual basis. The vice chairperson shall serve as the chairperson in the absence of the chairperson.

(f) QUORUM AND VOTING.—Fourteen members of the Commission shall constitute a quorum but a lesser number may hold hearings. Any member of the Commission may vote by means of a signed proxy exercised by another member of the Commission, however, any member voting by proxy shall not be considered present for purposes of establishing a quorum. For the transaction of any business or the exercise of any power of the Commission, the Commission shall have the power to act by a majority vote of the members present at any meeting at which a quorum is in attendance.

(g) MEETINGS.—The Commission shall meet at least quarterly at the call of the chairperson or 14 of its members. Notice of Commission meetings and agendas for the meeting shall be published in local newspapers throughout the Corridor. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

(h) POWERS OF THE COMMISSION.—To the extent that Federal funds are appropriated, the Commission is authorized—

(1) to procure temporary and intermittent services and administrative facilities at rates determined to be reasonable by the Commission to carry out the responsibilities of the Commission;

(2) to request and accept the services of personnel detailed from the State of New York or any political subdivision, and to reimburse the State or political subdivision for such services;

(3) to request and accept the services of any Federal agency personnel, and to reimburse the Federal agency for such services;

(4) to appoint and fix the compensation of staff to carry out its duties;

(5) to enter into cooperative agreements with the State of New York, with any political subdivision of the State, or any person for the purposes of carrying out the duties of the Commission;

(6) to make grants to assist in the preparation and implementation of the Canalway Plan;

(7) to seek, accept, and dispose of gifts, bequests, grants, or donations of money, personal property, or services, received from any source. For purposes of section 170(c) of the Internal Revenue Code of 1986, any gift to the Commission shall be deemed to be a gift to the United States;

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(8) to assist others in developing educational, informational, and interpretive programs and facilities, and other such activities that may promote the implementation of the Canalway Plan;

(9) to hold hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may consider appropriate; the Commission may not issue subpoenas or exercise any subpoena authority;

(10) to use the United States mails in the same manner as other departments or agencies of the United States;

(11) to request and receive from the Administrator of General Services, on a reimbursable basis, such administrative support services as the Commission may request; and

(12) to establish such advisory groups as the Commission deems necessary.

(i) ACQUISITION OF PROPERTY.—Except as provided for leasing administrative facilities under section 804(h)(1), the Commission may not acquire any real property or interest in real property.

(j) TERMINATION.—The Commission shall terminate on the day occurring 10 years after the date of enactment of this title.

**SEC. 805. DUTIES OF THE COMMISSION.**

(a) PREPARATION OF CANALWAY PLAN.—Not later than 3 years after the Commission receives Federal funding for this purpose, the Commission shall prepare and submit a comprehensive preservation and management Canalway Plan for the Corridor to the Secretary and the Governor for review and approval. In addition to the requirements outlined for the Canalway Plan in section 806, the Canalway Plan shall incorporate and integrate existing Federal, State, and local plans to the extent appropriate regarding historic preservation, conservation, education and interpretation, community development, and tourism-related economic development for the Corridor that are consistent with the purpose of this title. The Commission shall solicit public comment on the development of the Canalway Plan.

(b) IMPLEMENTATION OF CANALWAY PLAN.—After the Commission receives Federal funding for this purpose, and after review and upon approval of the Canalway Plan by the Secretary and the Governor, the Commission shall—

(1) undertake action to implement the Canalway Plan so as to assist the people of the State of New York in enhancing and interpreting the historical, cultural, educational, natural, scenic, and recreational potential of the Corridor identified in the Canalway Plan; and

(2) support public and private efforts in conservation and preservation of the Canalway's cultural and natural resources and economic revitalization consistent with the goals of the Canalway Plan.

(c) PRIORITY ACTIONS.—Priority actions which may be carried out by the Commission under section 805(b), include—

(1) assisting in the appropriate preservation treatment of the remaining elements of the original Erie Canal;

(2) assisting State, local governments, and nonprofit organizations in designing, establishing, and maintaining visitor centers, museums, and other interpretive exhibits in the Corridor;

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(3) assisting in the public awareness and appreciation for the historic, cultural, natural, scenic, and recreational resources and sites in the Corridor;

(4) assisting the State of New York, local governments, and nonprofit organizations in the preservation and restoration of any historic building, site, or district in the Corridor;

(5) encouraging, by appropriate means, enhanced economic development in the Corridor consistent with the goals of the Canalway Plan and the purposes of this title; and

(6) ensuring that clear, consistent signs identifying access points and sites of interest are put in place in the Corridor.

(d) ANNUAL REPORTS AND AUDITS.—For any year in which Federal funds have been received under this title, the Commission shall submit an annual report and shall make available an audit of all relevant records to the Governor and the Secretary identifying its expenses and any income, the entities to which any grants or technical assistance were made during the year for which the report was made, and contributions by other parties toward achieving Corridor purposes.

**SEC. 806. CANALWAY PLAN.**

(a) CANALWAY PLAN REQUIREMENTS.—The Canalway Plan shall—

(1) include a review of existing plans for the Corridor, including the Canal Recreationway Plan and Canal Revitalization Program, and incorporate them to the extent feasible to ensure consistence with local, regional, and State planning efforts;

(2) provide a thematic inventory, survey, and evaluation of historic properties that should be conserved, restored, developed, or maintained because of their natural, cultural, or historic significance within the Corridor in accordance with the regulations for the National Register of Historic Places;

(3) identify public and private-sector preservation goals and strategies for the Corridor;

(4) include a comprehensive interpretive plan that identifies, develops, supports, and enhances interpretation and education programs within the Corridor that may include—

(A) research related to the construction and history of the canals and the cultural heritage of the canal workers, their families, those that traveled along the canals, the associated farming activities, the landscape, and the communities;

(B) documentation of and methods to support the perpetuation of music, art, poetry, literature and folkways associated with the canals; and

(C) educational and interpretative programs related to the Erie Canalway developed in cooperation with State and local governments, educational institutions, and nonprofit institutions;

(5) include a strategy to further the recreational development of the Corridor that will enable users to uniquely experience the canal system;

(6) propose programs to protect, interpret, and promote the Corridor's historical, cultural, recreational, educational, scenic, and natural resources;



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(7) include an inventory of canal-related natural, cultural and historic sites and resources located in the Area;

(8) recommend Federal, State, and local strategies and policies to support economic development, especially tourism-related development and recreation, consistent with the purposes of the Corridor;

(9) develop criteria and priorities for financial preservation assistance;

(10) identify and foster strong cooperative relationships between the National Park Service, the New York State Canal Corporation, other Federal and State agencies, and nongovernmental organizations;

(11) recommend specific areas for development of interpretive, educational, and technical assistance centers associated with the Corridor; and

(12) contain a program for implementation of the Canalway Plan by all necessary parties.

(b) APPROVAL OF THE CANALWAY PLAN.—The Secretary and the Governor shall approve or disapprove the Canalway Plan not later than 90 days after receiving the Canalway Plan.

(c) CRITERIA.—The Secretary may not approve the plan unless the Secretary finds that the plan, if implemented, would adequately protect the significant historical, cultural, natural, and recreational resources of the Corridor and consistent with such protection provide adequate and appropriate outdoor recreational opportunities and economic activities within the Corridor. In determining whether or not to approve the Canalway Plan, the Secretary shall consider whether—

(1) the Commission has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the Canalway Plan; and

(2) the Secretary has received adequate assurances from the Governor and appropriate State officials that the recommended implementation program identified in the plan will be initiated within a reasonable time after the date of approval of the Canalway Plan and such program will ensure effective implementation of State and local aspects of the Canalway Plan.

(d) DISAPPROVAL OF CANALWAY PLAN.—If the Secretary or the Governor do not approve the Canalway Plan, the Secretary or the Governor shall advise the Commission in writing within 90 days the reasons therefore and shall indicate any recommendations for revisions. Following completion of any necessary revisions of the Canalway Plan, the Secretary and the Governor shall have 90 days to either approve or disapprove of the revised Canalway Plan.

(e) AMENDMENTS TO CANALWAY PLAN.—The Secretary and the Governor shall review substantial amendments to the Canalway Plan. Funds appropriated pursuant to this title may not be expended to implement the changes made by such amendments until the Secretary and the Governor approve the amendments.

**SEC. 807. DUTIES OF THE SECRETARY.**

(a) IN GENERAL.—The Secretary is authorized to assist the Commission in the preparation of the Canalway Plan.

(b) TECHNICAL ASSISTANCE.—Pursuant to an approved Canalway Plan, the Secretary is authorized to enter into cooperative

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2763A-302

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agreements with, provide technical assistance to and award grants to the Commission to provide for the preservation and interpretation of the natural, cultural, historical, recreational, and scenic resources of the Corridor, if requested by the Commission.

(c) **EARLY ACTIONS.**—Prior to approval of the Canalway Plan, with the approval of the Commission, the Secretary may provide technical and planning assistance for early actions that are important to the purposes of this title and that protect and preserve resources.

(d) **CANALWAY PLAN IMPLEMENTATION.**—Upon approval of the Canalway Plan, the Secretary is authorized to implement those activities that the Canalway Plan has identified that are the responsibility of the Secretary or agent of the Secretary to undertake in the implementation of the Canalway Plan.

(e) **DETAIL.**—Each fiscal year during the existence of the Commission and upon the request 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 with regard to the preparation and approval of the Canalway Plan. Such detail shall be without interruption or loss of civil service status, benefits, or privileges.

**SEC. 808. DUTIES OF OTHER FEDERAL ENTITIES.**

Any Federal entity conducting or supporting any activity directly affecting the Corridor, and any unit of Government acting pursuant to a grant of Federal funds or a Federal permit or agreement conducting or supporting such activities may—

(1) consult with the Secretary and the Commission with respect to such activities;

(2) cooperate with the Secretary and the Commission in carrying out their duties under this title and coordinate such activities with the carrying out of such duties; and

(3) conduct or support such activities in a manner consistent with the Canalway Plan unless the Federal entity, after consultation with the Secretary and the Commission, determines there is no practicable alternative.

**SEC. 809. SAVINGS PROVISIONS.**

(a) **AUTHORITY OF GOVERNMENTS.**—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of the Federal, State, or local governments to regulate any use of land as provided for by law or regulation.

(b) **ZONING OR LAND.**—Nothing in this title shall be construed to grant powers of zoning or land use to the Commission.

(c) **LOCAL AUTHORITY AND PRIVATE PROPERTY.**—Nothing in this title shall be construed to affect or to authorize the Commission to interfere with—

(1) the rights of any person with respect to private property;

(2) any local zoning ordinance or land use plan of the State of New York or political subdivision thereof; or

(3) any State or local canal-related development plans including but not limited to the Canal Recreationway Plan and the Canal Revitalization Program.

(d) **FISH AND WILDLIFE.**—The designation of the Corridor shall not be diminish the authority of the State of New York to manage fish and wildlife, including the regulation of fishing and hunting within the Corridor.

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**SEC. 810. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—

(1) CORRIDOR.—There is authorized to be appropriated for the Corridor not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Corridor under this title.

(2) MATCHING REQUIREMENT.—Federal funding provided under this paragraph may not exceed 50 percent of the total cost of any activity carried out with such funds. The non-Federal share of such support may be in the form of cash, services, or in-kind contributions, fairly valued.

(b) OTHER FUNDING.—In addition to the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary of the Interior such sums as are necessary for the Secretary for planning and technical assistance.

\* \* \* \* \*

**6. Essex**

114 STAT. 23 PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE II—TECHNICAL CORRECTIONS  
TO DIVISION II**

\* \* \* \* \*

**SEC. 204. ESSEX NATIONAL HERITAGE AREA.**Section 501(a)(8) of division II of the Omnibus Parks Act (110  
Stat. 4257; 16 U.S.C. 461 note) is amended by striking “a visitors’  
center” and inserting “a visitor center”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**7. Golden Spike/Crossroads of the West (study)**

PUBLIC LAW 106-577—DEC. 28, 2000

114 STAT. 3068

Public Law 106-577  
106th Congress**An Act**

To establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.

Dec. 28, 2000

[S. 2749]

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

\* \* \* \* \*

**TITLE III—GOLDEN SPIKE/CROSSROADS  
OF THE WEST NATIONAL HERITAGE  
AREA STUDY AREA AND THE CROSS-  
ROADS OF THE WEST HISTORIC DIS-  
TRICT**

114 STAT. 3071  
Utah.**SEC. 301. AUTHORIZATION OF STUDY.**

(a) DEFINITIONS.—For the purposes of this section:

(1) GOLDEN SPIKE RAIL STUDY.—The term “Golden Spike Rail Study” means the Golden Spike Rail Feasibility Study, Reconnaissance Survey, Ogden, Utah to Golden Spike National Historic Site”, National Park Service, 1993.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) STUDY AREA.—The term “Study Area” means the Golden Spike/Crossroads of the West National Heritage Area Study Area, the boundaries of which are described in subsection (d).

(b) IN GENERAL.—The Secretary shall conduct a study of the Study Area which includes analysis and documentation necessary to determine whether the Study Area—

114 STAT. 3072

(1) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities;

(2) reflects traditions, customs, beliefs, and folk-life that are a valuable part of the national story;

(3) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme or themes of the Study Area that retain a degree of integrity capable of supporting interpretation;

(6) includes residents, business interests, nonprofit organizations, and local and State governments who have demonstrated support for the concept of a National Heritage Area; and

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a National Heritage

114 STAT. 3072

PUBLIC LAW 106-577—DEC. 28, 2000

Area consistent with continued local and State economic activity.

(c) CONSULTATION.—In conducting the study, the Secretary shall—

(1) consult with the State Historic Preservation Officer, State Historical Society, and other appropriate organizations; and

(2) use previously completed materials, including the Golden Spike Rail Study.

(d) BOUNDARIES OF STUDY AREA.—The Study Area shall be comprised of sites relating to completion of the first transcontinental railroad in the State of Utah, concentrating on those areas identified on the map included in the Golden Spike Rail Study.

Deadline.

(e) REPORT.—Not later than 3 fiscal years after funds are first made available to carry out this section, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings and conclusions of the study and recommendations based upon those findings and conclusions.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the provisions of this section.

\* \* \* \* \*

114 STAT. 3074

Approved December 28, 2000.

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LEGISLATIVE HISTORY—S. 2749:

SENATE REPORTS: No. 106-441 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.

Oct. 24, considered and passed House, amended.

Dec. 15, Senate concurred in House amendments.



**8. Hudson River Valley**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

**TITLE II—TECHNICAL CORRECTIONS  
TO DIVISION II**

114 STAT. 31

\* \* \* \* \*

**SEC. 206. HUDSON RIVER VALLEY NATIONAL HERITAGE AREA.**

Section 908(a)(1)(B) of division II of the Omnibus Parks Act (110 Stat. 4279; 16 U.S.C. 461 note) is amended by striking “on nonfederally owned property” and inserting “for non-federally owned property”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



## 9. Illinois and Michigan Canal

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

### \* Public Law 106-554 106th Congress

#### An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105-217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.



PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A–214

**TITLE I**

\* \* \* \* \*

SEC. 126. Section 116(a)(1)(A) of the Illinois and Michigan Canal National Heritage Corridor Act of 1984 (98 Stat. 1467) is amended by striking “\$250,000” and inserting “\$1,000,000”. 114 STAT.  
2763A–229

\* \* \* \* \*

# 10. John H. Chafee Blackstone River Valley

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

## Public Law 106–113 106th Congress

### An Act

Nov. 29, 1999  
[H.R. 3194]

Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

### DIVISION B

Incorporation by  
reference.

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

#### LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A–190

\* \* \* \* \*

SEC. 343. REDESIGNATION OF BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR IN HONOR OF JOHN H. CHAFEE. 113 STAT. 1501A–202

(a) CORRIDOR.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor established by section 1 of Public Law 99–647 (16 U.S.C. 461 note) is redesignated as the “John H. Chafee Blackstone River Valley National Heritage Corridor”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor.

(b) COMMISSION.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor Commission established by section 3 of Public Law 99–647 (16 U.S.C. 461 note) is redesignated as the “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor Commission shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor Commission.

(c) CONFORMING AMENDMENTS.—

(1) Section 1 of Public Law 99–647 (16 U.S.C. 461 note) is amended in the first sentence by striking “Blackstone River Valley National Heritage Corridor” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor”. 113 STAT. 1501A–203

(2) Section 3 of Public Law 99–647 (16 U.S.C. 461 note) is amended—

(A) in the section heading, by striking “BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION” and inserting “JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION”; and

(B) in subsection (a), by striking “Blackstone River Valley National Heritage Corridor Commission” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

\* \* \* \* \*

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

Public Law 106–176  
106th Congress

An Act

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

114 STAT. 29

**SEC. 121. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE COR-  
RIDOR.**

Section 6(d)(2) of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), as added by section 901(c) of division I of the Omnibus Parks Act (110 Stat. 4202), is amended by striking “may be made in the approval plan” and inserting “may be made in the approved plan”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**11. Lackawanna Valley**

PUBLIC LAW 106–278—OCT. 6, 2000

114 STAT. 814

Public Law 106–278  
106th Congress**An Act**To designate the Lackawanna Valley and the Schuylkill River National Heritage  
Areas, and for other purposes.

Oct. 6, 2000

[H.R. 940]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***TITLE I—LACKAWANNA VALLEY  
NATIONAL HERITAGE AREA**Pennsylvania.  
Historic  
preservation.  
Lackawanna  
Valley National  
Heritage Area  
Act of 2000.  
16 USC 461 note.**SEC. 101. SHORT TITLE.**This title may be cited as the “Lackawanna Valley National  
Heritage Area Act of 2000”.**SEC. 102. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the industrial and cultural heritage of northeastern  
Pennsylvania, including Lackawanna County, Luzerne County,  
Wayne County, and Susquehanna County, related directly to  
anthracite and anthracite-related industries, is nationally  
significant;(2) the industries referred to in paragraph (1) include  
anthracite mining, ironmaking, textiles, and rail transportation;(3) the industrial and cultural heritage of the anthracite  
and anthracite-related industries in the region described in  
paragraph (1) includes the social history and living cultural  
traditions of the people of the region;(4) the labor movement of the region played a significant  
role in the development of the Nation, including—(A) the formation of many major unions such as the  
United Mine Workers of America; and(B) crucial struggles to improve wages and working  
conditions, such as the 1900 and 1902 anthracite strikes;(5)(A) the Secretary of the Interior is responsible for pro-  
tecting the historical and cultural resources of the United  
States; and(B) there are significant examples of those resources within  
the region described in paragraph (1) that merit the involve-  
ment of the Federal Government to develop, in cooperation  
with the Lackawanna Heritage Valley Authority, the Common-  
wealth of Pennsylvania, and local and governmental entities,  
programs and projects to conserve, protect, and interpret this  
heritage adequately for future generations, while providing  
opportunities for education and revitalization; and

(6) the Lackawanna Heritage Valley Authority would be an appropriate management entity for a Heritage Area established in the region described in paragraph (1).

(b) **PURPOSES.**—The purposes of the Lackawanna Valley National Heritage Area are—

(1) to foster a close working relationship among all levels of government, the private sector, and the local communities in the anthracite coal region of northeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the 4-county region described in subsection (a)(1).

#### **SEC. 103. DEFINITIONS.**

In this title:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Lackawanna Valley National Heritage Area established by section 104.

(2) **MANAGEMENT ENTITY.**—The term “management entity” means the management entity for the Heritage Area specified in section 104(c).

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Heritage Area developed under section 106(b).

(4) **PARTNER.**—The term “partner” means—

(A) a Federal, State, or local governmental entity; and

(B) an organization, private industry, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

#### **SEC. 104. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.**

(a) **ESTABLISHMENT.**—There is established the Lackawanna Valley National Heritage Area.

(b) **BOUNDARIES.**—The Heritage Area shall be comprised of all or parts of Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, Pennsylvania, determined in accordance with the compact under section 105.

(c) **MANAGEMENT ENTITY.**—The management entity for the Heritage Area shall be the Lackawanna Heritage Valley Authority.

#### **SEC. 105. COMPACT.**

(a) **IN GENERAL.**—To carry out this title, the Secretary shall enter into a compact with the management entity.

(b) **CONTENTS OF COMPACT.**—The compact shall include information relating to the objectives and management of the area, including—

(1) a delineation of the boundaries of the Heritage Area; and

(2) a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the partners.



PUBLIC LAW 106-278—OCT. 6, 2000

114 STAT. 816

**SEC. 106. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.**

(a) **AUTHORITIES OF MANAGEMENT ENTITY.**—The management entity may, for the purposes of preparing and implementing the management plan, use funds made available under this title to hire and compensate staff.

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The management entity shall develop a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(2) **CONSIDERATION OF OTHER PLANS AND ACTIONS.**—The management plan shall—

(A) take into consideration State, county, and local plans;

(B) involve residents, public agencies, and private organizations working in the Heritage Area; and

(C) include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area.

(3) **SPECIFICATION OF FUNDING SOURCES.**—The management plan shall specify the existing and potential sources of funding available to protect, manage, and develop the Heritage Area.

(4) **OTHER REQUIRED ELEMENTS.**—The management plan shall include the following:

(A) An inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the purposes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its historical, cultural, natural, recreational, or scenic significance.

(B) A recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, natural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan by the management entity, including—

(i) plans for restoration and construction; and

(ii) specific commitments of the partners for the first 5 years of operation.

(D) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act.

(E) An interpretation plan for the Heritage Area.

(5) **SUBMISSION TO SECRETARY FOR APPROVAL.**—

(A) **IN GENERAL.**—Not later than the last day of the 3-year period beginning on the date of the enactment of this Act, the management entity shall submit the management plan to the Secretary for approval. Deadline.

(B) **EFFECT OF FAILURE TO SUBMIT.**—If a management plan is not submitted to the Secretary by the day referred to in subparagraph (A), the Secretary shall not, after that day, provide any grant or other assistance under this title

114 STAT. 817

PUBLIC LAW 106-278—OCT. 6, 2000

with respect to the Heritage Area until a management plan for the Heritage Area is submitted to the Secretary.

(c) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions specified in the compact and management plan, including steps to assist units of government and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

(D) restoring historic buildings that relate to the purposes of the Heritage Area;

(3) encourage economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) assist units of government and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are placed throughout the Heritage Area;

(6) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(7) conduct public meetings not less often than quarterly concerning the implementation of the management plan;

(8) submit substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval; and

(9) for each year in which Federal funds have been received under this title—

Records.

Reports.

(A) submit a report to the Secretary that specifies—

(i) the accomplishments of the management entity;

and

(ii) the expenses and income of the management entity;

(B) make available to the Secretary for audit all records relating to the expenditure of such funds and any matching funds; and

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of such funds.

(d) USE OF FEDERAL FUNDS.—

(1) FUNDS MADE AVAILABLE UNDER THIS TITLE.—The management entity shall not use Federal funds received under this title to acquire real property or any interest in real property.

## PUBLIC LAW 106–278—OCT. 6, 2000

114 STAT. 818

(2) FUNDS FROM OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds obtained through law other than this title for any purpose for which the funds are authorized to be used.

**SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.****(a) TECHNICAL AND FINANCIAL ASSISTANCE.—**

(1) PROVISION OF ASSISTANCE.—The Secretary may, at the request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan.

(2) PRIORITY IN ASSISTANCE.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant historical, cultural, and natural resources that support the purpose of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

**(b) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—**

(1) IN GENERAL.—The Secretary, in consultation with the Governor of the Commonwealth of Pennsylvania, shall approve or disapprove a management plan submitted under this title not later than 90 days after receipt of the management plan. Deadline.

**(2) ACTION FOLLOWING DISAPPROVAL.—**

(A) IN GENERAL.—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—The Secretary shall approve or disapprove a proposed revision within 90 days after the date on which the revision is submitted to the Secretary.

**(c) APPROVAL OF AMENDMENTS.—**

(1) REVIEW.—The Secretary shall review substantial amendments (as determined under section 106(c)(8)) to the management plan for the Heritage Area.

(2) REQUIREMENT OF APPROVAL.—Funds made available under this title shall not be expended to implement the amendments described in paragraph (1) until the Secretary approves the amendments.

**SEC. 108. SUNSET PROVISION.**

The Secretary shall not provide any grant or other assistance under this title after September 30, 2012.

**SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$10,000,000, except that not more than \$1,000,000 may be appropriated to carry out this title for any fiscal year.

114 STAT. 818

PUBLIC LAW 106–278—OCT. 6, 2000

(b) 50-PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this title shall not exceed 50 percent.

\* \* \* \* \*

114 STAT. 824

Approved October 6, 2000.

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**LEGISLATIVE HISTORY—H.R. 940 (S. 905):**

HOUSE REPORTS: No. 106–285 (Comm. on Resources).

SENATE REPORTS: Nos. 106–185 accompanying S. 905 and 106–342 (both from Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Sept. 13, considered and passed House.

Vol. 146 (2000): July 27, considered and passed Senate, amended; passage vitiated.

Sept. 18, considered and passed Senate, amended.

Sept. 21, House concurred in Senate amendments.



**12. Low Country Gullah Culture (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

**13. Muscle Shoals (study)**

PUBLIC LAW 107–348—DEC. 17, 2002

116 STAT. 2971

Public Law 107–348  
107th Congress

**An Act**

To direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Muscle Shoals National Heritage Area in Alabama, and for other purposes.

Dec. 17, 2002  
[H.R. 2628]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Muscle Shoals National Heritage Area Study Act of 2002”.

Muscle Shoals  
National  
Heritage Area  
Study Act of  
2002.

**SEC. 2. STUDY.**

The Secretary of the Interior, in consultation with appropriate State historic preservation officers, States historical societies, and other appropriate organizations, shall conduct a study regarding the suitability and feasibility of designating the study area described in section 3 as the Muscle Shoals National Heritage Area. The study shall include analysis, documentation, and determination regarding whether the study area—

(1) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the national story;

(3) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme or themes of the study area that retain a degree of integrity capable of supporting interpretation;

(6) includes residents, business interests, nonprofit organizations, and local and State governments that are involved in the planning, have developed a conceptual financial plan that outlines the roles of all participants (including the Federal Government), and have demonstrated support for the concept of a national heritage area;

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a national heritage

116 STAT. 2972

PUBLIC LAW 107-348—DEC. 17, 2002

area consistent with continued local and State economic activity; and

(8) has a conceptual boundary map that is supported by the public.

**SEC. 3. BOUNDARIES OF THE STUDY AREA.**

The study area referred to in section 2 shall be comprised of the following:

(1) The part of the Tennessee River's watershed in northern Alabama.

(2) The cities of Florence, Sheffield, Tuscumbia, and Muscle Shoals City, Alabama.

(3) The towns of Anderson, Cherokee, Courtland, Leighton, Lexington, Littleville, Red Bay, Rogersville, Russellville, Town Creek, and Waterloo, Alabama, and their environs.

(4) Colbert, Lauderdale, Franklin, and Lawrence Counties, Alabama.

(5) Other areas that have heritage aspects that are similar to those aspects that are in the areas described in paragraphs (1) through (4) and which are adjacent to or in the vicinity of those areas.

Deadline.

**SEC. 4. REPORT.**

Not later than 3 fiscal years after the date on which funds are first made available for this Act, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.

Approved December 17, 2002.

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**LEGISLATIVE HISTORY—H.R. 2628:**

HOUSE REPORTS: No. 107-398 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Apr. 30, considered and passed House.

Nov. 19, considered and passed Senate.





**14. National Coal**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

**TITLE II—TECHNICAL CORRECTIONS  
TO DIVISION II**

114 STAT. 31

**SEC. 201. NATIONAL COAL HERITAGE AREA.**

Title I of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 104(4) (110 Stat. 4244), by striking “history preservation” and inserting “historic preservation”.

(2) In section 105 (110 Stat. 4244), by striking “paragraphs (2) and (5) of section 104” and inserting “paragraph (2) of section 104”.

(3) In section 106(a)(3) (110 Stat. 4244), by striking “or Secretary” and inserting “or the Secretary”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**15. Niagara Falls (study)**

116 STAT. 1735

PUBLIC LAW 107–256—OCT. 29, 2002

**Public Law 107–256  
107th Congress****An Act**Oct. 29, 2002  
[S. 1227]

To authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

Niagara Falls  
National  
Heritage Area  
Study Act.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Niagara Falls National Heritage Area Study Act”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) STUDY AREA.—The term “study area” means lands in Niagara County, New York, along and in the vicinity of the Niagara River.

**SEC. 3. NIAGARA FALLS NATIONAL HERITAGE AREA STUDY.**

(a) IN GENERAL.—The Secretary shall conduct a study of the suitability and feasibility of establishing a heritage area in the State of New York to be known as the “Niagara Falls National Heritage Area”.

(b) ANALYSES AND DOCUMENTATION.—The study shall include analysis and documentation of whether the study area—

(1) contains an assemblage of natural, historical, scenic, and cultural resources that represent distinctive aspects of the heritage of the United States that—

(A) are worthy of recognition, conservation, interpretation, and continued use; and

(B) would best be managed—

(i) through partnerships among public and private entities; and

(ii) by combining diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the story of the United States;

(3) provides outstanding opportunities to conserve natural, historical, scenic, or cultural features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme of the study area that retain a degree of integrity capable of supporting interpretation;

## PUBLIC LAW 107–256—OCT. 29, 2002

116 STAT. 1736

(6) includes residents, business interests, nonprofit organizations, and State and local governments that—

(A) are involved in planning a national heritage area;

(B) have developed a conceptual financial plan for a national heritage area that outlines the roles for all participants, including the Federal Government; and

(C) have demonstrated support for the concept of a national heritage area;

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and State and local governments to develop a national heritage area consistent with continued State and local economic activity; and

(8) has a conceptual boundary map that is supported by the public.

(c) CONSULTATION.—In conducting the study, the Secretary shall consult with—

(1) State and local agencies; and

(2) interested organizations within the study area.

(d) REPORT.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the findings, conclusions, and recommendations of the study under subsection (a). Deadline.

**SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated \$300,000 to carry out this Act.

Approved October 29, 2002.

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**LEGISLATIVE HISTORY—S. 1227:**

HOUSE REPORTS: No. 107–668 (Comm. on Resources).

SENATE REPORTS: No. 107–179 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Aug. 1, considered and passed Senate.

Oct. 16, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Oct. 30, Presidential statement.



**16. Ohio and Erie Canal**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE II—TECHNICAL CORRECTIONS  
TO DIVISION II**

\* \* \* \* \*

**SEC. 205. OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR.**

Title VIII of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 805(b)(2) (110 Stat. 4269), by striking “One individuals,” and inserting “One individual,”.

(2) In section 808(a)(3)(A) (110 Stat. 4279), by striking “from the Committee.” and inserting “from the Committee,”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:****HOUSE REPORTS:** No. 106–17 (Comm. on Resources).**SENATE REPORTS:** No. 106–125 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**17. Quinebaug and Shetucket Rivers Valley**

PUBLIC LAW 106–149—DEC. 9, 1999

113 STAT. 1726

Public Law 106–149  
106th Congress**An Act**To amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor  
Act of 1994 to expand the boundaries of the Corridor.

Dec. 9, 1999

[H.R. 1619]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE.**(a) **SHORT TITLE.**—This Act may be cited as the “Quinebaug  
and Shetucket Rivers Valley National Heritage Corridor Reauthor-  
ization Act of 1999”.(b) **REFERENCE.**—Whenever in this Act a section or other provi-  
sion is amended or repealed, such amendment or repeal shall be  
considered to be made to that section or other provision of the  
Quinebaug and Shetucket Rivers Valley National Heritage Corridor  
Act of 1994 (Public Law 103–449; 16 U.S.C. 461 note).Quinebaug and  
Shetucket Rivers  
Valley National  
Heritage  
Corridor  
Reauthorization  
Act of 1999.  
16 USC 461 note.**SEC. 2. FINDINGS.**

Section 102 of the Act is amended—

(1) in paragraph (1), by inserting “and the Commonwealth  
of Massachusetts” after “State of Connecticut”;(2) by striking paragraph (2) and redesignating paragraphs  
(3) through (9) as paragraphs (2) through (8), respectively;  
and(3) in paragraph (3) (as so redesignated), by inserting “New  
Haven,” after “Hartford,”.**SEC. 3. ESTABLISHMENT OF QUINEBAUG AND SHETUCKET RIVERS  
VALLEY NATIONAL HERITAGE CORRIDOR; PURPOSE.**(a) **ESTABLISHMENT.**—Section 103(a) of the Act is amended by  
inserting “and the Commonwealth of Massachusetts” after “State  
of Connecticut”.(b) **PURPOSE.**—Section 103(b) of the Act is amended to read  
as follows:“(b) **PURPOSE.**—It is the purpose of this title to provide assist-  
ance to the State of Connecticut and the Commonwealth of  
Massachusetts, their units of local and regional government and  
citizens in the development and implementation of integrated nat-  
ural, cultural, historic, scenic, recreational, land, and other resource  
management programs in order to retain, enhance, and interpret  
the significant features of the lands, water, structures, and history  
of the Quinebaug and Shetucket Rivers Valley.”.**SEC. 4. BOUNDARIES AND ADMINISTRATION.**(a) **BOUNDARIES.**—Section 104(a) of the Act is amended—

(1) by inserting “Union,” after “Thompson,”; and

(2) by inserting after “Woodstock” the following: “in the State of Connecticut, and the towns of Brimfield, Charlton, Dudley, E. Brookfield, Holland, Oxford, Southbridge, Sturbridge, and Webster in the Commonwealth of Massachusetts, which are contiguous areas in the Quinebaug and Shetucket Rivers Valley, related by shared natural, cultural, historic, and scenic resources”.

(b) ADMINISTRATION.—Section 104 of the Act is amended by adding at the end the following:

“(b) ADMINISTRATION.—

“(1) IN GENERAL.—(A) The Corridor shall be managed by the management entity in accordance with the management plan, in consultation with the Governor and pursuant to a compact with the Secretary.

“(B) The management entity shall amend its by-laws to add the Governor of Connecticut (or the Governor’s designee) and the Governor of the Commonwealth of Massachusetts (or the Governor’s designee) as a voting members of its Board of Directors.

“(C) The management entity shall provide the Governor with an annual report of its activities, programs, and projects. An annual report prepared for any other purpose shall satisfy the requirements of this paragraph.

“(2) COMPACT.—To carry out the purposes of this Act, the Secretary shall enter into a compact with the management entity. The compact shall include information relating to the objectives and management of the Corridor, including, but not limited to, each of the following:

“(A) A delineation of the boundaries of the Corridor.

“(B) A discussion of goals and objectives of the Corridor, including an explanation of the proposed approaches to accomplishing the goals set forth in the management plan.

“(C) A description of the role of the State of Connecticut and the Commonwealth of Massachusetts.

“(3) AUTHORITIES OF MANAGEMENT ENTITY.—For the purpose of achieving the goals set forth in the management plan, the management entity may use Federal funds provided under this Act—

“(A) to make grants to the State of Connecticut and the Commonwealth of Massachusetts, their political subdivisions, nonprofit organizations, and other persons;

“(B) to enter into cooperative agreements with or provide technical assistance to the State of Connecticut and the Commonwealth of Massachusetts, their political subdivisions, nonprofit organizations, and other persons;

“(C) to hire and compensate staff; and

“(D) to contract for goods and services.

“(4) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—The management entity may not use Federal funds received under this Act to acquire real property or any interest in real property.”.

#### SEC. 5. STATES CORRIDOR PLAN.

Section 105 of the Act is amended—

(1) by striking subsections (a) and (b);

(2) by redesignating subsection (c) as subsection (a);

(3) in subsection (a) (as so redesignated)—

## PUBLIC LAW 106-149—DEC. 9, 1999

113 STAT. 1728

(A) by striking the first sentence and all that follows through “Governor,” and inserting the following: “The management entity shall implement the management plan. Upon request of the management entity,”; and

(B) in paragraph (5), by striking “identified pursuant to the inventory required by section 5(a)(1)”;

(4) by adding at the end the following:

“(b) GRANTS AND TECHNICAL ASSISTANCE.—For the purposes of implementing the management plan, the management entity may make grants or provide technical assistance to the State of Connecticut and the Commonwealth of Massachusetts, their political subdivisions, nonprofit organizations, and other persons to further the goals set forth in the management plan.”.

**SEC. 6. DUTIES OF THE SECRETARY.**

Section 106 of the Act is amended—

(1) in subsection (a)—

(A) by striking “Governor” each place it appears and inserting “management entity”;

(B) by striking “preparation and”; and

(C) by adding at the end the following: “Such assistance shall include providing funds authorized under section 109 and technical assistance necessary to carry out this Act.”; and

(2) by amending subsection (b) to read as follows:

“(b) TERMINATION OF AUTHORITY.—The Secretary may not make any grants or provide any assistance under this Act after September 30, 2009.”.

**SEC. 7. DUTIES OF OTHER FEDERAL AGENCIES.**

Section 107 of the Act is amended by striking “Governor” and inserting “management entity”.

**SEC. 8. DEFINITIONS.**

Section 108 of the Act is amended—

(1) in paragraph (1), by inserting before the period the following: “and the Commonwealth of Massachusetts”.

(2) in paragraph (3), by inserting before the period the following: “and the Governor of the Commonwealth of Massachusetts”;

(3) in paragraph (5), by striking “each of” and all that follows and inserting the following: “the Northeastern Connecticut Council of Governments, the Windham Regional Council of Governments, and the Southeastern Connecticut Council of Governments in Connecticut, (or their successors), and the Pioneer Valley Regional Planning Commission and the Southern Worcester County Regional Planning Commission (or their successors) in Massachusetts.”; and

(4) by adding at the end the following:

“(6) The term ‘management plan’ means the document approved by the Governor of the State of Connecticut on February 16, 1999, and adopted by the management entity, entitled ‘Vision to Reality: A Management Plan’, the management plan for the Corridor, as it may be amended or replaced from time-to-time.

“(7) The term ‘management entity’ means Quinebaug-Shetucket Heritage Corridor, Inc., a not-for-profit corporation (or its successor) incorporated in the State of Connecticut.”.

113 STAT. 1729

PUBLIC LAW 106-149—DEC. 9, 1999

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

Section 109 of the Act is amended to read as follows:

**“SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

“(a) **IN GENERAL.**—There is authorized to be appropriated under this title not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Corridor under this title after the date of the enactment of the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Reauthorization Act of 1999.

“(b) **FIFTY PERCENT MATCH.**—Federal funding provided under this title may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.”.

**SEC. 10. CONFORMING AMENDMENTS.**

(a) **LONG TITLE.**—The long title of the Act is amended to read as follows: “An Act to establish the Quinebaug and Shetucket Rivers Valley National Heritage Corridor in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.”.

(b) **HEADING.**—The heading for section 110 of the Act is amended by striking “**SERVICE**” and inserting “**SYSTEM**”.

Approved December 9, 1999.

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**LEGISLATIVE HISTORY—H.R. 1619:**

HOUSE REPORTS: No. 106-306 (Comm. on Resources).

SENATE REPORTS: No. 106-213 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Sept. 13, considered and passed House.

Nov. 19, considered and passed Senate.





**18. Rivers of Steel**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



APPENDIX C—H.R. 3423

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

113 STAT.  
1501A–154

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

113 STAT.  
1501A–158

SEC. 116. Notwithstanding any other provision of law, the Steel Industry American Heritage Area, authorized by Public Law 104–333, is hereby renamed the Rivers of Steel National Heritage Area.

\* \* \* \* \*

**19. Schuylkill River Valley**

PUBLIC LAW 106–278—OCT. 6, 2000

114 STAT. 814

Public Law 106–278  
106th Congress**An Act**To designate the Lackawanna Valley and the Schuylkill River National Heritage  
Areas, and for other purposes.

Oct. 6, 2000

[H.R. 940]

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

\* \* \* \* \*

**TITLE II—SCHUYLKILL RIVER VALLEY  
NATIONAL HERITAGE AREA****SEC. 201. SHORT TITLE.**This title may be cited as the “Schuylkill River Valley National  
Heritage Area Act”.Pennsylvania.  
Historic  
preservation.  
114 STAT. 819  
Schuylkill River  
Valley National  
Heritage Area  
Act.

16 USC 461 note.

**SEC. 202. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) the Schuylkill River Valley made a unique contribution  
to the cultural, political, and industrial development of the  
United States;(2) the Schuylkill River is distinctive as the first spine  
of modern industrial development in Pennsylvania and one  
of the first in the United States;(3) the Schuylkill River Valley played a significant role  
in the struggle for nationhood;(4) the Schuylkill River Valley developed a prosperous and  
productive agricultural economy that survives today;(5) the Schuylkill River Valley developed a charcoal iron  
industry that made Pennsylvania the center of the iron industry  
within the North American colonies;(6) the Schuylkill River Valley developed into a significant  
anthracite mining region that continues to thrive today;(7) the Schuylkill River Valley developed early transpor-  
tation systems, including the Schuylkill Canal and the Reading  
Railroad;(8) the Schuylkill River Valley developed a significant  
industrial base, including textile mills and iron works;

(9) there is a longstanding commitment to—

(A) repairing the environmental damage to the river  
and its surroundings caused by the largely unregulated  
industrial activity; and(B) completing the Schuylkill River Trail along the  
128-mile corridor of the Schuylkill Valley;(10) there is a need to provide assistance for the preserva-  
tion and promotion of the significance of the Schuylkill River  
as a system for transportation, agriculture, industry, commerce,  
and immigration; and(11)(A) the Department of the Interior is responsible for  
protecting the Nation’s cultural and historical resources; and(B) there are significant examples of such resources within  
the Schuylkill River Valley to merit the involvement of the  
Federal Government in the development of programs and

projects, in cooperation with the Schuylkill River Greenway Association, the State of Pennsylvania, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(b) PURPOSES.—The purposes of this title are—

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities in the Schuylkill River Valley of southeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Schuylkill River Valley of southeastern Pennsylvania.

114 STAT. 820

#### SEC. 203. DEFINITIONS.

In this title:

(1) COOPERATIVE AGREEMENT.—The term “cooperative agreement” means the cooperative agreement entered into under section 204(d).

(2) HERITAGE AREA.—The term “Heritage Area” means the Schuylkill River Valley National Heritage Area established by section 204.

(3) MANAGEMENT ENTITY.—The term “management entity” means the management entity of the Heritage Area appointed under section 204(c).

(4) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Heritage Area developed under section 205.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of Pennsylvania.

#### SEC. 204. ESTABLISHMENT.

(a) IN GENERAL.—For the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations certain land and structures with unique and significant historical and cultural value associated with the early development of the Schuylkill River Valley, there is established the Schuylkill River Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of the Schuylkill River watershed within the counties of Schuylkill, Berks, Montgomery, Chester, and Philadelphia, Pennsylvania, as delineated by the Secretary.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Schuylkill River Greenway Association.

(d) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—To carry out this title, the Secretary shall enter into a cooperative agreement with the management entity.

(2) CONTENTS.—The cooperative agreement shall include information relating to the objectives and management of the Heritage Area, including—

(A) a description of the goals and objectives of the Heritage Area, including a description of the approach to conservation and interpretation of the Heritage Area;

## PUBLIC LAW 106-278—OCT. 6, 2000

114 STAT. 820

- (B) an identification and description of the management entity that will administer the Heritage Area; and
- (C) a description of the role of the State.

**SEC. 205. MANAGEMENT PLAN.**

(a) **IN GENERAL.**—Not later than 3 years after the date of the enactment of this title, the management entity shall submit to the Secretary for approval a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area. Deadline.

(b) **REQUIREMENTS.**—The management plan shall— 114 STAT. 821

- (1) take into consideration State, county, and local plans;
- (2) involve residents, public agencies, and private organizations working in the Heritage Area;

(3) specify, as of the date of the plan, existing and potential sources of funding to protect, manage, and develop the Heritage Area; and

(4) include—

(A) actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area;

(B) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historical, recreational, or scenic significance;

(C) a recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(D) a program for implementation of the management plan by the management entity;

(E) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this title; and

(F) an interpretation plan for the Heritage Area.

(c) **DISQUALIFICATION FROM FUNDING.**—If a management plan is not submitted to the Secretary on or before the date that is 3 years after the date of the enactment of this title, the Heritage Area shall be ineligible to receive Federal funding under this title until the date on which the Secretary receives the management plan.

(d) **UPDATE OF PLAN.**—In lieu of developing an original management plan, the management entity may update and submit to the Secretary the Schuylkill Heritage Corridor Management Action Plan that was approved by the State in March, 1995, to meet the requirements of this section.

**SEC. 206. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.**

(a) **AUTHORITIES OF THE MANAGEMENT ENTITY.**—For purposes of preparing and implementing the management plan, the management entity may—

114 STAT. 821

## PUBLIC LAW 106-278—OCT. 6, 2000

(1) make grants to, and enter into cooperative agreements with, the State and political subdivisions of the State, private organizations, or any person; and

(2) hire and compensate staff.

(b) DUTIES OF THE MANAGEMENT ENTITY.—The management entity shall—

(1) develop and submit the management plan under section 205;

114 STAT. 822

(2) give priority to implementing actions set forth in the cooperative agreement and the management plan, including taking steps to—

(A) assist units of government, regional planning organizations, and nonprofit organizations in—

(i) preserving the Heritage Area;

(ii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iii) developing recreational resources in the Heritage Area;

(iv) increasing public awareness of and, appreciation for, the natural, historical, and architectural resources and sites in the Heritage Area;

(v) restoring historic buildings relating to the themes of the Heritage Area; and

(vi) ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are installed throughout the Heritage Area;

(B) encourage economic viability in the Heritage Area consistent with the goals of the management plan; and

(C) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(3) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

Public  
information.

(4) conduct public meetings at least quarterly regarding the implementation of the management plan;

(5) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the approval of the Secretary; and

Records.

(6) for any fiscal year in which Federal funds are received under this title—

Reports.

(A) submit to the Secretary a report describing—

(i) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which the management entity made any grant during the fiscal year;

(B) make available for audit all records pertaining to the expenditure of Federal funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds; and

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(C) require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of Federal funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds from other sources for their permitted purposes.

114 STAT. 823

(d) SPENDING FOR NON-FEDERALLY OWNED PROPERTY.—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

**SEC. 207. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the Heritage Area to develop and implement the management plan.

(2) PRIORITIES.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant natural, historical, and cultural resources that support the themes of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF COOPERATIVE AGREEMENTS AND MANAGEMENT PLANS.—

(1) IN GENERAL.—Not later than 90 days after receiving a cooperative agreement or management plan submitted under this title, the Secretary, in consultation with the Governor of the State, shall approve or disapprove the cooperative agreement or management plan.

Deadline.

(2) MANAGEMENT PLAN CONTENTS.—In reviewing the plan, the Secretary shall consider whether the composition of the management entity and the plan adequately reflect diverse interest of the region, including those of—

(A) local elected officials;

(B) the State;

(C) business and industry groups;

(D) organizations interested in the protection of natural and cultural resources; and

(E) other community organizations and individual stakeholders.

(3) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a cooperative agreement or management plan, the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval; and

114 STAT. 823

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(ii) make recommendations for revisions in the cooperative agreement or plan.

(B) TIME PERIOD FOR DISAPPROVAL.—Not later than 90 days after the date on which a revision described under subparagraph (A)(ii) is submitted, the Secretary shall approve or disapprove the proposed revision.

(c) APPROVAL OF AMENDMENTS.—

(1) IN GENERAL.—The Secretary shall review and approve substantial amendments to the management plan.

114 STAT. 824

(2) FUNDING EXPENDITURE LIMITATION.—Funds appropriated under this title may not be expended to implement any substantial amendment until the Secretary approves the amendment.

#### SEC. 208. CULTURE AND HERITAGE OF ANTHRACITE COAL REGION.

(a) IN GENERAL.—The management entities of heritage areas (other than the Heritage Area) in the anthracite coal region in the State shall cooperate in the management of the Heritage Area.

(b) FUNDING.—Management entities described in subsection (a) may use funds appropriated for management of the Heritage Area to carry out this section.

#### SEC. 209. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after the date that is 15 years after the date of the enactment of this title.

#### SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title not more than \$10,000,000, of which not more than \$1,000,000 is authorized to be appropriated for any 1 fiscal year.

(b) FEDERAL SHARE.—Federal funding provided under this title may not exceed 50 percent of the total cost of any project or activity funded under this title.

Approved October 6, 2000.

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#### LEGISLATIVE HISTORY—H.R. 940 (S. 905):

HOUSE REPORTS: No. 106-285 (Comm. on Resources).

SENATE REPORTS: Nos. 106-185 accompanying S. 905 and 106-342 (both from Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 145 (1999): Sept. 13, considered and passed House.

Vol. 146 (2000): July 27, considered and passed Senate, amended; passage vitiated.

Sept. 18, considered and passed Senate, amended.  
Sept. 21, House concurred in Senate amendments.





**20. Shenandoah Valley Battlefields**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 115. SHENANDOAH VALLEY BATTLEFIELDS.**

114 STAT. 27

Section 606 of division I of the Omnibus Parks Act (110 Stat. 4175; 16 U.S.C. 461 note) is amended as follows:

(1) In subsection (d)—

(A) in paragraph (1), by striking “section 5.” and inserting “subsection (e).”; and

(B) in paragraph (2), by striking “section 9.” and inserting “subsection (h).”; and

(C) in paragraph (3), by striking “Commission plan approved by the Secretary under section 6.” and inserting “plan developed and approved under subsection (f).”.

(2) In subsection (f)(1), by striking “this Act” and inserting “this section”.

(3) In subsection (g)—

(A) in paragraph (3), by striking “purposes of this Act” and inserting “purposes of this section”; and

(B) in paragraph (5), by striking “section 9.” and inserting “subsection (i).”.

(4) In subsection (h)(12), by striking “this Act” and inserting “this section”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



114 STAT. 2763

PUBLIC LAW 106–554—DEC. 21, 2000

\* Public Law 106–554  
106th Congress

An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX D-1—S. 2273

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APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A-214

**TITLE I**

\* \* \* \* \*

SEC. 135. Funds provided in Public Law 106-291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

114 STAT.  
2763A-230

\* \* \* \* \*

**21. Southwest Pennsylvania**

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

Public Law 106–291

106th Congress

**An Act**Oct. 11, 2000  
[H.R. 4578]Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT. 941

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT. 956

16 USC 461 note.

SEC. 148. (a) Section 104 of the Act entitled “An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes”, approved November 19, 1988 (Public Law 100–698) is amended—

(1) in the flush material at the end of subsection (a), by striking “10 years” and inserting “20 years”; and

(2) in subsection (e), by striking “10 years” and inserting “20 years”.

16 USC 461 note.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 105 of the Act entitled “An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes”, approved November 19, 1988 (Public Law 100–698) is amended by inserting “for each of fiscal years 2001 through 2010” after “\$3,000,000”.

16 USC 461 note.

(c) **EFFECTIVE DATE.**—The amendment made by section 1 shall be deemed to have taken effect on November 18, 1998.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

**LEGISLATIVE HISTORY—H.R. 4578:**

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



**22. Tennessee Civil War**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

**TITLE II—TECHNICAL CORRECTIONS  
TO DIVISION II**

114 STAT. 31

\* \* \* \* \*

**SEC. 202. TENNESSEE CIVIL WAR HERITAGE AREA.**

Title II of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 201(b)(4) (110 Stat. 4245), by striking “and associated sites associated” and inserting “and sites associated”.

(2) In section 207(a) (110 Stat. 4248), by striking “as provide for” and inserting “as provided for”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**23. Wheeling**

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

**Public Law 106–291  
106th Congress****An Act**Oct. 11, 2000  
[H.R. 4578]Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2001,  
and for other purposes, namely:**TITLE I—DEPARTMENT OF THE INTERIOR**114 STAT. 963  
114 STAT. 941**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**Wheeling  
National  
Heritage Area  
Act of 2000.  
16 USC 461 note.**SEC. 157. (a) SHORT TITLE.**—This section may be cited as the  
“Wheeling National Heritage Area Act of 2000”.**(b) FINDINGS AND PURPOSES.**—**(1) FINDINGS.**—The Congress finds that—(A) the area in and around Wheeling, West Virginia,  
possesses important historical, cultural, and natural  
resources, representing major heritage themes of transpor-  
tation, commerce and industry, and Victorian culture in  
the United States;(B) the City of Wheeling has played an important  
part in the settlement of this country by serving as—(i) the western terminus of the National Road of  
the early 1800’s;(ii) the “Crossroads of America” throughout the  
nineteenth century;(iii) one of the few major inland ports in the nine-  
teenth century; and(iv) the site for the establishment of the Restored  
State of Virginia, and later the State of West Virginia,  
during the Civil War and as the first capital of the  
new State of West Virginia;(C) the City of Wheeling has also played an important  
role in the industrial and commercial heritage of the United  
States, through the development and maintenance of many  
industries crucial to the Nation’s expansion, including iron  
and steel, textile manufacturing, boat building, glass manu-  
facturing, and stogie and chewing tobacco manufacturing  
facilities, many of which are industries that continue to  
play an important role in the national economy;(D) the city of Wheeling has retained its national herit-  
age themes with the designations of the old custom house  
(now Independence Hall) and the historic suspension bridge  
as National Historic Landmarks; with five historic districts;  
and many individual properties in the Wheeling area listed  
or eligible for nomination to the National Register of His-  
toric Places;(E) the heritage themes and number and diversity  
of Wheeling’s remaining resources should be appropriately



PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 963

retained, enhanced, and interpreted for the education, benefit, and inspiration of the people of the United States; and

(F) in 1992 a comprehensive plan for the development and administration of the Wheeling National Heritage Area was completed for the National Park Service, the City of Wheeling, and the Wheeling National Task Force, including—

(i) an inventory of the national and cultural resources in the City of Wheeling;

(ii) criteria for preserving and interpreting significant natural and historic resources;

(iii) a strategy for the conservation, preservation, and reuse of the historical and cultural resources in the City of Wheeling and the surrounding region; and

(iv) an implementation agenda by which the State of West Virginia and local governments can coordinate their resources as well as a complete description of the management entity responsible for implementing the comprehensive plan.

114 STAT. 964

(2) PURPOSES.—The purposes of this section are—

(A) to recognize the special importance of the history and development of the Wheeling area in the cultural heritage of the Nation;

(B) to provide a framework to assist the City of Wheeling and other public and private entities and individuals in the appropriate preservation, enhancement, and interpretation of significant resources in the Wheeling area emblematic of Wheeling's contributions to the Nation's cultural heritage;

(C) to allow for limited Federal, State and local capital contributions for planning and infrastructure investments to complete the Wheeling National Heritage Area, in partnership with the State of West Virginia, the City of Wheeling, and other appropriate public and private entities; and

(D) to provide for an economically self-sustaining National Heritage Area not dependent on Federal financial assistance beyond the initial years necessary to establish the heritage area.

(c) DEFINITIONS.—As used in this section—

(1) the term “city” means the City of Wheeling;

(2) the term “heritage area” means the Wheeling National Heritage Area established in subsection (d);

(3) the term “plan” means the “Plan for the Wheeling National Heritage Area” dated August, 1992;

(4) the term “Secretary” means the Secretary of the Interior; and

(5) the term “State” means the State of West Virginia.

(d) WHEELING NATIONAL HERITAGE AREA.—

(1) ESTABLISHMENT.—In furtherance of the purposes of this section, there is established in the State of West Virginia the Wheeling National Heritage Area, as generally depicted on the map entitled “Boundary Map, Wheeling National Heritage Area, Wheeling, West Virginia” and dated March, 1994. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

114 STAT. 964

PUBLIC LAW 106-291—OCT. 11, 2000

## (2) MANAGEMENT ENTITY.—

(A) The management entity for the heritage area shall be the Wheeling National Heritage Corporation, a non-profit corporation chartered in the State of West Virginia.

(B) To the extent consistent with this section, the management entity shall manage the heritage area in accordance with the plan.

## (e) DUTIES OF THE MANAGEMENT ENTITY.—

## (1) MISSION.—

(A) The primary mission of the management entity shall be—

(i) to implement and coordinate the recommendations contained in the plan;

(ii) ensure integrated operation of the heritage area; and

(iii) conserve and interpret the historic and cultural resources of the heritage area.

(B) The management entity shall also direct and coordinate the diverse conservation, development, programming, educational, and interpretive activities within the heritage area.

(2) RECOGNITION OF PLAN.—The management entity shall work with the State of West Virginia and local governments to ensure that the plan is formally adopted by the City and recognized by the State.

(3) IMPLEMENTATION.—To the extent practicable, the management entity shall—

(A) implement the recommendations contained in the plan in a timely manner pursuant to the schedule identified in the plan;

(B) coordinate its activities with the City, the State, and the Secretary;

(C) ensure the conservation and interpretation of the heritage area's historical, cultural, and natural resources, including—

(i) assisting the City and the State in the preservation of sites, buildings, and objects within the heritage area which are listed or eligible for listing on the National Register of Historic Places;

(ii) assisting the City, the State, or a nonprofit organization in the restoration of any historic building in the heritage area;

(iii) increasing public awareness of and appreciation for the natural, cultural, and historic resources of the heritage area;

(iv) assisting the State or City in designing, establishing, and maintaining appropriate interpretive facilities and exhibits in the heritage area;

(v) assisting in the enhancement of public awareness and appreciation for the historical, archaeological, and geologic resources and sites in the heritage area; and

(vi) encouraging the City and other local governments to adopt land use policies consistent with the goals of the plan, and to take actions to implement those policies;

(D) encourage intergovernmental cooperation in the achievement of these objectives;

114 STAT. 965

## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 965

(E) develop recommendations for design standards within the heritage area; and

(F) seek to create public-private partnerships to finance projects and initiatives within the heritage area.

(4) AUTHORITIES.—The management entity may, for the purposes of implementing the plan, use Federal funds made available by this section to—

(A) make grants to the State, City, or other appropriate public or private organizations, entities, or persons;

(B) enter into cooperative agreements with, or provide technical assistance to Federal agencies, the State, City or other appropriate public or private organizations, entities, or persons;

(C) hire and compensate such staff as the management entity deems necessary; 114 STAT. 966

(D) obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money;

(E) spend funds on promotion and marketing consistent with the resources and associated values of the heritage area in order to promote increased visitation; and

(F) contract for goods and services.

(5) ACQUISITION OF REAL PROPERTY.—

(A) Except as provided in paragraph (B), the management entity may not acquire any real property or interest therein within the heritage area, other than the leasing of facilities.

(B)(i) Subject to subparagraph (ii), the management entity may acquire real property, or an interest therein, within the heritage area by gift or devise, or by purchase from a willing seller with money which was donated, bequeathed, appropriated, or otherwise made available to the management entity on the condition that such money be used to purchase real property, or interest therein, within the heritage area.

(ii) Any real property or interest therein acquired by the management entity pursuant to this paragraph shall be conveyed in perpetuity by the management entity to an appropriate public or private entity, as determined by the management entity. Any such conveyance shall be made as soon as practicable after acquisition, without consideration, and on the condition that the real property or interest therein so conveyed shall be used for public purposes.

(6) REVISION OF PLAN.—Within 18 months after the date of enactment, the management entity shall submit to the Secretary a revised plan. Such revision shall include, but not be limited to—

(A) a review of the implementation agenda for the heritage area;

(B) projected capital costs; and

(C) plans for partnership initiatives and expansion of community support.

(f) DUTIES OF THE SECRETARY.—

(1) INTERPRETIVE SUPPORT.—The Secretary may, upon request of the management entity, provide appropriate interpre-

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PUBLIC LAW 106-291—OCT. 11, 2000

tive, planning, educational, staffing, exhibits, and other material or support for the heritage area, consistent with the plan and as appropriate to the resources and associated values of the heritage area.

(2) TECHNICAL ASSISTANCE.—The Secretary may upon request of the management entity and consistent with the plan, provide technical assistance to the management entity.

(3) COOPERATIVE AGREEMENTS AND GRANTS.—The Secretary may, in consultation with the management entity and consistent with the management plan, make grants to, and enter into cooperative agreements with the management entity, the State, City, non-profit organization or any person.

114 STAT. 967

(3) PLAN AMENDMENTS.—No amendments to the plan may be made unless approved by the Secretary. The Secretary shall consult with the management entity in reviewing any proposed amendments.

(g) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal department, agency, or other entity conducting or supporting activities directly affecting the heritage area shall—

(1) consult with the Secretary and the management entity with respect to such activities.

(2) cooperate with the Secretary and the management entity in carrying out their duties under this Act, and to the extent practicable, coordinate such activities directly with the duties of the Secretary and the management entity.

(3) to the extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the heritage area.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000, except that not more than \$1,000,000 may be appropriated to carry out this section for any fiscal year.

(2) MATCHING FUNDS.—Federal funding provided under this section shall be matched at least 25 percent by other funds or in-kind services.

(i) SUNSET.—The Secretary may not make any grant or provide any assistance under this section after September 30, 2015.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106-646 (Comm. on Appropriations) and No. 106-914 (Comm. of Conference).

SENATE REPORTS: No. 106-312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13-15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3-5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



**24. Yuma Crossing**

PUBLIC LAW 106–319—OCT. 19, 2000

114 STAT. 1280

Public Law 106–319  
106th Congress

**An Act**

To establish the Yuma Crossing National Heritage Area.

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Oct. 19, 2000

[H.R. 2833]

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

Yuma Crossing  
National  
Heritage Area  
Act of 2000.  
16 USC 461 note.

**SECTION 1. SHORT TITLE; DEFINITIONS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Yuma Crossing National Heritage Area Act of 2000”.

(b) **DEFINITIONS.**—In this Act:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Yuma Crossing National Heritage Area established in section 3.

(2) **MANAGEMENT ENTITY.**—The term “management entity” shall mean the Yuma Crossing National Heritage Area Board of Directors referred to section 3(c).

(3) **MANAGEMENT PLAN.**—The term “management plan” shall mean the management plan for the Yuma Crossing National Heritage Area.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 2. FINDINGS AND PURPOSE.**

(a) **FINDINGS.**—The Congress finds the following:

(1) Certain events that led to the establishment of the Yuma Crossing as a natural crossing place on the Colorado River and to its development as an important landmark in America’s westward expansion during the mid-19th century are of national historic and cultural significance in terms of their contribution to the development of the new United States of America.

(2) It is in the national interest to promote, preserve, and protect physical remnants of a community with almost 500 years of recorded history which has outstanding cultural, historic, and architectural value for the education and benefit of present and future generations.

(3) The designation of the Yuma Crossing as a national heritage area would preserve Yuma’s history and provide related educational opportunities, provide recreational opportunities, preserve natural resources, and improve the city and county of Yuma’s ability to serve visitors and enhance the local economy through the completion of the major projects identified within the Yuma Crossing National Heritage Area.

(4) The Department of the Interior is responsible for protecting the Nation’s cultural and historic resources. There are significant examples of these resources within the Yuma region

to merit the involvement of the Federal Government in developing programs and projects, in cooperation with the Yuma Crossing National Heritage Area and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations while providing opportunities for education, revitalization, and economic development.

(5) The city of Yuma, the Arizona State Parks Board, agencies of the Federal Government, corporate entities, and citizens have completed a study and master plan for the Yuma Crossing to determine the extent of its historic resources, preserve and interpret these historic resources, and assess the opportunities available to enhance the cultural experience for region's visitors and residents.

(6) The Yuma Crossing National Heritage Area Board of Directors would be an appropriate management entity for a heritage area established in the region.

(b) PURPOSE.—The objectives of the Yuma Crossing National Heritage Area are as follows:

(1) To recognize the role of the Yuma Crossing in the development of the United States, with particular emphasis on the roll of the crossing as an important landmark in the westward expansion during the mid-19th century.

(2) To promote, interpret, and develop the physical and recreational resources of the communities surrounding the Yuma Crossing, which has almost 500 years of recorded history and outstanding cultural, historic, and architectural assets, for the education and benefit of present and future generations.

(3) To foster a close working relationship with all levels of government, the private sector, and the local communities in the Yuma community and empower the community to conserve its heritage while continuing to pursue economic opportunities.

(4) To provide recreational opportunities for visitors to the Yuma Crossing and preserve natural resources within the Heritage Area.

(5) To improve the Yuma region's ability to serve visitors and enhance the local economy through the completion of the major projects identified within the Heritage Area.

### SEC. 3. YUMA CROSSING NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Yuma Crossing National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of those portions of the Yuma region totaling approximately 21 square miles, encompassing over 150 identified historic, geologic, and cultural resources, and bounded—

(1) on the west, by the Colorado River (including the crossing point of the Army of the West);

(2) on the east, by Avenue 7E;

(3) on the north, by the Colorado River; and

(4) on the south, by the 12th Street alignment.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Yuma Crossing National Heritage Area Board of Directors which shall include representatives from a broad cross-section of the individuals, agencies, organizations, and governments that were involved in the planning and development of the Heritage Area before the date of the enactment of this Act.

## PUBLIC LAW 106-319—OCT. 19, 2000

114 STAT. 1282

**SEC. 4. COMPACT.**

(a) **IN GENERAL.**—To carry out the purposes of this Act, the Secretary of the Interior shall enter into a compact with the management entity.

(b) **COMPONENTS OF COMPACT.**—The compact shall include information relating to the objectives and management of the Heritage Area, including each of the following:

- (1) A discussion of the goals and objects of the Heritage Area.
- (2) An explanation of the proposed approach to conservation and interpretation of the Heritage Area.
- (3) A general outline of the protection measures to which the management entity commits.

**SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.**

(a) **AUTHORITIES OF THE MANAGEMENT ENTITY.**—The management entity may, for purposes of preparing and implementing the management plan, use funds made available through this Act for the following:

- (1) To make grants to, and enter into cooperative agreements with, States and their political subdivisions, private organizations, or any person.
- (2) To hire and compensate staff.
- (3) To enter into contracts for goods and services.

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Taking into consideration existing State, county, and local plans, the management entity shall develop a management plan for the Heritage Area.

(2) **CONTENTS.**—The management plan required by this subsection shall include—

(A) comprehensive recommendations for conservation, funding, management, and development of the Heritage Area;

(B) actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area;

(C) a list of specific existing and potential sources of funding to protect, manage, and develop the Heritage Area;

(D) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historic, recreational, or scenic significance;

(E) a recommendation of policies for resource management which considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(F) a program for implementation of the management plan by the management entity, including plans for restoration and construction, and specific commitments of the identified partners for the first 5 years of operation;

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PUBLIC LAW 106-319—OCT. 19, 2000

(G) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act; and

(H) an interpretation plan for the Heritage Area.

(3) SUBMISSION TO SECRETARY.—The management entity shall submit the management plan to the Secretary for approval not later than 3 years after the date of the enactment of this Act. If a management plan is not submitted to the Secretary as required within the specified time, the Heritage Area shall no longer qualify for Federal funding.

(c) DUTIES OF MANAGEMENT ENTITY.—In addition to its duties under subsection (b), the management entity shall—

(1) give priority to implementing actions set forth in the compact and management plan, including steps to assist units of government, regional planning organizations, and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government, regional planning organizations, and nonprofit organizations with—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the Heritage Area;

(D) restoring any historic building relating to the themes of the Heritage Area; and

(E) ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the Heritage Area;

(3) encourage, by appropriate means, economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(6) conduct public meetings at least quarterly regarding the implementation of the management plan; and

(7) for any year in which Federal funds have been received under this Act, make available for audit all records pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

(d) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity may not use Federal funds received under this Act to acquire real property or an interest in real property. Nothing in this Act shall preclude any management entity from using Federal funds from other sources for their permitted purposes.

(e) SPENDING FOR NON-FEDERALLY OWNED PROPERTY.—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this Act, especially



## PUBLIC LAW 106-319—OCT. 19, 2000

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in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

**SEC. 6. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The Secretary may, upon request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan. In assisting the management entity, the Secretary shall give priority to actions that in general assist in—

(1) conserving the significant natural, historic, and cultural resources which support the themes of the Heritage Area; and

(2) providing educational, interpretive, and recreational opportunities consistent with resources and associated values of the Heritage Area.

(b) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.**—The Secretary, in consultation with the Yuma Crossing National Heritage Area Board of Directors, shall approve or disapprove the management plan submitted under this Act not later than 90 days after receiving such management plan.

(c) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves a submitted compact or management plan, the Secretary shall advise the management entity in writing of the reasons therefor and shall make recommendations for revisions in the management plan. The Secretary shall approve or disapprove a proposed revision within 90 days after the date it is submitted.

(d) **APPROVING AMENDMENTS.**—The Secretary shall review substantial amendments to the management plan for the Heritage Area. Funds appropriated pursuant to this Act may not be expended to implement the changes made by such amendments until the Secretary approves the amendments.

(e) **DOCUMENTATION.**—Subject to the availability of funds, the Historic American Building Survey/Historic American Engineering Record shall conduct those studies necessary to document the cultural, historic, architectural, and natural resources of the Heritage Area.

**SEC. 7. SUNSET.**

The Secretary may not make any grant or provide any assistance under this Act after September 30, 2015.

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated under this Act not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Heritage Area under this Act.

(b) **50 PERCENT MATCH.**—Federal funding provided under this Act, after the designation of the Heritage Area, may not exceed

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50 percent of the total cost of any assistance or grant provided or authorized under this Act.

Approved October 19, 2000.

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LEGISLATIVE HISTORY—H.R. 2833 (S. 1998):

HOUSE REPORTS: No. 106-740 (Comm. on Resources).

SENATE REPORTS: No. 106-340 accompanying S. 1998 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 25, considered and passed House.

Oct. 5, considered and passed Senate.



## XXIII. MISCELLANEOUS ENACTMENTS

### 1. Abraham Lincoln Bicentennial Commission

PUBLIC LAW 106–173—FEB. 25, 2000

114 STAT. 14

Public Law 106–173  
106th Congress

#### An Act

To establish the Abraham Lincoln Bicentennial Commission.

Feb. 25, 2000  
[H.R. 1451]

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

Abraham Lincoln  
Bicentennial  
Commission Act.  
36 USC note  
prec. 101.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Abraham Lincoln Bicentennial Commission Act”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Abraham Lincoln, the 16th President, was one of the Nation’s most prominent leaders, demonstrating true courage during the Civil War, one of the greatest crises in the Nation’s history.

(2) Born of humble roots in Hardin County, Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a legacy of honesty, integrity, intelligence, and commitment to the United States.

(3) With the belief that all men were created equal, Abraham Lincoln led the effort to free all slaves in the United States.

(4) Abraham Lincoln had a generous heart, with malice toward none and with charity for all.

(5) Abraham Lincoln gave the ultimate sacrifice for the country Lincoln loved, dying from an assassin’s bullet on April 15, 1865.

(6) All Americans could benefit from studying the life of Abraham Lincoln, for Lincoln’s life is a model for accomplishing the “American Dream” through honesty, integrity, loyalty, and a lifetime of education.

(7) The year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln, and a commission should be established to study and recommend to Congress activities that are fitting and proper to celebrate that anniversary in a manner that appropriately honors Abraham Lincoln.

#### SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Abraham Lincoln Bicentennial Commission (referred to in this Act as the “Commission”).

#### SEC. 4. DUTIES.

The Commission shall have the following duties:

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PUBLIC LAW 106-173—FEB. 25, 2000

(1) To study activities that may be carried out by the Federal Government to determine whether the activities are fitting and proper to honor Abraham Lincoln on the occasion of the bicentennial anniversary of Lincoln's birth, including—

(A) the minting of an Abraham Lincoln bicentennial penny;

(B) the issuance of an Abraham Lincoln bicentennial postage stamp;

(C) the convening of a joint meeting or joint session of Congress for ceremonies and activities relating to Abraham Lincoln;

(D) a redesignation of the Lincoln Memorial, or other activity with respect to the Memorial; and

(E) the acquisition and preservation of artifacts associated with Abraham Lincoln.

(2) To recommend to Congress the activities that the Commission considers most fitting and proper to honor Abraham Lincoln on such occasion, and the entity or entities in the Federal Government that the Commission considers most appropriate to carry out such activities.

Congress.  
President.

#### SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members appointed as follows:

(1) Two members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President.

(2) One member, who shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Illinois.

(3) One member, who shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Indiana.

(4) One member, who shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Kentucky.

(5) Three members, at least one of whom shall be a Member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(6) Three members, at least one of whom shall be a Senator, appointed by the majority leader of the Senate.

(7) Two members, at least one of whom shall be a Member of the House of Representatives, appointed by the minority leader of the House of Representatives.

(8) Two members, at least one of whom shall be a Senator, appointed by the minority leader of the Senate.

(b) QUALIFIED CITIZEN.—A qualified citizen described in this subsection is a private citizen of the United States with—

(1) a demonstrated dedication to educating others about the importance of historical figures and events; and

(2) substantial knowledge and appreciation of Abraham Lincoln.

(c) TIME OF APPOINTMENT.—Each initial appointment of a member of the Commission shall be made before the expiration of the 120-day period beginning on the date of the enactment of this Act.

(d) CONTINUATION OF MEMBERSHIP.—If a member of the Commission was appointed to the Commission as a Member of

## PUBLIC LAW 106-173—FEB. 25, 2000

114 STAT. 16

Congress, and ceases to be a Member of Congress, that member may continue to serve on the Commission for not longer than the 30-day period beginning on the date that member ceases to be a Member of Congress.

(e) TERMS.—Each member shall be appointed for the life of the Commission.

(f) VACANCIES.—A vacancy in the Commission shall not affect the powers of the Commission but shall be filled in the manner in which the original appointment was made.

(g) BASIC PAY.—Members shall serve on the Commission without pay.

(h) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(i) QUORUM.—Five members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(j) CHAIR.—The Commission shall select a Chair from among the members of the Commission.

(k) MEETINGS.—The Commission shall meet at the call of the Chair. Periodically, the Commission shall hold a meeting in Springfield, Illinois.

**SEC. 6. DIRECTOR AND STAFF.**

(a) DIRECTOR.—The Commission may appoint and fix the pay of a Director and such additional personnel as the Commission considers to be appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—

(1) DIRECTOR.—The Director of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(2) STAFF.—The staff of the Commission shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

**SEC. 7. POWERS.**

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(c) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that department or agency shall furnish that information to the Commission.

(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.

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(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

**SEC. 8. REPORTS.**

(a) INTERIM REPORTS.—The Commission may submit to Congress such interim reports as the Commission considers to be appropriate.

Deadline.

(b) FINAL REPORT.—The Commission shall submit a final report to Congress not later than the expiration of the 4-year period beginning on the date of the formation of the Commission. The final report shall contain—

(1) a detailed statement of the findings and conclusions of the Commission;

(2) the recommendations of the Commission; and

(3) any other information that the Commission considers to be appropriate.

**SEC. 9. BUDGET ACT COMPLIANCE.**

Any spending authority provided under this Act shall be effective only to such extent and in such amounts as are provided in appropriation Acts.

**SEC. 10. TERMINATION.**

The Commission shall terminate 120 days after submitting the final report of the Commission pursuant to section 8.

**SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved February 25, 2000.

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**LEGISLATIVE HISTORY—H.R. 1451:****CONGRESSIONAL RECORD:**

Vol. 145 (1999): Oct. 4, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 8, House concurred in Senate amendment.



**2. Abraham Lincoln Interpretive Center, Illinois**

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress**An Act**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Oct. 11, 2000  
[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

114 STAT. 941

\* \* \* \* \*

**SEC. 146. (a) CONTRIBUTIONS TOWARD ESTABLISHMENT OF ABRAHAM LINCOLN INTERPRETIVE CENTER.—**

114 STAT. 952

(1) GRANTS AUTHORIZED.—Subject to subsections (a)(2) and (a)(3), the Secretary of the Interior shall make grants to contribute funds for the establishment in Springfield, Illinois, of an interpretive center to preserve and make available to the public materials related to the life of President Abraham Lincoln and to provide interpretive and educational services which communicate the meaning of the life of Abraham Lincoln.

**(2) PLAN AND DESIGN.—**

(A) SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the entity selected by the Secretary of the Interior to receive grants under subsection (a)(1) shall submit to the Secretary a plan and design for the interpretive center, including a description of the following:

Deadline.

- (i) The design of the facility and site.
- (ii) The method of acquisition.
- (iii) The estimated cost of acquisition, construction, operation, and maintenance.

(iv) The manner and extent to which non-Federal entities will participate in the acquisition, construction, operation, and maintenance of the center.

114 STAT. 953

(B) CONSULTATION AND COOPERATION.—The plan and design for the interpretive center shall be prepared in consultation with the Secretary of the Interior and the Governor of Illinois and in cooperation with such other public, municipal, and private entities as the Secretary considers appropriate.

**(3) CONDITIONS ON GRANT.—**

(A) MATCHING REQUIREMENT.—A grant under subsection (a)(1) may not be made until such time as the entity selected to receive the grant certifies to the Secretary of the Interior that funds have been contributed by the

114 STAT. 953

PUBLIC LAW 106-291—OCT. 11, 2000

State of Illinois or raised from non-Federal sources for use to establish the interpretive center in an amount equal to at least double the amount of that grant.

(B) RELATION TO OTHER LINCOLN-RELATED SITES AND MUSEUMS.—The Secretary of the Interior shall further condition the grant under subsection (a)(1) on the agreement of the grant recipient to operate the resulting interpretive center in cooperation with other Federal and non-Federal historic sites, parks, and museums that represent significant locations or events in the life of Abraham Lincoln. Cooperative efforts to promote and interpret the life of Abraham Lincoln may include the use of cooperative agreements, cross references, cross promotion, and shared exhibits.

(4) PROHIBITION ON CONTRIBUTION OF OPERATING FUNDS.—Grant amounts may not be used for the maintenance or operation of the interpretive center.

(5) NON-FEDERAL OPERATION.—The Secretary of the Interior shall have no involvement in the actual operation of the interpretive center, except at the request of the non-Federal entity responsible for the operation of the center.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior a total of \$50,000,000 to make grants under subsection (a)(1). Amounts so appropriated shall remain available for expenditure through fiscal year 2006.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106-646 (Comm. on Appropriations) and No. 106-914 (Comm. of Conference).

SENATE REPORTS: No. 106-312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13-15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3-5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.





**3. Aleutian World War II**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 113. UNALASKA.**

114 STAT. 27

Section 513(c) of division I of the Omnibus Parks Act (110 Stat. 4165; 16 U.S.C. 461 note) is amended by striking “whall be comprised” and inserting “shall be comprised”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**4. Anderson Cottage, District of Columbia (study)**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000.** (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

**Approved November 29, 1999.****LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A-190

\* \* \* \* \*

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”. 113 STAT.  
1501A-194

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91-383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105-391; 112 Stat. 3501).

113 STAT.  
1501A-195

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) **REPORTS.**—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

## 5. Base Closing Property Conveyances

113 STAT. 512

PUBLIC LAW 106-65—OCT. 5, 1999

### Public Law 106-65 106th Congress

#### An Act

Oct. 5, 1999  
[S. 1059]

To authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

National Defense  
Authorization  
Act for Fiscal  
Year 2000.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2000”.

#### SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

113 STAT. 824  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2000.

#### DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

#### SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2000”.

\* \* \* \* \*

113 STAT. 844

#### TITLE XXVIII—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT. 853

#### SUBTITLE C—DEFENSE BASE CLOSURE AND REALIGNMENT

#### SEC. 2821. ECONOMIC DEVELOPMENT CONVEYANCES OF BASE CLOSURE PROPERTY.

(a) 1990 LAW.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

- (1) in subparagraph (A)—
  - (A) by inserting “or realigned” after “closed”; and
  - (B) by inserting “for purposes of job generation on the installation” before the period at the end;
- (2) by redesignating subparagraphs (C), (D), (E), and (F) as subparagraphs (E), (F), (G), and (J), respectively;
- (3) by striking subparagraph (B) and inserting the following new subparagraphs:

## PUBLIC LAW 106-65—OCT. 5, 1999

113 STAT. 853

“(B) The transfer of property of a military installation under subparagraph (A) shall be without consideration if the redevelopment authority with respect to the installation—

“(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the transfer under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

“(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) For purposes of subparagraph (B), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

“(i) Road construction.

“(ii) Transportation management facilities.

“(iii) Storm and sanitary sewer construction.

“(iv) Police and fire protection facilities and other public facilities.

“(v) Utility construction.

“(vi) Building rehabilitation.

“(vii) Historic property preservation.

“(viii) Pollution prevention equipment or facilities.

“(ix) Demolition.

“(x) Disposal of hazardous materials generated by demolition.

“(xi) Landscaping, grading, and other site or public improvements.

“(xii) Planning for or the marketing of the development and reuse of the installation. 113 STAT. 854

“(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).”;

(4) in subparagraph (F), as redesignated by paragraph (2)—

(A) by striking “(i)”; and

(B) by striking clause (ii); and

(5) by inserting after subparagraph (F), as so redesignated, the following new subparagraphs:

“(H)(i) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into before April 21, 1999, the Secretary may modify the agreement, and in so doing compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States, if—

“(I) the Secretary determines that as a result of changed economic circumstances, a modification of the agreement is necessary;

“(II) the terms of the modification do not require the return of any payments that have been made to the Secretary;

“(III) the terms of the modification do not compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States with respect to in-kind consideration; and

“(IV) the cash consideration to which the United States is entitled under the modified agreement, when combined with the cash consideration to be received by the United States for the disposal of other real property assets on the installation, are as sufficient as they were under the original agreement to fund the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act, with the depreciated value of the investment made with commissary store funds or non-appropriated funds in property disposed of pursuant to the agreement being modified, in accordance with section 2906(d).

“(ii) When exercising the authority granted by clause (i), the Secretary may waive some or all future payments if, and to the extent that, the Secretary determines such waiver is necessary.

“(iii) With the exception of the requirement that the transfer be without consideration, the requirements of subparagraphs (B), (C), and (D) shall be applicable to any agreement modified pursuant to clause (i).

“(I) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into during the period beginning on April 21, 1999, and ending on the date of enactment of the National Defense Authorization Act for Fiscal Year 2000, at the request of the redevelopment authority concerned, the Secretary shall modify the agreement to conform to all the requirements of subparagraphs (B), (C), and (D). Such a modification may include the compromise, waiver, adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.”

113 STAT. 855

(b) 1988 LAW.—Section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by inserting “or realigned” after “closed”; and

(B) by inserting “for purposes of job generation on the installation” before the period at the end;

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (E), (F), and (I), respectively;

(3) by striking subparagraph (B) and inserting the following new subparagraphs:

“(B) The transfer of property of a military installation under subparagraph (A) shall be without consideration if the redevelopment authority with respect to the installation—

“(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the transfer under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

“(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

## PUBLIC LAW 106-65—OCT. 5, 1999

113 STAT. 855

“(C) For purposes of subparagraph (B), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

- “(i) Road construction.
- “(ii) Transportation management facilities.
- “(iii) Storm and sanitary sewer construction.
- “(iv) Police and fire protection facilities and other public facilities.
- “(v) Utility construction.
- “(vi) Building rehabilitation.
- “(vii) Historic property preservation.
- “(viii) Pollution prevention equipment or facilities.
- “(ix) Demolition.
- “(x) Disposal of hazardous materials generated by demolition.
- “(xi) Landscaping, grading, and other site or public improvements.
- “(xii) Planning for or the marketing of the development and reuse of the installation.

“(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).”;

(4) in subparagraph (E), as redesignated by paragraph

(2)—

(A) by striking “(i)”; and

(B) by striking clause (ii); and

(5) by inserting after subparagraph (F) the following new subparagraphs:

113 STAT. 856

“(G)(i) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into before April 21, 1999, the Secretary may modify the agreement, and in so doing compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States, if—

“(I) the Secretary determines that as a result of changed economic circumstances, a modification of the agreement is necessary;

“(II) the terms of the modification do not require the return of any payments that have been made to the Secretary;

“(III) the terms of the modification do not compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States with respect to in-kind consideration; and

“(IV) the cash consideration to which the United States is entitled under the modified agreement, when combined with the cash consideration to be received by the United States for the disposal of other real property assets on the installation, are as sufficient as they were under the original agreement to fund the reserve account established under paragraph (7)(C), with the depreciated value of the investment made with com-

113 STAT. 856

PUBLIC LAW 106-65—OCT. 5, 1999

missary store funds or nonappropriated funds in property disposed of pursuant to the agreement being modified, in accordance with section 2906(d) of the Defense Base Closure and Realignment Act of 1990.

“(ii) When exercising the authority granted by clause (i), the Secretary may waive some or all future payments if, and to the extent that, the Secretary determines such waiver is necessary.

“(iii) With the exception of the requirement that the transfer be without consideration, the requirements of subparagraphs (B), (C), and (D) shall be applicable to any agreement modified pursuant to clause (i).

“(H) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into during the period beginning on April 21, 1999, and ending on the date of enactment of the National Defense Authorization Act for Fiscal Year 2000, at the request of the redevelopment authority concerned, the Secretary shall modify the agreement to conform to all the requirements of subparagraphs (B), (C), and (D). Such a modification may include the compromise, waiver, adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.”.

\* \* \* \* \*

113 STAT. 976

Approved October 5, 1999.

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LEGISLATIVE HISTORY—S. 1059 (H.R. 1401):

HOUSE REPORTS: Nos. 106-162 accompanying H.R. 1401 (Comm. on Armed Services) and 106-301 (Comm. of Conference).

SENATE REPORTS: No. 106-50 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 145 (1999):

May 24-27, considered and passed Senate.

June 14, considered and passed House, amended, in lieu of H.R. 1401.

Sept. 15, House agreed to conference report.

Sept. 21, 22, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Oct. 5, Presidential remarks and statement.





**6. Bioluminescent Bay, Puerto Rico (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):Nov. 3, considered and passed House; considered and passed Senate, amend-  
ed.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

**7. Bosque Redondo Memorial, NM**

PUBLIC LAW 106–511—NOV. 13, 2000

114 STAT. 2365

Public Law 106–511  
106th Congress**An Act**To provide for equitable compensation for the Cheyenne River Sioux Tribe, and  
for other purposes.

Nov. 13, 2000

[S. 964]

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

\* \* \* \* \*

**TITLE II—BOSQUE REDONDO  
MEMORIAL**114 STAT. 2369  
Bosque Redondo  
Memorial Act.  
New Mexico.  
16 USC 431 note.**SEC. 201. SHORT TITLE.**This title may be cited as the “Bosque Redondo Memorial  
Act”.**SEC. 202. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) in 1863, the United States detained nearly 9,000 Navajo  
and forced their migration across nearly 350 miles of land  
to Bosque Redondo, a journey known as the “Long Walk”;(2) Mescalero Apache people were also incarcerated at  
Bosque Redondo;(3) the Navajo and Mescalero Apache people labored to  
plant crops, dig irrigation ditches and build housing, but  
drought, cutworms, hail, and alkaline Pecos River water created  
severe living conditions for nearly 9,000 captives;(4) suffering and hardships endured by the Navajo and  
Mescalero Apache people forged a new understanding of their  
strengths as Americans;(5) the Treaty of 1868 was signed by the United States  
and the Navajo tribes, recognizing the Navajo Nation as it  
exists today;(6) the State of New Mexico has appropriated a total of  
\$123,000 for a planning study and for the design of the Bosque  
Redondo Memorial;(7) individuals and businesses in DeBaca County donated  
\$6,000 toward the production of a brochure relating to the  
Bosque Redondo Memorial;(8) the Village of Fort Sumner donated 70 acres of land  
to the State of New Mexico contiguous to the existing 50 acres  
comprising Fort Sumner State Monument, contingent on the  
funding of the Bosque Redondo Memorial;(9) full architectural plans and the exhibit design for the  
Bosque Redondo Memorial have been completed;(10) the Bosque Redondo Memorial project has the  
encouragement of the President of the Navajo Nation and the  
President of the Mescalero Apache Tribe, who have each  
appointed tribal members to serve as project advisors;(11) the Navajo Nation, the Mescalero Tribe and the  
National Park Service are collaborating to develop a symposium

114 STAT. 2369

PUBLIC LAW 106-511—NOV. 13, 2000

on the Bosque Redondo Long Walk and a curriculum for inclusion in the New Mexico school curricula;

(12) an interpretive center would provide important educational and enrichment opportunities for all Americans; and

(13) Federal financial assistance is needed for the construction of a Bosque Redondo Memorial.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To commemorate the people who were interned at Bosque Redondo.

(2) To pay tribute to the native populations' ability to rebound from suffering, and establish the strong, living communities that have long been a major influence in the State of New Mexico and in the United States.

114 STAT. 2370

(3) To provide Americans of all ages a place to learn about the Bosque Redondo experience and how it resulted in the establishment of strong American Indian Nations from once divergent bands.

(4) To support the construction of the Bosque Redondo Memorial commemorating the detention of the Navajo and Mescalero Apache people at Bosque Redondo from 1863 to 1868.

#### SEC. 203. DEFINITIONS.

In this title:

(1) MEMORIAL.—The term "Memorial" means the building and grounds known as the Bosque Redondo Memorial.

(2) SECRETARY.—The term "Secretary" means the Secretary of Defense.

#### SEC. 204. BOSQUE REDONDO MEMORIAL.

(a) ESTABLISHMENT.— Upon the request of the State of New Mexico, the Secretary is authorized to establish a Bosque Redondo Memorial within the boundaries of Fort Sumner State Monument in New Mexico. No memorial shall be established without the consent of the Navajo Nation and the Mescalero Tribe.

(b) COMPONENTS OF THE MEMORIAL.—The memorial shall include—

(1) exhibit space, a lobby area that represents design elements from traditional Mescalero and Navajo dwellings, administrative areas that include a resource room, library, workrooms and offices, restrooms, parking areas, sidewalks, utilities, and other visitor facilities;

(2) a venue for public education programs; and

(3) a location to commemorate the Long Walk of the Navajo people and the healing that has taken place since that event.

#### SEC. 205. CONSTRUCTION OF MEMORIAL.

(a) GRANT.—

(1) IN GENERAL.—The Secretary may award a grant to the State of New Mexico to provide up to 50 percent of the total cost of construction of the Memorial.

(2) NON-FEDERAL SHARE.—The non-Federal share of construction costs for the Memorial shall include funds previously expended by the State for the planning and design of the Memorial, and funds previously expended by non-Federal entities for the production of a brochure relating to the Memorial.

## PUBLIC LAW 106-511—NOV. 13, 2000

114 STAT. 2370

(b) REQUIREMENTS.—To be eligible to receive a grant under this section, the State shall—

(1) submit to the Secretary a proposal that—

(A) provides assurances that the Memorial will comply with all applicable laws, including building codes and regulations; and

(B) includes such other information and assurances as the Secretary may require; and

(2) enter into a Memorandum of Understanding with the Secretary that shall include—

(A) a timetable for the completion of construction and the opening of the Memorial;

(B) assurances that construction contracts will be competitively awarded;

(C) assurances that the State or Village of Fort Sumner will make sufficient land available for the Memorial; 114 STAT. 2371

(D) the specifications of the Memorial which shall comply with all applicable Federal, State, and local building codes and laws;

(E) arrangements for the operation and maintenance of the Memorial upon completion of construction;

(F) a description of Memorial collections and educational programming;

(G) a plan for the design of exhibits including the collections to be exhibited, security, preservation, protection, environmental controls, and presentations in accordance with professional standards;

(H) an agreement with the Navajo Nation and the Mescalero Tribe relative to the design and location of the Memorial; and

(I) a financing plan developed by the State that outlines the long-term management of the Memorial, including—

(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;

(ii) the payment of the operating costs of the Memorial through the assessment of fees or other income generated by the Memorial;

(iii) a strategy for achieving financial self-sufficiency with respect to the Memorial by not later than 5 years after the date of enactment of this Act; and Deadline.

(iv) a description of the business activities that would be permitted at the Memorial and appropriate vendor standards that would apply.

**SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title—

(1) \$1,000,000 for fiscal year 2000; and

(2) \$500,000 for each of fiscal years 2001 and 2002.

(b) CARRYOVER.—Any funds made available under this section that are unexpended at the end of the fiscal year for which those funds are appropriated, shall remain available for use by the Sec-

114 STAT. 2371

PUBLIC LAW 106–511—NOV. 13, 2000

retary through September 30, 2002 for the purposes for which  
those funds were made available.

\* \* \* \* \*

114 STAT. 2377

Approved November 13, 2000.

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LEGISLATIVE HISTORY—S. 964:

HOUSE REPORTS: No. 106–944 (Comm. on Resources).

SENATE REPORTS: No. 106–217 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 18, considered and passed House, amended.

Oct. 24, Senate concurred in House amendment.



## 8. Bainbridge Island/Japanese-American Memorial (study)

PUBLIC LAW 107-363—DEC. 19, 2002

116 STAT. 3024

Public Law 107-363  
107th Congress

### An Act

To direct the Secretary of the Interior to conduct a study of the site commonly known as Eagledale Ferry Dock at Taylor Avenue in the State of Washington for potential inclusion in the National Park System.

Dec. 19, 2002

[H.R. 3747]

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

#### SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “Bainbridge Island Japanese-American Memorial Study Act of 2002”.

(b) FINDINGS.—The Congress finds the following:

(1) During World War II on February 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066, setting in motion the forced exile of more than 110,000 Japanese Americans.

(2) In Washington State, 12,892 men, women and children of Japanese ancestry experienced three years of incarceration, an incarceration violating the most basic freedoms of American citizens.

(3) On March 30, 1942, 227 Bainbridge Island residents were the first Japanese Americans in United States history to be forcibly removed from their homes by the U.S. Army and sent to internment camps. They boarded the ferry Kehloken from the former Eagledale Ferry Dock, located at the end of Taylor Avenue, in the city of Bainbridge Island, Washington State.

(4) The city of Bainbridge Island has adopted a resolution stating that this site should be a National Memorial, and similar resolutions have been introduced in the Washington State Legislature.

(5) Both the Minidoka National Monument and Manzanar National Historic Site can clearly tell the story of a time in our Nation’s history when constitutional rights were ignored. These camps by design were placed in very remote places and are not easily accessible. Bainbridge Island is a short ferry ride from Seattle and the site would be within easy reach of many more people.

(6) This is a unique opportunity to create a site that will honor those who suffered, cherish the friends and community who stood beside them and welcomed them home, and inspire all to stand firm in the event our nation again succumbs to similar fears.

(7) The site should be recognized by the National Park Service based on its high degree of national significance, association with significant events, and integrity of its location

Bainbridge  
Island Japanese-  
American  
Memorial Study  
Act of 2002.

116 STAT. 3025

PUBLIC LAW 107-363—DEC. 19, 2002

and setting. This site is critical as an anchor for future efforts to identify, interpret, serve, and ultimately honor the Nikkei—persons of Japanese ancestry—influence on Bainbridge Island.

**SEC. 2. EAGLEDALE FERRY DOCK LOCATION AT TAYLOR AVENUE STUDY AND REPORT.**

(a) **STUDY.**—The Secretary of the Interior shall carry out a special resource study regarding the national significance, suitability, and feasibility of designating as a unit of the National Park System the property commonly known as the Eagledale Ferry Dock at Taylor Avenue and the historical events associated with it, located in the town of Bainbridge Island, Kitsap County, Washington.

Deadline.

(b) **REPORT.**—Not later than 1 year after funds are first made available for the study under subsection (a), the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the findings, conclusions, and recommendations of the study.

(c) **REQUIREMENTS FOR STUDY.**—Except as otherwise provided in this section, the study under subsection (a) shall be conducted in accordance with section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)).

Approved December 19, 2002.

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**LEGISLATIVE HISTORY—H.R. 3747:** (S. 1894) (S. 1959)

**HOUSE REPORTS:** No. 107-690 (Comm. on Resources).

**SENATE REPORTS:** No. 107-196 accompanying S. 1894 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD,** Vol. 148 (2002):

Nov. 14, considered and passed House.

Nov. 19, considered and passed Senate.





**9. Brandywine Battlefield, Pennsylvania**

PUBLIC LAW 106–86—OCT. 31, 1999

113 STAT. 1298

Public Law 106–86  
106th Congress**An Act**

To authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

Oct. 31, 1999  
[H.R. 659]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pennsylvania Battlefields Protection Act of 1999”.

Pennsylvania  
Battlefields  
Protection Act of  
1999.  
16 USC 410aa  
note.

**TITLE I—PAOLI AND BRANDYWINE  
BATTLEFIELDS**

\* \* \* \* \*

**SEC. 102. BRANDYWINE BATTLEFIELD PROTECTION.****(a) BRANDYWINE BATTLEFIELD.—**

(1) **IN GENERAL.**—The Secretary is authorized to provide funds to the Commonwealth of Pennsylvania, a political subdivision of the Commonwealth, or the Brandywine Conservancy, for the acquisition, protection, and preservation of land in an area generally known as the Meetinghouse Road Corridor, located in Chester County, Pennsylvania, as depicted on a map entitled “Brandywine Battlefield—Meetinghouse Road Corridor”, numbered 80,000 and dated April 1999 (referred to in this title as the “Brandywine Battlefield”). The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

113 STAT. 1299

(2) **WILLING SELLERS OR DONORS.**—Lands and interests in land may be acquired pursuant to this section only with the consent of the owner thereof.

(b) **COOPERATIVE AGREEMENT AND TECHNICAL ASSISTANCE.**—The Secretary shall enter into a cooperative agreement with the same entity that is provided funds under subsection (a) for the management by the entity of the Brandywine Battlefield. The Secretary may also provide technical assistance to the entity to assure the preservation and interpretation of the Brandywine Battlefield’s resources.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$3,000,000 to carry out this section. Such funds shall be expended in the ratio of one dollar of Federal funds for each dollar of funds contributed by non-Federal sources. Any funds

113 STAT. 1299

PUBLIC LAW 106–86—OCT. 31, 1999

provided by the Secretary shall be subject to an agreement that provides for the protection of the Brandywine Battlefield's resources.

\* \* \* \* \*

113 STAT. 1300

Approved October 31, 1999.

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LEGISLATIVE HISTORY—H.R. 659:

HOUSE REPORTS: No. 106–139 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

June 22, considered and passed House.  
Oct. 14, considered and passed Senate, amended.  
Oct. 18, House concurred in Senate amendment.



## PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2763

\* Public Law 106–554  
106th Congress

## An Act

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Dec. 21, 2000  
[H.R. 4577]

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

- (1) H.R. 5656, as introduced on December 14, 2000.
- (2) H.R. 5657, as introduced on December 14, 2000.
- (3) H.R. 5658, as introduced on December 14, 2000.
- (4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).
- (5) H.R. 5660, as introduced on December 14, 2000.
- (6) H.R. 5661, as introduced on December 14, 2000.
- (7) H.R. 5662, as introduced on December 14, 2000.
- (8) H.R. 5663, as introduced on December 14, 2000.
- (9) H.R. 5667, as introduced on December 15, 2000.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

Publication.  
1 USC 112 note.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the infor-  
mation required by that section, the Director of the Office of Man-  
agement and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

114 STAT. 2764

PUBLIC LAW 106–554—DEC. 21, 2000

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX A—H.R. 5656

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APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

114 STAT. 2763A–171 PUBLIC LAW 106–554—APPENDIX D

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
2763A–214**DIVISION B****TITLE I**

\* \* \* \* \*

114 STAT.  
2763A–230

SEC. 135. Funds provided in Public Law 106–291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

\* \* \* \* \*

**10. Brown vs. Board of Education 50th Anniversary  
Commission (establish)**

PUBLIC LAW 107–41—SEPT. 18, 2001

115 STAT. 226

Public Law 107–41  
107th Congress

**An Act**

To establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

Sept. 18, 2001  
[H.R. 2133]

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

36 USC note  
prec. 101.

**SECTION 1. FINDINGS.**

The Congress finds that as the Nation approaches May 17, 2004, marking the 50th anniversary of the Supreme Court decision in *Oliver L. Brown et al. v. Board of Education of Topeka, Kansas et al.*, it is appropriate to establish a national commission to plan and coordinate the commemoration of that anniversary.

**SEC. 2. ESTABLISHMENT.**

There is established a commission to be known as the “Brown v. Board of Education 50th Anniversary Commission” (referred to in this Act as the “Commission”).

**SEC. 3. DUTIES.**

In order to commemorate the 50th anniversary of the Brown decision, the Commission shall—

(1) in conjunction with the Department of Education, plan and coordinate public education activities and initiatives, including public lectures, writing contests, and public awareness campaigns, through the Department of Education’s ten regional offices; and

(2) in cooperation with the Brown Foundation for Educational Equity, Excellence, and Research in Topeka, Kansas (referred to in this Act as the “Brown Foundation”), and such other public or private entities as the Commission considers appropriate, encourage, plan, develop, and coordinate observances of the anniversary of the Brown decision.

**SEC. 4. MEMBERSHIP.**

(a) **NUMBER AND APPOINTMENT.**—The Commission shall be composed as follows:

(1) Two representatives of the Department of Education appointed by the Secretary of Education, one of whom shall serve as one of two Co-chairpersons of the Commission.

(2) Two representatives of the Department of Justice appointed by the Attorney General, one of whom shall serve as one of two Co-chairpersons of the Commission.

(3) Eleven individuals appointed by the President after receiving recommendations as follows: President.

(A)(i) The Members of the Senate from each State described in clause (iii) shall each submit the name of one individual from the State to the majority leader and minority leader of the Senate.

(ii) After review of the submissions made under clause (i), the majority leader of the Senate, in consultation with the minority leader of the Senate, shall recommend to the President five individuals, one from each of the States described in clause (iii).

(iii) The States described in this clause are the States in which the lawsuits decided by the Brown decision were originally filed (Delaware, Kansas, South Carolina, and Virginia), and the State of the first legal challenge involved (Massachusetts).

(B)(i) The Members of the House of Representatives from each State described in subparagraph (A)(iii) shall each submit the name of one individual from the State to the Speaker of the House of Representatives and the minority leader of the House of Representatives.

(ii) After review of the submissions made under clause (i), the Speaker of the House of Representatives, in consultation with the minority leader of the House of Representatives, shall recommend to the President five individuals, one from each of the States described in subparagraph (A)(iii).

(C) The Delegate to the House of Representatives from the District of Columbia shall recommend to the President one individual from the District of Columbia.

(4) Two representatives of the judicial branch of the Federal Government appointed by the Chief Justice of the United States Supreme Court.

(5) Two representatives of the Brown Foundation.

(6) Two representatives of the NAACP Legal Defense and Education Fund.

(7) One representative of the Brown v. Board of Education National Historic Site.

(b) TERMS.—Members of the Commission shall be appointed for the life of the Commission.

(c) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the original appointment.

(d) COMPENSATION.—

(1) IN GENERAL.—Members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(e) QUORUM.—A majority of members of the Commission shall constitute a quorum.

(f) MEETINGS.—The Commission shall hold its first meeting not later than 6 months after the date of the enactment of this Act. The Commission shall subsequently meet at the call of a Co-chairperson or a majority of its members.

(g) EXECUTIVE DIRECTOR AND STAFF.—The Commission may secure the services of an executive director and staff personnel as it considers appropriate.



## PUBLIC LAW 107-41—SEPT. 18, 2001

115 STAT. 228

**SEC. 5. POWERS.**

(a) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take under this Act.

(b) **GIFTS AND DONATIONS.**—

(1) **AUTHORITY TO ACCEPT.**—The Commission may accept and use gifts or donations of money, property, or personal services.

(2) **DISPOSITION OF PROPERTY.**—Any books, manuscripts, miscellaneous printed matter, memorabilia, relics, or other materials donated to the Commission which relate to the Brown decision, shall, upon termination of the Commission—

(A) be deposited for preservation in the Brown Foundation Collection at the Spencer Research Library at the University of Kansas in Lawrence, Kansas; or

(B) be disposed of by the Commission in consultation with the Librarian of Congress, and with the express consent of the Brown Foundation and the Brown v. Board of Education National Historic Site.

(c) **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.

**SEC. 6. REPORTS.**

Deadline.

(a) **INTERIM REPORTS.**—The Commission shall transmit interim reports to the President and the Congress not later than December 31 of each year. Each such report shall include a description of the activities of the Commission during the year covered by the report, an accounting of any funds received or expended by the Commission during such year, and recommendations for any legislation or administrative action which the Commission considers appropriate.

(b) **FINAL REPORT.**—The Commission shall transmit a final report to the President and the Congress not later than December 31, 2004. Such report shall include an accounting of any funds received or expended, and the disposition of any other properties, not previously reported.

**SEC. 7. TERMINATION.**

(a) **DATE.**—The Commission shall terminate on such date as the Commission may determine, but not later than February 1, 2005.

(b) **DISPOSITION OF FUNDS.**—Any funds held by the Commission on the date the Commission terminates shall be deposited in the general fund of the Treasury.

115 STAT. 229

PUBLIC LAW 107-41—SEPT. 18, 2001

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$250,000 for the period encompassing fiscal years 2003 and 2004 to carry out this Act, to remain available until expended.

Approved September 18, 2001.

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**LEGISLATIVE HISTORY—H.R. 2133 (S. 1046):****CONGRESSIONAL RECORD**, Vol. 147 (2001):

June 27, considered and passed House.

Aug. 3, considered and passed Senate, amended.

Sept. 10, House concurred in Senate amendment.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 37 (2001):

Sept. 19, Presidential statement.



**11. Carter Woodson Home, District of Columbia (study)**

PUBLIC LAW 106–349—OCT. 24, 2000

114 STAT. 1359

Public Law 106–349  
106th Congress**An Act**

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, and for other purposes.

Oct. 24, 2000

[H.R. 3201]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Carter G. Woodson Home National Historic Site Study Act of 2000”.

Carter G.  
Woodson Home  
National Historic  
Site Study Act of  
2000.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Dr. Carter G. Woodson, cognizant of the widespread ignorance and scanty information concerning the history of African Americans, founded on September 9, 1915, the Association for the Study of Negro Life and History, since renamed the Association for the Study of African-American Life and History.

(2) The Association was founded in particular to counter racist propaganda alleging black inferiority and the pervasive influence of Jim Crow prevalent at the time.

(3) The mission of the Association was and continues to be educating the American public of the contributions of Black Americans in the formation of the Nation’s history and culture.

(4) Dr. Woodson dedicated nearly his entire adult life to every aspect of the Association’s operations in furtherance of its mission.

(5) Among the notable accomplishments of the Association under Dr. Woodson’s leadership, Negro History Week was instituted in 1926 to be celebrated annually during the second week of February. Negro History Week has since evolved into Black History Month.

(6) The headquarters and center of operations of the Association was Dr. Woodson’s residence, located at 1538 Ninth Street, Northwest, Washington, D.C.

**SEC. 3. DEFINITION.**

For purposes of this Act, the term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

**SEC. 4. STUDY.**

(a) IN GENERAL.—Not later than 18 months after the date on which funds are made available for such purpose, the Secretary, after consultation with the Mayor of the District of Columbia,

Deadline.

114 STAT. 1360

PUBLIC LAW 106-349—OCT. 24, 2000

shall submit to the Committee on Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a resource study of the Dr. Carter G. Woodson Home and headquarters of the Association for the Study of African-American Life and History, located at 1538 Ninth Street, Northwest, Washington, D.C.

(b) CONTENTS.—The study under subsection (a) shall—

(1) identify suitability and feasibility of designating the Carter G. Woodson Home as a unit of the National Park System; and

(2) include cost estimates for any necessary acquisition, development, operation and maintenance, and identification of alternatives for the management, administration, and protection of the Carter G. Woodson Home.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved October 24, 2000.

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**LEGISLATIVE HISTORY—H.R. 3201:**

SENATE REPORTS: No. 106-322 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Feb. 15, considered and passed House.  
Oct. 5, considered and passed Senate.



**12. Cataloguing and Maintaining Military Memorials**

PUBLIC LAW 106–511—NOV. 13, 2000

114 STAT. 2365

Public Law 106–511  
106th Congress**An Act**To provide for equitable compensation for the Cheyenne River Sioux Tribe, and  
for other purposes.Nov. 13, 2000  
[S. 964]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

\* \* \* \* \*

**TITLE III—SENSE OF THE CONGRESS  
REGARDING THE NEED FOR CATA-  
LOGING AND MAINTAINING CERTAIN  
PUBLIC MEMORIALS**

114 STAT. 2371

**SEC. 301. SENSE OF THE CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) There are many thousands of public memorials scattered throughout the United States and abroad that commemorate military conflicts of the United States and the service of individuals in the Armed Forces.

(2) These memorials have never been comprehensively cataloged.

(3) Many of these memorials suffer from neglect and disrepair, and many have been relocated or stored in facilities where they are unavailable to the public and subject to further neglect and damage.

114 STAT. 2372

(4) There exists a need to collect and centralize information regarding the location, status, and description of these memorials.

(5) The Federal Government maintains information on memorials only if they are federally funded.

(6) Remembering Veterans Who Earned Their Stripes (a nonprofit corporation established as RVETS, Inc. under the laws of the State of Nevada) has undertaken a self-funded program to catalogue the memorials located in the United States that commemorate military conflicts of the United States and the service of individuals in the Armed Forces, and has already obtained information on more than 7,000 memorials in 50 States.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the people of the United States owe a debt of gratitude to veterans for their sacrifices in defending the Nation during times of war and peace;

(2) public memorials that commemorate military conflicts of the United States and the service of individuals in the Armed Forces should be maintained in good condition, so that future generations may know of the burdens borne by these individuals;

(3) Federal, State, and local agencies responsible for the construction and maintenance of these memorials should

114 STAT. 2372

PUBLIC LAW 106–511—NOV. 13, 2000

cooperate in cataloging these memorials and providing the resulting information to the Department of the Interior; and

(4) the Secretary of the Interior, acting through the Director of the National Park Service, should—

(A) collect and maintain information on public memorials that commemorate military conflicts of the United States and the service of individuals in the Armed Forces;

(B) coordinate efforts at collecting and maintaining this information with similar efforts by other entities, such as Remembering Veterans Who Earned Their Stripes (a nonprofit corporation established as RVETS, Inc. under the laws of the State of Nevada); and

(C) make this information available to the public.

\* \* \* \* \*

114 STAT. 2377

Approved November 13, 2000.

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LEGISLATIVE HISTORY—S. 964:

HOUSE REPORTS: No. 106–944 (Comm. on Resources).

SENATE REPORTS: No. 106–217 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 18, considered and passed House, amended.

Oct. 24, Senate concurred in House amendment.



**13. Centennial of Flight Commemoration Act**

PUBLIC LAW 106–68—OCT. 6, 1999

113 STAT. 981

Public Law 106–68  
106th Congress**An Act**To make certain technical and other corrections relating to the Centennial of Flight  
Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).Oct. 6, 1999  
[S. 1072]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. CENTENNIAL OF FLIGHT COMMISSION.**The Centennial of Flight Commemoration Act (36 U.S.C. 143  
note; 112 Stat. 3486 et seq.) is amended—

(1) in section 4—

36 USC 143 note.

(A) in subsection (a)—

(i) in paragraphs (1) and (2) by striking “or his  
designee”;(ii) in paragraph (3) by striking “, or his designee”  
and inserting “to represent the interests of the Founda-  
tion” and in paragraph (3) strike the word “chairman”  
and insert the word “president”;(iii) in paragraph (4) by striking “, or his designee”  
and inserting “to represent the interests of the 2003  
Committee”;(iv) in paragraph (5) by inserting before the period  
“and shall represent the interests of such aeronautical  
entities”; and

(v) in paragraph (6) by striking “, or his designee”;

(B) by striking subsection (f);

(C) by redesignating subsections (b) through (e) as  
subsections (c) through (f), respectively; and

(D) by inserting after subsection (a) the following:

“(b) ALTERNATES.—Each member described under subsection  
(a) may designate an alternate who may act in lieu of the member  
to the extent authorized by the member, including attending  
meetings and voting.”;

(2) in section 5—

36 USC 143 note.

(A) in subsection (a)—

(i) by inserting “provide recommendations and  
advice to the President, Congress, and Federal agencies  
on the most effective ways to” after “The Commission  
shall”;

(ii) by striking paragraph (1); and

(iii) by redesignating paragraphs (2) through (7)  
as paragraphs (1) through (6), respectively;

(B) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following:

“(b) INTERNATIONAL ACTIVITIES.—The Commission may—

“(1) advise the United States with regard to gaining support for and facilitating international recognition of the importance of aviation history in general and the centennial of powered flight in particular; and

“(2) attend international meetings regarding such activities as advisors to official United States representatives or to gain or provide information for or about the activities of the Commission.”; and

(C) by adding at the end the following:

“(d) ADDITIONAL DUTIES.—The Commission may—

“(1)(A) assemble, write, and edit a calendar of events in the United States (and significant events in the world) dealing with the commemoration of the centennial of flight or the history of aviation;

“(B) actively solicit event information; and

“(C) disseminate the calendar by printing and distributing hard and electronic copies and making the calendar available on a web page on the Internet;

“(2) maintain a web page on the Internet for the public that includes activities related to the centennial of flight celebration and the history of aviation;

“(3) write and produce press releases about the centennial of flight celebration and the history of aviation;

“(4) solicit and respond to media inquiries and conduct media interviews on the centennial of flight celebration and the history of aviation;

“(5) initiate contact with individuals and organizations that have an interest in aviation to encourage such individuals and organizations to conduct their own activities in celebration of the centennial of flight;

“(6) provide advice and recommendations, through the Administrator of the National Aeronautics and Space Administration or the Administrator of the Federal Aviation Administration (or any employee of such an agency head under the direction of that agency head), to individuals and organizations that wish to conduct their own activities in celebration of the centennial of flight, and maintain files of information and lists of experts on related subjects that can be disseminated on request;

“(7) sponsor meetings of Federal agencies, State and local governments, and private individuals and organizations for the purpose of coordinating their activities in celebration of the centennial of flight; and

“(8) encourage organizations to publish works related to the history of aviation.”;

(3) in section 6(a)—

(A) in paragraph (2)—

(i) by striking the first sentence; and

(ii) in the second sentence—

(I) by striking “the Federal” and inserting “a Federal”; and

(II) by striking “the information” and inserting “information”; and



## PUBLIC LAW 106-68—OCT. 6, 1999

113 STAT. 983

(B) in paragraph (3) by striking “section 4(c)(2)” and inserting “section 4(d)(2)”;

(4) in section 6(c)(1) by striking “the Commission may” and inserting “the Administrator of the National Aeronautics and Space Administration or the Administrator of the Federal Aviation Administration (or an employee of the respective administration as designated by either Administrator) may, on behalf of the Commission,”; 36 USC 143 note.

(5) in section 7—

36 USC 143 note.

(A) in subsection (a) in the first sentence—

(i) by striking “There” and inserting “Subject to subsection (h), there”; and

(ii) by inserting before the period “or represented on the Advisory Board under section 12(b)(1) (A) through (E)”;

(B) in subsection (b) by striking “The Commission” and inserting “Subject to subsection (h), the Commission”;

(C) by striking subsection (g);

(D) by redesignating subsection (h) as subsection (g); and

(E) by adding at the end the following:

“(h) LIMITATION.—Each member of the Commission described under section 4(a) (3), (4), and (5) may not make personnel decisions, including hiring, termination, and setting terms and conditions of employment.”;

(6) in section 9—

36 USC 143 note.

(A) in subsection (a)—

(i) by striking “The Commission may” and inserting “After consultation with the Commission, the Administrator of the National Aeronautics and Space Administration may”; and

(ii) by striking “its duties or that it” and inserting “the duties under this Act or that the Administrator of the National Aeronautics and Space Administration”;

(B) in subsection (b)—

(i) in the first sentence by striking “The Commission shall have” and inserting “After consultation with the Commission, the Administrator of the National Aeronautics and Space Administration may exercise”; and

(ii) in the second sentence by striking “that the Commission lawfully adopts” and inserting “adopted under subsection (a)”;

(C) by amending subsection (d) to read as follows:

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), funds from licensing royalties received under this section shall be used by the Commission to carry out the duties of the Commission specified by this Act.

113 STAT. 984

PUBLIC LAW 106-68—OCT. 6, 1999

“(2) EXCESS FUNDS.—The Commission shall transfer any portion of funds in excess of funds necessary to carry out the duties described under paragraph (1), to the National Aeronautics and Space Administration to be used for the sole purpose of commemorating the history of aviation or the centennial of powered flight.”;

36 USC 143 note.

(7) in section 10—

(A) in subsection (a)—

(i) in the first sentence, by striking “activities of the Commission” and inserting “actions taken by the Commission in fulfillment of the Commission’s duties under this Act”;

(ii) in paragraph (3), by adding “and” after the semicolon;

(iii) in paragraph (4), by striking the semicolon and “and” and inserting a period; and

(iv) by striking paragraph (5); and

(B) in subsection (b)(1) by striking “activities” and inserting “recommendations”;

36 USC 143 note.

(8) in section 12—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraphs (A), (C), (D), and (E), by striking “, or the designee of the Secretary”;

(II) in subparagraph (B), by striking “, or the designee of the Librarian”; and

(III) in subparagraph (F)—

(aa) in clause (i) by striking “government” and inserting “governmental entity”; and

(bb) by amending clause (ii) to read as follows:

“(ii) shall be selected among individuals who—

“(I) have earned an advanced degree related to aerospace history or science, or have actively and primarily worked in an aerospace related field during the 5-year period before appointment by the President; and

“(II) specifically represent 1 or more of the persons or groups enumerated under section 5(a)(1).”; and

(ii) by adding at the end the following:

“(2) ALTERNATES.—Each member described under paragraph (1) (A) through (E) may designate an alternate who may act in lieu of the member to the extent authorized by the member, including attending meetings and voting.”; and

(B) in subsection (h) by striking “section 4(e)” and inserting “section 4(d)”; and

## PUBLIC LAW 106–68—OCT. 6, 1999

113 STAT. 985

(9) in section 13—

36 USC 143 note.

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

Approved October 6, 1999.

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LEGISLATIVE HISTORY—S. 1072:

SENATE REPORTS: No. 106–105 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Aug. 5, considered and passed Senate.

Sept. 27, considered and passed House.



**14. Chesapeake Bay Gateways Network**

116 STAT. 2446

PUBLIC LAW 107–308—DEC. 2, 2002

Public Law 107–308  
107th Congress**An Act**Dec. 2, 2002  
[H.R. 3908]

To reauthorize the North American Wetlands Conservation Act, and for other purposes.

North American  
Wetlands  
Conservation  
Reauthorization  
Act.  
16 USC 4401  
note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “North American Wetlands Con-  
servation Reauthorization Act”.

\* \* \* \* \*

116 STAT. 2448

**SEC. 9. CHESAPEAKE BAY INITIATIVE.**Section 502(c) of the Chesapeake Bay Initiative Act of 1998  
(16 U.S.C. 461 note; Public Law 105–312) is amended by striking  
“2003” and inserting “2008”.

Approved December 2, 2002.

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**LEGISLATIVE HISTORY—H.R. 3908:**

HOUSE REPORTS: No. 107–421 (Comm. on Resources).

SENATE REPORTS: No. 107–304 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 148 (2002):

May 7, considered and passed House.

Nov. 14, considered and passed Senate, amended. House concurred in Senate  
amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Dec. 2, Presidential remarks.



**15. Civil Rights Sites (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):Nov. 3, considered and passed House; considered and passed Senate, amend-  
ed.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–63 PUBLIC LAW 106–113—APPENDIX B

**APPENDIX B—H.R. 3422**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–81

**TITLE V—GENERAL PROVISIONS**

\* \* \* \* \*

113 STAT.  
1501A–121

**MAN AND THE BIOSPHERE**

SEC. 590. None of the funds appropriated or otherwise made available by this Act may be provided for the United Nations Man and the Biosphere Program or the United Nations World Heritage Fund for programs in the United States.

\* \* \* \* \*

113 STAT.  
1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

**TITLE III—GENERAL PROVISIONS**

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

113 STAT.  
1501A–195

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–195

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

**16. Crossroads of the West Historic District, Utah**

114 STAT. 3068

PUBLIC LAW 106–577—DEC. 28, 2000

Public Law 106–577  
106th Congress

**An Act**

Dec. 28, 2000  
[S. 2749]

To establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.

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

\* \* \* \* \*

114 STAT. 3071  
Utah.

**TITLE III—GOLDEN SPIKE/CROSSROADS  
OF THE WEST NATIONAL HERITAGE  
AREA STUDY AREA AND THE CROSS-  
ROADS OF THE WEST HISTORIC DIS-  
TRICT**

\* \* \* \* \*

114 STAT. 3072  
16 USC 461 note.

**SEC. 302. CROSSROADS OF THE WEST HISTORIC DISTRICT.**

(a) **PURPOSES.**—The purposes of this section are—

(1) to preserve and interpret, for the educational and inspirational benefit of the public, the contribution to our national heritage of certain historic and cultural lands and edifices of the Crossroads of the West Historic District; and

(2) to enhance cultural and compatible economic redevelopment within the District.

(b) **DEFINITIONS.**—For the purposes of this section:

114 STAT. 3073

(1) **DISTRICT.**—The term “District” means the Crossroads of the West Historic District established by subsection (c).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **HISTORIC INFRASTRUCTURE.**—The term “historic infrastructure” means the District’s historic buildings and any other structure that the Secretary determines to be eligible for listing on the National Register of Historic Places.

(c) **CROSSROADS OF THE WEST HISTORIC DISTRICT.**—

(1) **ESTABLISHMENT.**—There is established the Crossroads of the West Historic District in the city of Ogden, Utah.

(2) **BOUNDARIES.**—The boundaries of the District shall be the boundaries depicted on the map entitled “Crossroads of the West Historic District”, numbered OGGO–20,000, and dated March 22, 2000. The map shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

(d) **DEVELOPMENT PLAN.**—The Secretary may make grants and enter into cooperative agreements with the State of Utah, local governments, and nonprofit entities under which the Secretary agrees to pay not more than 50 percent of the costs of—



## PUBLIC LAW 106-577—DEC. 28, 2000

114 STAT. 3073

(1) preparation of a plan for the development of historic, architectural, natural, cultural, and interpretive resources within the District;

(2) implementation of projects approved by the Secretary under the development plan described in paragraph (1); and

(3) an analysis assessing measures that could be taken to encourage economic development and revitalization within the District in a manner consistent with the District's historic character.

(e) RESTORATION, PRESERVATION, AND INTERPRETATION OF PROPERTIES.—

(1) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State of Utah, local governments, and nonprofit entities owning property within the District under which the Secretary may—

(A) pay not more than 50 percent of the cost of restoring, repairing, rehabilitating, and improving historic infrastructure within the District;

(B) provide technical assistance with respect to the preservation and interpretation of properties within the District; and

(C) mark and provide interpretation of properties within the District.

(2) NON-FEDERAL CONTRIBUTIONS.—When determining the cost of restoring, repairing, rehabilitating, and improving historic infrastructure within the District for the purposes of paragraph (1)(A), the Secretary may consider any donation of property, services, or goods from a non-Federal source as a contribution of funds from a non-Federal source.

(3) PROVISIONS.—A cooperative agreement under paragraph (1) shall provide that—

(A) the Secretary shall have the right of access at reasonable times to public portions of the property for interpretive and other purposes;

(B) no change or alteration may be made in the property except with the agreement of the property owner, the Secretary, and any Federal agency that may have regulatory jurisdiction over the property; and

(C) any construction grant made under this section shall be subject to an agreement that provides—

(i) that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this section shall result in a right of the United States to compensation from the beneficiary of the grant; and

(ii) for a schedule for such compensation based on the level of Federal investment and the anticipated useful life of the project.

(4) APPLICATIONS.—

(A) IN GENERAL.—A property owner that desires to enter into a cooperative agreement under paragraph (1) shall submit to the Secretary an application describing how the project proposed to be funded will further the purposes of the management plan developed for the District.

114 STAT. 3074

114 STAT. 3074

PUBLIC LAW 106-577—DEC. 28, 2000

(B) CONSIDERATION.—In making such funds available under this subsection, the Secretary shall give consideration to projects that provide a greater leverage of Federal funds.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section not more than \$1,000,000 for any fiscal year and not more than \$5,000,000 total.

Approved December 28, 2000.

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LEGISLATIVE HISTORY—S. 2749:

SENATE REPORTS: No. 106-441 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.  
Oct. 24, considered and passed House, amended.  
Dec. 15, Senate concurred in House amendments.



**17. Federal Land Transaction Facilitation**

PUBLIC LAW 106–248—JULY 25, 2000

114 STAT. 598

Public Law 106–248  
106th Congress

**An Act**

To authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture, and for other purposes.

July 25, 2000  
[S. 1892]

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

\* \* \* \* \*

**TITLE II—FEDERAL LAND  
TRANSACTION FACILITATION**

114 STAT. 613  
Federal Land  
Transaction  
Facilitation Act.

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Federal Land Transaction Facilitation Act”.

43 USC 2301  
note.

**SEC. 202. FINDINGS.**

43 USC 2301.

Congress finds that—

(1) the Bureau of Land Management has authority under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) to sell land identified for disposal under its land use planning;

(2) the Bureau of Land Management has authority under that Act to exchange Federal land for non-Federal land if the exchange would be in the public interest;

(3) through land use planning under that Act, the Bureau of Land Management has identified certain tracts of public land for disposal;

(4) the Federal land management agencies of the Departments of the Interior and Agriculture have authority under existing law to acquire land consistent with the mission of each agency;

(5) the sale or exchange of land identified for disposal and the acquisition of certain non-Federal land from willing landowners would—

(A) allow for the reconfiguration of land ownership patterns to better facilitate resource management;

(B) contribute to administrative efficiency within Federal land management units; and

(C) allow for increased effectiveness of the allocation of fiscal and human resources within the Federal land management agencies;

(6) a more expeditious process for disposal and acquisition of land, established to facilitate a more effective configuration of land ownership patterns, would benefit the public interest;

(7) many private individuals own land within the boundaries of Federal land management units and desire to sell the land to the Federal Government;

(8) such land lies within national parks, national monuments, national wildlife refuges, national forests, and other areas designated for special management;

114 STAT. 613

## PUBLIC LAW 106-248—JULY 25, 2000

(9) Federal land management agencies are facing increased workloads from rapidly growing public demand for the use of public land, making it difficult for Federal managers to address problems created by the existence of inholdings in many areas;

(10) in many cases, inholders and the Federal Government would mutually benefit from Federal acquisition of the land on a priority basis;

114 STAT. 614

(11) proceeds generated from the disposal of public land may be properly dedicated to the acquisition of inholdings and other land that will improve the resource management ability of the Federal land management agencies and adjoining landowners;

(12) using proceeds generated from the disposal of public land to purchase inholdings and other such land from willing sellers would enhance the ability of the Federal land management agencies to—

(A) work cooperatively with private landowners and State and local governments; and

(B) promote consolidation of the ownership of public and private land in a manner that would allow for better overall resource management;

(13) in certain locations, the sale of public land that has been identified for disposal is the best way for the public to receive fair market value for the land; and

(14) to allow for the least disruption of existing land and resource management programs, the Bureau of Land Management may use non-Federal entities to prepare appraisal documents for agency review and approval consistent with applicable provisions of the Uniform Standards for Federal Land Acquisition.

43 USC 2302.

**SEC. 203. DEFINITIONS.**

In this title:

(1) **EXCEPTIONAL RESOURCE.**—The term “exceptional resource” means a resource of scientific, natural, historic, cultural, or recreational value that has been documented by a Federal, State, or local governmental authority, and for which there is a compelling need for conservation and protection under the jurisdiction of a Federal agency in order to maintain the resource for the benefit of the public.

(2) **FEDERALLY DESIGNATED AREA.**—The term “federally designated area” means land in Alaska and the eleven contiguous Western States (as defined in section 103(o) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(o))) that on the date of enactment of this Act was within the boundary of—

(A) a national monument, area of critical environmental concern, national conservation area, national riparian conservation area, national recreation area, national scenic area, research natural area, national outstanding natural area, or a national natural landmark managed by the Bureau of Land Management;

(B) a unit of the National Park System;

(C) a unit of the National Wildlife Refuge System;

(D) an area of the National Forest System designated for special management by an Act of Congress; or

## PUBLIC LAW 106-248—JULY 25, 2000

114 STAT. 614

(E) an area within which the Secretary or the Secretary of Agriculture is otherwise authorized by law to acquire lands or interests therein that is designated as—

(i) wilderness under the Wilderness Act (16 U.S.C. 1131 et seq.);

(ii) a wilderness study area;

(iii) a component of the Wild and Scenic Rivers System under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.); or

(iv) a component of the National Trails System under the National Trails System Act (16 U.S.C. 1241 et seq.).

(3) **INHOLDING.**—The term “inholding” means any right, title, or interest, held by a non-Federal entity, in or to a tract of land that lies within the boundary of a federally designated area.

(4) **PUBLIC LAND.**—The term “public land” means public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 204. IDENTIFICATION OF INHOLDINGS.**

43 USC 2303.

(a) **IN GENERAL.**—The Secretary and the Secretary of Agriculture shall establish a procedure to—

Procedures.

(1) identify, by State, inholdings for which the landowner has indicated a desire to sell the land or interest therein to the United States; and

(2) prioritize the acquisition of inholdings in accordance with section 206(c)(3).

(b) **PUBLIC NOTICE.**—As soon as practicable after the date of enactment of this title and periodically thereafter, the Secretary and the Secretary of Agriculture shall provide public notice of the procedures referred to in subsection (a), including any information necessary for the consideration of an inholding under section 206. Such notice shall include publication in the Federal Register and by such other means as the Secretary and the Secretary of Agriculture determine to be appropriate.

Federal Register, publication.

(c) **IDENTIFICATION.**—An inholding—

(1) shall be considered for identification under this section only if the Secretary or the Secretary of Agriculture receive notification of a desire to sell from the landowner in response to public notice given under subsection (b); and

(2) shall be deemed to have been established as of the later of—

(A) the earlier of—

(i) the date on which the land was withdrawn from the public domain; or

(ii) the date on which the land was established or designated for special management; or

(B) the date on which the inholding was acquired by the current owner.

(d) **NO OBLIGATION TO CONVEY OR ACQUIRE.**—The identification of an inholding under this section creates no obligation on the part of a landowner to convey the inholding or any obligation on the part of the United States to acquire the inholding.

114 STAT. 615

PUBLIC LAW 106-248—JULY 25, 2000

43 USC 2304.

**SEC. 205. DISPOSAL OF PUBLIC LAND.**

114 STAT. 616

(a) **IN GENERAL.**—The Secretary shall establish a program, using funds made available under section 206, to complete appraisals and satisfy other legal requirements for the sale or exchange of public land identified for disposal under approved land use plans (as in effect on the date of enactment of this Act) under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(b) **SALE OF PUBLIC LAND.**—

(1) **IN GENERAL.**—The sale of public land so identified shall be conducted in accordance with sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1719).

(2) **EXCEPTIONS TO COMPETITIVE BIDDING REQUIREMENTS.**—The exceptions to competitive bidding requirements under section 203(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713(f)) shall apply to this section in cases in which the Secretary determines it to be necessary.

(c) **REPORT IN PUBLIC LAND STATISTICS.**—The Secretary shall provide in the annual publication of Public Land Statistics, a report of activities under this section.

(d) **TERMINATION OF AUTHORITY.**—The authority provided under this section shall terminate 10 years after the date of enactment of this Act.

43 USC 2305.

**SEC. 206. FEDERAL LAND DISPOSAL ACCOUNT.**

(a) **DEPOSIT OF PROCEEDS.**—Notwithstanding any other law (except a law that specifically provides for a proportion of the proceeds to be distributed to any trust funds of any States), the gross proceeds of the sale or exchange of public land under this Act shall be deposited in a separate account in the Treasury of the United States to be known as the “Federal Land Disposal Account”.

(b) **AVAILABILITY.**—Amounts in the Federal Land Disposal Account shall be available to the Secretary and the Secretary of Agriculture, without further Act of appropriation, to carry out this title.

(c) **USE OF THE FEDERAL LAND DISPOSAL ACCOUNT.**—

(1) **IN GENERAL.**—Funds in the Federal Land Disposal Account shall be expended in accordance with this subsection.

(2) **FUND ALLOCATION.**—

(A) **PURCHASE OF LAND.**—Except as authorized under subparagraph (C), funds shall be used to purchase lands or interests therein that are otherwise authorized by law to be acquired, and that are—

(i) inholdings; and

(ii) adjacent to federally designated areas and contain exceptional resources.

(B) **INHOLDINGS.**—Not less than 80 percent of the funds allocated for the purchase of land within each State shall be used to acquire inholdings identified under section 204.

(C) **ADMINISTRATIVE AND OTHER EXPENSES.**—An amount not to exceed 20 percent of the funds deposited in the Federal Land Disposal Account may be used by the Secretary for administrative and other expenses necessary to carry out the land disposal program under section 205.

## PUBLIC LAW 106-248—JULY 25, 2000

114 STAT. 616

(D) SAME STATE PURCHASES.—Of the amounts not used under subparagraph (C), not less than 80 percent shall be expended within the State in which the funds were generated. Any remaining funds may be expended in any other State.

(3) PRIORITY.—The Secretary and the Secretary of Agriculture shall develop a procedure for prioritizing the acquisition of inholdings and non-Federal lands with exceptional resources as provided in paragraph (2). Such procedure shall consider—

114 STAT. 617  
Procedures.

(A) the date the inholding was established (as provided in section 204(c));

(B) the extent to which acquisition of the land or interest therein will facilitate management efficiency; and

(C) such other criteria as the Secretary and the Secretary of Agriculture deem appropriate.

(4) BASIS OF SALE.—Any land acquired under this section shall be—

(A) from a willing seller;

(B) contingent on the conveyance of title acceptable to the Secretary, or the Secretary of Agriculture in the case of an acquisition of National Forest System land, using title standards of the Attorney General;

(C) at a price not to exceed fair market value consistent with applicable provisions of the Uniform Appraisal Standards for Federal Land Acquisitions; and

(D) managed as part of the unit within which it is contained.

(d) CONTAMINATED SITES AND SITES DIFFICULT AND UNECONOMIC TO MANAGE.—Funds in the Federal Land Disposal Account shall not be used to purchase land or an interest in land that, as determined by the Secretary or the Secretary of Agriculture—

(1) contains a hazardous substance or is otherwise contaminated; or

(2) because of the location or other characteristics of the land, would be difficult or uneconomic to manage as Federal land.

(e) LAND AND WATER CONSERVATION FUND ACT.—Funds made available under this section shall be supplemental to any funds appropriated under the Land and Water Conservation Fund Act (16 U.S.C. 4601–4 et seq.).

(f) TERMINATION.—On termination of activities under section 205—

(1) the Federal Land Disposal Account shall be terminated; and

(2) any remaining balance in the account shall become available for appropriation under section 3 of the Land and Water Conservation Fund Act (16 U.S.C. 4601–6).

**SEC. 207. SPECIAL PROVISIONS.**

43 USC 2306.

(a) IN GENERAL.—Nothing in this title provides an exemption from any limitation on the acquisition of land or interest in land under any Federal law in effect on the date of enactment of this Act.

(b) OTHER LAW.—This title shall not apply to land eligible for sale under—

(1) Public Law 96–568 (commonly known as the “Santini-Burton Act”) (94 Stat. 3381); or

114 STAT. 617

## PUBLIC LAW 106-248—JULY 25, 2000

(2) the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2343).

(c) EXCHANGES.—Nothing in this title precludes, preempts, or limits the authority to exchange land under authorities providing for the exchange of Federal lands, including but not limited to—

114 STAT. 618

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(2) the Federal Land Exchange Facilitation Act of 1988 (102 Stat. 1086) or the amendments made by that Act.

(d) NO NEW RIGHT OR BENEFIT.—Nothing in this Act creates a right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its agencies, its officers, or any other person.

Approved July 25, 2000.

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LEGISLATIVE HISTORY—S. 1892:

HOUSE REPORTS: No. 106-724 (Comm. on Resources).

SENATE REPORTS: No. 106-267 (Comm on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

July 11, 12, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 25, Presidential statement.





**18. Ferry Farm, Virginia**

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress**An Act**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Oct. 11, 2000  
[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**NATIONAL PARK SERVICE**

114 STAT. 928

\* \* \* \* \*

**NATIONAL RECREATION AND PRESERVATION**

114 STAT. 929

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$58,359,000: *Provided*, That \$1,595,000 appropriated in Public Law 105–277 for the acquisition of interests in Ferry Farm, George Washington’s Boyhood Home, shall be transferred to this account and shall be available until expended for a cooperative agreement for management of George Washington’s Boyhood Home, Ferry Farm, as authorized in Public Law 105–355.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”. 114 STAT. 1029

Approved October 11, 2000.

**LEGISLATIVE HISTORY—H.R. 4578:**HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



114 STAT. 2763

PUBLIC LAW 106–554—DEC. 21, 2000

\* Public Law 106–554  
106th Congress

An Act

Dec. 21, 2000  
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105–217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the informa-  
tion required by that section, the Director of the Office of Manage-  
ment and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

## PUBLIC LAW 106–554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX D-2—S. 2885

APPENDIX E—H.R. 5660

APPENDIX F—H.R. 5661

APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

## PUBLIC LAW 106–554—APPENDIX D 114 STAT. 2763A–171

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

114 STAT.  
2763A–214

**TITLE I**

\* \* \* \* \*

SEC. 131. Notwithstanding any provision of law or regulation, funds appropriated in Public Law 106–291 for a cooperative agreement for management of George Washington’s Boyhood Home, Ferry Farm, shall be transferred to the George Washington’s Fredericksburg Foundation, Inc. (formerly known as Kenmore Association, Inc.) immediately upon signing of the cooperative agreement.

114 STAT.  
2763A–230

\* \* \* \* \*

**19. Fort Hunter Liggett, California (study)**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000. (a)** The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on  
November 17, 1999;(3) H.R. 3423 of the 106th Congress, as introduced on  
November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

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**LEGISLATIVE HISTORY—H.R. 3194:****HOUSE REPORTS:** No. 106–479 (Comm. of Conference).  
**CONGRESSIONAL RECORD**, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

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**ENDNOTE:** The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A–190

\* \* \* \* \*

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”. 113 STAT. 1501A–194

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501). 113 STAT. 1501A–195

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) **REPORTS.**—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

**20. Fort King, Florida (study)**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000.** (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

**Approved November 29, 1999.**

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**LEGISLATIVE HISTORY—H.R. 3194:****HOUSE REPORTS:** No. 106–479 (Comm. of Conference).  
**CONGRESSIONAL RECORD**, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

---

**ENDNOTE:** The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A-190

\* \* \* \* \*

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”. 113 STAT. 1501A-194

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91-383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105-391; 112 Stat. 3501).

113 STAT.  
1501A-195

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) **REPORTS.**—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

## 21. Four Corners Monument Tribal Park Interpretive Center, Colorado

113 STAT. 1703

PUBLIC LAW 106-143—DEC. 7, 1999

Public Law 106-143  
106th Congress

### An Act

Dec. 7, 1999  
[S. 28]

To authorize an interpretive center and related visitor facilities within the Four  
Corners Monument Tribal Park, and for other purposes.

Four Corners  
Interpretive  
Center Act.

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Four Corners Interpretive Center Act”.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Four Corners Monument is nationally significant as the only geographic location in the United States where 4 State boundaries meet;

State listing.

(2) the States with boundaries that meet at the Four Corners are Arizona, Colorado, New Mexico, and Utah;

(3) between 1868 and 1875 the boundary lines that created the Four Corners were drawn, and in 1899 a monument was erected at the site;

(4) a United States postal stamp will be issued in 1999 to commemorate the centennial of the original boundary marker;

(5) the Four Corners area is distinct in character and possesses important historical, cultural, and prehistoric values and resources within the surrounding cultural landscape;

(6) although there are no permanent facilities or utilities at the Four Corners Monument Tribal Park, each year the park attracts approximately 250,000 visitors;

(7) the area of the Four Corners Monument Tribal Park falls entirely within the Navajo Nation or Ute Mountain Ute Tribe reservations;

(8) the Navajo Nation and the Ute Mountain Ute Tribe have entered into a memorandum of understanding governing the planning and future development of the Four Corners Monument Tribal Park;

(9) in 1992, through agreements executed by the Governors of Arizona, Colorado, New Mexico, and Utah, the Four Corners Heritage Council was established as a coalition of State, Federal, tribal, and private interests;

(10) the State of Arizona has obligated \$45,000 for planning efforts and \$250,000 for construction of an interpretive center at the Four Corners Monument Tribal Park;

(11) numerous studies and extensive consultation with American Indians have demonstrated that development at the

## PUBLIC LAW 106-143—DEC. 7, 1999

113 STAT. 1704

Four Corners Monument Tribal Park would greatly benefit the people of the Navajo Nation and the Ute Mountain Ute Tribe;

(12) the Arizona Department of Transportation has completed preliminary cost estimates that are based on field experience with rest-area development for the construction of a Four Corners Interpretive Center and surrounding infrastructure, including restrooms, roadways, parking areas, and water, electrical, telephone, and sewage facilities;

(13) an interpretive center would provide important educational and enrichment opportunities for all Americans; and

(14) Federal financial assistance and technical expertise are needed for the construction of an interpretive center.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize the importance of the Four Corners Monument and surrounding landscape as a distinct area in the heritage of the United States that is worthy of interpretation and preservation;

(2) to assist the Navajo Nation and the Ute Mountain Ute Tribe in establishing the Four Corners Interpretive Center and related facilities to meet the needs of the general public;

(3) to highlight and showcase the collaborative resource stewardship of private individuals, Indian tribes, universities, Federal agencies, and the governments of States and political subdivisions thereof (including counties); and

(4) to promote knowledge of the life, art, culture, politics, and history of the culturally diverse groups of the Four Corners region.

**SEC. 3. DEFINITIONS.**

As used in this Act:

(1) CENTER.—The term “Center” means the Four Corners Interpretive Center established under section 4, including restrooms, parking areas, vendor facilities, sidewalks, utilities, exhibits, and other visitor facilities.

(2) ELIGIBLE ENTITY.—The term “eligible entity” means the States of Arizona, Colorado, New Mexico, or Utah, or any consortium of 2 or more of those States.

(3) FOUR CORNERS HERITAGE COUNCIL.—The term “Four Corners Heritage Council” means the nonprofit coalition of Federal, State, tribal, and private entities established in 1992 by agreements of the Governors of the States of Arizona, Colorado, New Mexico, and Utah.

(4) FOUR CORNERS MONUMENT.—The term “Four Corners Monument” means the physical monument where the boundaries of the States of Arizona, Colorado, New Mexico, and Utah meet.

(5) FOUR CORNERS MONUMENT TRIBAL PARK.—The term “Four Corners Monument Tribal Park” means lands within the legally defined boundaries of the Four Corners Monument Tribal Park.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 4. FOUR CORNERS INTERPRETIVE CENTER.**

(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary is authorized to establish within the boundaries of the Four Corners Monument Tribal Park a center for the

113 STAT. 1705

PUBLIC LAW 106-143—DEC. 7, 1999

interpretation and commemoration of the Four Corners Monument, to be known as the “Four Corners Interpretive Center”.

(b) LAND DESIGNATED AND MADE AVAILABLE.—Land for the Center shall be designated and made available by the Navajo Nation or the Ute Mountain Ute Tribe within the boundaries of the Four Corners Monument Tribal Park in consultation with the Four Corners Heritage Council and in accordance with—

(1) the memorandum of understanding between the Navajo Nation and the Ute Mountain Ute Tribe that was entered into on October 22, 1996; and

(2) applicable supplemental agreements with the Bureau of Land Management, the National Park Service, and the United States Forest Service.

(c) CONCURRENCE.—Notwithstanding any other provision of this Act, no such center shall be established without the consent of the Navajo Nation and the Ute Mountain Ute Tribe.

(d) COMPONENTS OF CENTER.—The Center shall include—

(1) a location for permanent and temporary exhibits depicting the archaeological, cultural, and natural heritage of the Four Corners region;

(2) a venue for public education programs;

(3) a location to highlight the importance of efforts to preserve southwestern archaeological sites and museum collections;

(4) a location to provide information to the general public about cultural and natural resources, parks, museums, and travel in the Four Corners region; and

(5) visitor amenities including restrooms, public telephones, and other basic facilities.

#### SEC. 5. CONSTRUCTION GRANT.

(a) GRANT.—

(1) IN GENERAL.—The Secretary is authorized to award a grant to an eligible entity for the construction of the Center in an amount not to exceed 50 percent of the cost of construction of the Center.

(2) ASSURANCES.—To be eligible for the grant, the eligible entity that is selected to receive the grant shall provide assurances that—

(A) the non-Federal share of the costs of construction is paid from non-Federal sources (which may include contributions made by States, private sources, the Navajo Nation, and the Ute Mountain Ute Tribe for planning, design, construction, furnishing, startup, and operational expenses); and

(B) the aggregate amount of non-Federal funds contributed by the States used to carry out the activities specified in subparagraph (A) will not be less than \$2,000,000, of which each of the States that is party to the grant will contribute equally in cash or in kind.

(3) FUNDS FROM PRIVATE SOURCES.—A State may use funds from private sources to meet the requirements of paragraph (2)(B).

(4) FUNDS OF STATE OF ARIZONA.—The State of Arizona may apply \$45,000 authorized by the State of Arizona during fiscal year 1998 for planning and \$250,000 that is held in reserve by the State for construction toward the Arizona share.

## PUBLIC LAW 106-143—DEC. 7, 1999

113 STAT. 1706

(b) GRANT REQUIREMENTS.—In order to receive a grant under this Act, the eligible entity selected to receive the grant shall—

(1) submit to the Secretary a proposal that—

Proposal.

(A) meets all applicable—

(i) laws, including building codes and regulations; and

(ii) requirements under the memorandum of understanding described in paragraph (2); and

(B) provides such information and assurances as the Secretary may require; and

(2) enter into a memorandum of understanding with the Secretary providing—

(A) a timetable for completion of construction and opening of the Center;

(B) assurances that design, architectural, and construction contracts will be competitively awarded;

(C) specifications meeting all applicable Federal, State, and local building codes and laws;

(D) arrangements for operations and maintenance upon completion of construction;

(E) a description of the Center collections and educational programming;

(F) a plan for design of exhibits including, but not limited to, the selection of collections to be exhibited, and the providing of security, preservation, protection, environmental controls, and presentations in accordance with professional museum standards;

(G) an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to site selection and public access to the facilities; and

(H) a financing plan developed jointly by the Navajo Nation and the Ute Mountain Ute Tribe outlining the long-term management of the Center, including—

(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;

(ii) the payment of the operating costs of the Center through the assessment of fees or other income generated by the Center;

(iii) a strategy for achieving financial self-sufficiency with respect to the Center by not later than 5 years after the date of enactment of this Act; and

(iv) appropriate vendor standards and business activities at the Four Corners Monument Tribal Park.

**SEC. 6. SELECTION OF GRANT RECIPIENT.**

The Four Corners Heritage Council may make recommendations to the Secretary on grant proposals regarding the design of facilities at the Four Corners Monument Tribal Park.

**SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the Department of the Interior to carry out this Act—

(1) \$2,000,000 for fiscal year 2000; and

(2) \$50,000 for each of fiscal years 2001 through 2005 for maintenance and operation of the Center, program development, or staffing in a manner consistent with the requirements of section 5(b).

113 STAT. 1707

PUBLIC LAW 106–143—DEC. 7, 1999

(b) CARRYOVER.—Funds made available under subsection (a)(1) that are unexpended at the end of the fiscal year for which those funds are appropriated, may be used by the Secretary through fiscal year 2002 for the purposes for which those funds are made available.

(c) RESERVATION OF FUNDS.—The Secretary may reserve funds appropriated pursuant to this Act until a grant proposal meeting the requirements of this Act is submitted, but no later than September 30, 2001.

**SEC. 8. DONATIONS.**

Notwithstanding any other provision of law, for purposes of the planning, construction, and operation of the Center, the Secretary may accept, retain, and expend donations of funds, and use property or services donated, from private persons and entities or from public entities.

**SEC. 9. STATUTORY CONSTRUCTION.**

Nothing in this Act is intended to abrogate, modify, or impair any right or claim of the Navajo Nation or the Ute Mountain Ute Tribe, that is based on any law (including any treaty, Executive order, agreement, or Act of Congress).

Approved December 7, 1999.

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**LEGISLATIVE HISTORY—S. 28:**

SENATE REPORTS: No. 106–144 (Comm. on Indian Affairs).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Sept. 9, considered and passed Senate.  
Nov. 18, considered and passed House.



**22. Gaviota Coast, California (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*



**23. Great Falls Historic District, New Jersey (study)**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 110. GREAT FALLS HISTORIC DISTRICT, NEW JERSEY.**

114 STAT. 26

Section 510(a)(1) of division I of the Omnibus Parks Act (110 Stat. 4158; 16 U.S.C. 461 note) is amended by striking “the contribution of our national heritage” and inserting “the contribution to our national heritage”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



115 STAT. 407

PUBLIC LAW 107–59—NOV. 5, 2001

Public Law 107–59  
107th Congress

An Act

Nov. 5, 2001  
[H.R. 146]

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

Great Falls  
Historic District  
Study Act of  
2001.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Great Falls Historic District Study Act of 2001”.

**SEC. 2. NATIONAL PARK SERVICE STUDY REGARDING GREAT FALLS HISTORIC DISTRICT, PATERSON, NEW JERSEY.**

(a) **DEFINITIONS.**—In this section:

(1) **GREAT FALLS HISTORIC DISTRICT.**—The term “Great Falls Historic District” means the Great Falls Historic District in the city of Paterson, New Jersey, established as an historic district by section 510 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4158; 16 U.S.C. 461 note).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) **STUDY.**—As soon as practicable after funds are made available to carry out this section, the Secretary shall commence a study regarding the suitability and feasibility of further recognizing the historic and cultural significance of the lands and structures of the Great Falls Historic District through the designation of the Great Falls Historic District as a unit of the National Park System.

Applicability.

(c) **STUDY PROCESS AND COMPLETION.**—Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the study required by this section.

Reports.

(d) **SUBMISSION.**—The Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.

Approved November 5, 2001.

**LEGISLATIVE HISTORY—H.R. 146:**

HOUSE REPORTS: No. 107–47 (Comm. on Resources).

SENATE REPORTS: No. 107–74 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 147 (2001):

May 9, considered and passed House.

Oct. 17, considered and passed Senate.



**24. Harriet Tubman Sites,  
New York and Maryland (study)**

PUBLIC LAW 106–516—NOV. 13, 2000

114 STAT. 2404

Public Law 106–516  
106th Congress

**An Act**

To direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes.

Nov. 13, 2000  
[S. 2345]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Harriet Tubman Special Resource Study Act”.

Harriet Tubman  
Special Resource  
Study Act.  
State listing.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) Harriet Tubman was born into slavery on a plantation in Dorchester County, Maryland, in 1821;

(2) in 1849, Harriet Tubman escaped the plantation on foot, using the North Star for direction and following a route through Maryland, Delaware, and Pennsylvania to Philadelphia, where she gained her freedom;

(3) Harriet Tubman is an important figure in the history of the United States, and is most famous for her role as a “conductor” on the Underground Railroad, in which, as a fugitive slave, she helped hundreds of enslaved individuals to escape to freedom before and during the Civil War;

(4) during the Civil War, Harriet Tubman served the Union Army as a guide, spy, and nurse;

(5) after the Civil War, Harriet Tubman was an advocate for the education of black children;

(6) Harriet Tubman settled in Auburn, New York, in 1857, and lived there until 1913;

(7) while in Auburn, Harriet Tubman dedicated her life to caring selflessly and tirelessly for people who could not care for themselves, was an influential member of the community and an active member of the Thompson Memorial A.M.E. Zion Church, and established a home for the elderly;

(8) Harriet Tubman was a friend of William Henry Seward, who served as the Governor of and a Senator from the State of New York and as Secretary of State under President Abraham Lincoln;

(9) 4 sites in Auburn that directly relate to Harriet Tubman and are listed on the National Register of Historic Places are—

(A) Harriet Tubman’s home;

(B) the Harriet Tubman Home for the Aged;

(C) the Thompson Memorial A.M.E. Zion Church; and

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PUBLIC LAW 106–516—NOV. 13, 2000

(D) Harriet Tubman Home for the Aged and William Henry Seward's home in Auburn are national historic landmarks.

**SEC. 3. STUDY CONCERNING SITES IN AUBURN, NEW YORK, ASSOCIATED WITH HARRIET TUBMAN.**

(a) IN GENERAL.—The Secretary of the Interior shall conduct a special resource study of the national significance, feasibility of long-term preservation, and public use of the following sites associated with Harriet Tubman:

(1) Harriet Tubman's birthplace, located on Greenbriar Road, off of Route 50, in Dorchester County, Maryland.

(2) Bazel Church, located 1 mile South of Greenbriar Road in Cambridge, Maryland.

(3) Harriet Tubman's home, located at 182 South Street, Auburn, New York.

(4) The Harriet Tubman Home for the Aged, located at 180 South Street, Auburn, New York.

(5) The Thompson Memorial A.M.E. Zion Church, located at 33 Parker Street, Auburn, New York.

(6) Harriet Tubman's grave at Fort Hill Cemetery, located at 19 Fort Street, Auburn, New York.

(7) William Henry Seward's home, located at 33 South Street, Auburn, New York.

(b) INCLUSION OF SITES IN THE NATIONAL PARK SYSTEM.—The study under subsection (a) shall include an analysis and any recommendations of the Secretary concerning the suitability and feasibility of—

(1) designating one or more of the sites specified in subsection (a) as units of the National Park System; and

(2) establishing a national heritage corridor that incorporates the sites specified in subsection (a) and any other sites associated with Harriet Tubman.

(c) STUDY GUIDELINES.—In conducting the study authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System contained in section 8 of Public Law 91–383, as amended by section 303 of the National Park Omnibus Management Act (P.L. 105–391; 112 Stat. 3501).

(d) CONSULTATION.—In preparing and conducting the study under subsection (a), the Secretary shall consult with—

(1) the Governors of the States of Maryland and New York;

(2) a member of the Board of County Commissioners of Dorchester County, Maryland;

(3) the Mayor of the city of Auburn, New York;

(4) the owner of the sites specified in subsection (a); and

(5) the appropriate representatives of—

(A) the Thompson Memorial A.M.E. Zion Church;

(B) the Bazel Church;

(C) the Harriet Tubman Foundation; and

(D) the Harriet Tubman Organization, Inc.

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(e) REPORT.—Not later than 2 years after the date on which funds are made available for the study under subsection (a), the Secretary shall submit to Congress a report describing the results of the study. Deadline.

Approved November 13, 2000.

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LEGISLATIVE HISTORY—S. 2345:

SENATE REPORTS: No. 106–440 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.  
Oct. 24, considered and passed House.



**25. Jackson Multi-Agency Campus, Wyoming**

114 STAT. 797

PUBLIC LAW 106–272—SEPT. 22, 2000

Public Law 106–272  
106th Congress**An Act**Sept. 22, 2000  
[S. 1374]To authorize the development and maintenance of a multi-agency campus project  
in the town of Jackson, Wyoming.Jackson Multi-  
Agency Campus  
Act of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “Jackson Multi-Agency Campus  
Act of 2000”.**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the management of public land and natural resources  
and the service of the public in the area of Jackson, Wyoming,  
are responsibilities shared by—

(A) the Department of Agriculture;

(B) the Forest Service;

(C) the Department of the Interior, including—

(i) the National Park Service; and

(ii) the United States Fish and Wildlife Service;

(D) the Game and Fish Commission of the State of  
Wyoming;

(E) Teton County, Wyoming;

(F) the town of Jackson, Wyoming;

(G) the Jackson Chamber of Commerce; and

(H) the Jackson Hole Historical Society; and

(2) it is desirable to locate the administrative offices of  
several of the agencies and entities specified in paragraph  
(1) on 1 site to—(A) facilitate communication between the agencies and  
entities;(B) reduce costs to the Federal, State, and local govern-  
ments; and

(C) better serve the public.

(b) PURPOSES.—The purposes of this Act are—

(1) to authorize the Federal agencies specified in subsection

(a)—

(A) to develop and maintain the Project in Jackson,  
Wyoming, in cooperation with the other agencies and enti-  
ties specified in subsection (a); and(B) to provide resources and enter into such agreements  
as are necessary for the planning, design, construction,  
operation, maintenance, and fixture modifications of all  
elements of the Project;

## PUBLIC LAW 106-272—SEPT. 22, 2000

114 STAT. 798

(2) to direct the Secretary to convey to the town of Jackson, Wyoming, certain parcels of federally owned land located in Teton County, Wyoming, in exchange for construction of facilities for the Bridger-Teton National Forest by the town of Jackson;

(3) to direct the Secretary to convey to the Game and Fish Commission of the State of Wyoming certain parcels of federally owned land in the town of Jackson, Wyoming, in exchange for approximately 1.35 acres of land, also located in the town of Jackson, to be used in the construction of the Project; and

(4) to relinquish certain reversionary interests of the United States in order to facilitate the transactions described in paragraphs (1) through (3).

**SEC. 3. DEFINITIONS.**

In this Act:

(1) COMMISSION.—The term “Commission” means the Game and Fish Commission of the State of Wyoming.

(2) CONSTRUCTION COST.—The term “construction cost” means any cost that is—

(A) associated with building improvements to Federal standards and guidelines; and

(B) open to a competitive bidding process approved by the Secretary.

(3) FEDERAL PARCEL.—The term “Federal parcel” means—

(A) the parcel of land, and all appurtenances to the land, comprising approximately 15.3 acres, depicted as “Bridger-Teton National Forest” on the Map; and

(B) the parcel comprising approximately 80 acres, known as the “Cache Creek Administrative Site”, located adjacent to the town.

(4) MAP.—The term “Map” means the map entitled “Multi-Agency Campus Project Site”, dated March 31, 1999, and on file in the offices of—

(A) the Bridger-Teton National Forest, in the State of Wyoming; and

(B) the Chief of the Forest Service.

(5) MASTER PLAN.—The term “master plan” means the document entitled “Conceptual Master Plan”, dated July 14, 1998, and on file at the offices of—

(A) the Bridger-Teton National Forest, in the State of Wyoming; and

(B) the Chief of the Forest Service.

(6) PROJECT.—The term “Project” means the proposed project for construction of a multi-agency campus, to be carried out by the town of Jackson in cooperation with the other agencies and entities described in section 2(a)(1), to provide, in accordance with the master plan—

(A) administrative facilities for various agencies and entities; and

(B) interpretive, educational, and other facilities for visitors to the greater Yellowstone area.

(7) SECRETARY.—The term “Secretary” means the Secretary of Agriculture (including a designee of the Secretary).

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(8) STATE PARCEL.—The term “State parcel” means the parcel of land comprising approximately 3 acres, depicted as “Wyoming Game and Fish” on the Map.

(9) TOWN.—The term “town” means the town of Jackson, Wyoming.

#### SEC. 4. MULTI-AGENCY CAMPUS PROJECT, JACKSON, WYOMING.

Deadline.

##### (a) CONSTRUCTION FOR EXCHANGE OF PROPERTY.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the town may construct, as part of the Project, an administrative facility to be owned and operated by the Bridger-Teton National Forest, if—

(A) an offer by the town to construct the administrative facility is accepted by the Secretary under paragraph (2);

(B) a memorandum of understanding between the town and the Secretary outlining the roles and responsibilities of each party involved in the land exchange and construction is executed;

(C) a final building design and construction cost estimate is approved by the Secretary; and

(D) the exchange described in subsection (b)(2) is completed in accordance with that subsection.

(2) ACCEPTANCE AND AUTHORIZATION TO CONSTRUCT.—The Secretary, on receipt of an acceptable offer from the town under paragraph (1), shall authorize the town to construct the administrative facility described in paragraph (1) in accordance with this Act.

##### (3) CONVEYANCE.—

(A) SECRETARY.—The Secretary shall convey all right, title, and interest in and to the Federal land described in section 5(a)(1) to the town in simultaneous exchange for, and on satisfactory completion of, the administrative facility.

(B) TOWN.—The town shall convey all right, title, and interest in and to the administrative facility constructed under this section in exchange for the land described in section 5(a)(1).

##### (b) OFFER TO CONVEY STATE PARCEL.—

(1) IN GENERAL.—The Commission may offer to convey a portion of the State parcel, depicted on the Map as “Parcel Three”, to the United States to be used for construction of an administrative facility for the Bridger-Teton National Forest.

(2) CONVEYANCE.—If the offer described in paragraph (1) is made not later than 5 years after the date of enactment of this Act, the Secretary shall convey the Federal land described in section 5(a)(2) to the Commission, in exchange for the portion of the State parcel described in paragraph (1), in accordance with this Act.

#### SEC. 5. CONVEYANCE OF FEDERAL LAND.

(a) IN GENERAL.—In exchange for the consideration described in section 4, the Secretary shall convey—

(1) to the town, in a manner that equalizes values—

(A) the portion of the Federal parcel, comprising approximately 9.3 acres, depicted on the Map as “Parcel Two”; and



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114 STAT. 800

(B) if an additional conveyance of land is necessary to equalize the values of land exchanged after the conveyance of Parcel Two, an appropriate portion of the portion of the Federal parcel comprising approximately 80 acres, known as the “Cache Creek Administrative Site” and located adjacent to the town; and

(2) to the Commission, the portion of the Federal parcel, comprising approximately 3.2 acres, depicted on the Map as “Parcel One”.

(b) REVERSIONARY INTERESTS.—As additional consideration for acceptance by the United States of any offer described in section 4, the United States shall relinquish all reversionary interests in the State parcel, as set forth in the deed between the United States and the State of Wyoming, dated February 19, 1957, and recorded on October 2, 1967, in Book 14 of Deeds, Page 382, in the records of Teton County, Wyoming.

**SEC. 6. EQUAL VALUE OF INTERESTS EXCHANGED.**

(a) VALUATION OF LAND TO BE CONVEYED.—

(1) IN GENERAL.—The fair market and improvement values of the land to be exchanged under this Act shall be determined—

(A) by appraisals acceptable to the Secretary, using nationally recognized appraisal standards; and

(B) in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) APPRAISAL REPORT.—Each appraisal report shall be written to Federal standards, as defined in the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference.

(3) NO EFFECT ON VALUE OF REVERSIONARY INTERESTS.—An appraisal of the State parcel shall not take into consideration any reversionary interest held by the United States in the State parcel as of the date on which the appraisal is conducted.

(b) VALUE OF FEDERAL LAND GREATER THAN CONSTRUCTION COSTS.—If the value of the Federal land to be conveyed to the town under section 5(a)(1) is greater than the construction costs to be paid by the town for the administrative facility described in section 4(a), the Secretary shall reduce the acreage of the Federal land conveyed so that the value of the Federal land conveyed to the town closely approximates the construction costs.

(c) VALUE OF FEDERAL LAND EQUAL TO VALUE OF STATE PARCEL.—

(1) IN GENERAL.—The value of any Federal land conveyed to the Commission under section 5(a)(2) shall be equal to the value of the State parcel conveyed to the United States under section 4(b).

(2) BOUNDARIES.—The boundaries of the Federal land and the State parcel may be adjusted to equalize values.

(d) PAYMENT OF CASH EQUALIZATION.—Notwithstanding subsections (b) and (c), the values of Federal land and the State parcel may be equalized by payment of cash to the Secretary, the Commission, or the town, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), if the values cannot be equalized

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PUBLIC LAW 106-272—SEPT. 22, 2000

by adjusting the size of parcels to be conveyed or by conveying additional land, without compromising the design of the Project.

**SEC. 7. ADDITIONAL PROVISIONS.**

(a) **CONSTRUCTION OF FEDERAL FACILITIES.**—The construction of facilities on Federal land within the boundaries of the Project shall be—

(1) supervised and managed by the town in accordance with the memorandum of understanding referred to in section 4(a)(1)(B); and

(2) carried out to standards and specifications approved by the Secretary.

(b) **ACCESS.**—The town (including contractors and subcontractors of the town) shall have access to the Federal land until completion of construction for all purposes related to construction of facilities under this Act.

(c) **ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.**—Land acquired by the United States under this Act shall be governed by all laws applicable to the administration of national forest sites.

(d) **WETLAND.**—

(1) **IN GENERAL.**—There shall be no construction of any facility after the date of conveyance of Federal land under this Act within any portion of the Federal parcel delineated on the map as “wetlands”.

(2) **DEEDS AND CONVEYANCE DOCUMENTS.**—A deed or other conveyance document executed by the Secretary in carrying out this Act shall contain such reservations as are necessary to preclude development of wetland on any portion of the Federal parcel.

Approved September 22, 2000.

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**LEGISLATIVE HISTORY—S. 1374:**

HOUSE REPORTS: No. 106-748 (Comm. on Resources).

SENATE REPORTS: No. 106-215 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Sept. 12, considered and passed House.



**26. Jamestown 400th Commemoration Commission**

PUBLIC LAW 106-554—DEC. 21, 2000

114 STAT. 2763

\* Public Law 106-554  
106th Congress

**An Act**

Making consolidated appropriations for the fiscal year ending September 30, 2001,  
and for other purposes.

Dec. 21, 2000

[H.R. 4577]

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

SECTION 1. (a) The provisions of the following bills of the  
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except  
that the text of H.R. 5666, as so enacted, shall not include  
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

(b) In publishing this Act in slip form and in the United  
States Statutes at Large pursuant to section 112 of title 1, United  
States Code, the Archivist of the United States shall include after  
the date of approval at the end appendixes setting forth the texts  
of the bills referred to in subsection (a) of this section and the  
text of any other bill enacted into law by reference by reason  
of the enactment of this Act.

Consolidated  
Appropriations  
Act, 2001.  
Incorporation by  
reference.

Publication.  
1 USC 112 note.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping  
Guidelines set forth in the joint explanatory statement of the  
committee of conference accompanying Conference Report 105-217,  
legislation enacted in section 505 of the Department of Transpor-  
tation and Related Agencies Appropriations Act, 2001, section 312  
of the Legislative Branch Appropriations Act, 2001, titles X and  
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th  
Congress), division B of H.R. 5666 (106th Congress) as enacted  
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that  
would have been estimated by the Office of Management and Budget  
as changing direct spending or receipts under section 252 of the  
Balanced Budget and Emergency Deficit Control Act of 1985 were  
it included in an Act other than an appropriations Act shall be  
treated as direct spending or receipts legislation, as appropriate,  
under section 252 of the Balanced Budget and Emergency Deficit  
Control Act of 1985.

(b) In preparing the final sequestration report required by  
section 254(f)(3) of the Balanced Budget and Emergency Deficit  
Control Act of 1985 for fiscal year 2001, in addition to the infor-  
mation required by that section, the Director of the Office of Man-  
agement and Budget shall change any balance of direct spending

\* See Endnote on 114 Stat. 2764.

114 STAT. 2764

PUBLIC LAW 106–554—DEC. 21, 2000

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

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LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106–645 (Comm. on Appropriations) and 106–1033 (Comm. of Conference).

SENATE REPORTS: No. 106–293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12–14, considered and passed House.

June 22, 23, 26–30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

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\***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX A—H.R. 5656

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APPENDIX F—H.R. 5661

APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

114 STAT. 2763A–171 PUBLIC LAW 106–554—APPENDIX D

**APPENDIX D—H.R. 5666**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
2763A–214

**DIVISION B**

**TITLE I**

\* \* \* \* \*

114 STAT.  
2763A–229

SEC. 127. The provisions of S. 2885, as passed in the United States Senate on October 5, 2000 and engrossed, are hereby enacted into law.

\* \* \* \* \*

PUBLIC LAW 106–565—DEC. 23, 2000

114 STAT. 2812

Public Law 106–565  
106th Congress

An Act

To establish the Jamestown 400th Commemoration Commission, and for other purposes.

Dec. 23, 2000  
[H.R. 4907]

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

Jamestown 400th  
Commemoration  
Commission Act  
of 2000.  
Virginia.  
16 USC 81 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Jamestown 400th Commemoration Commission Act of 2000”.

**SEC. 2. FINDINGS AND PURPOSE.**

16 USC 81 note.

(a) FINDINGS.—Congress finds that—

(1) the founding of the colony at Jamestown, Virginia in 1607, the first permanent English colony in the New World, and the capital of Virginia for 92 years, has major significance in the history of the United States;

(2) the settlement brought people from throughout the Atlantic Basin together to form a multicultural society, including English, other Europeans, Native Americans, and Africans;

(3) the economic, political, religious, and social institutions that developed during the first 9 decades of the existence of Jamestown continue to have profound effects on the United States, particularly in English common law and language, cross cultural relationships, and economic structure and status;

(4) the National Park Service, the Association for the Preservation of Virginia Antiquities, and the Jamestown-Yorktown Foundation of the Commonwealth of Virginia collectively own and operate significant resources related to the early history of Jamestown; and

(5) in 1996—

(A) the Commonwealth of Virginia designated the Jamestown-Yorktown Foundation as the State agency responsible for planning and implementing the Commonwealth’s portion of the commemoration of the 400th anniversary of the founding of the Jamestown settlement;

(B) the Foundation created the Celebration 2007 Steering Committee, known as the Jamestown 2007 Steering Committee; and

(C) planning for the commemoration began.

(b) PURPOSE.—The purpose of this Act is to establish the Jamestown 400th Commemoration Commission to—

(1) ensure a suitable national observance of the Jamestown 2007 anniversary by complementing the programs and activities of the State of Virginia;

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PUBLIC LAW 106–565—DEC. 23, 2000

(2) cooperate with and assist the programs and activities of the State in observance of the Jamestown 2007 anniversary;

(3) assist in ensuring that Jamestown 2007 observances provide an excellent visitor experience and beneficial interaction between visitors and the natural and cultural resources of the Jamestown sites;

(4) assist in ensuring that the Jamestown 2007 observances are inclusive and appropriately recognize the experiences of all people present in 17th century Jamestown;

(5) provide assistance to the development of Jamestown-related programs and activities;

(6) facilitate international involvement in the Jamestown 2007 observances;

(7) support and facilitate marketing efforts for a commemorative coin, stamp, and related activities for the Jamestown 2007 observances; and

(8) assist in the appropriate development of heritage tourism and economic benefits to the United States.

16 USC 81 note.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) **COMMEMORATION.**—The term “commemoration” means the commemoration of the 400th anniversary of the founding of the Jamestown settlement.

(2) **COMMISSION.**—The term “Commission” means the Jamestown 400th Commemoration Commission established by section 4(a).

(3) **GOVERNOR.**—The term “Governor” means the Governor of the State.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(5) **STATE.**—

(A) **IN GENERAL.**—The term “State” means the State of Virginia.

(B) **INCLUSIONS.**—The term “State” includes agencies and entities of the State.

16 USC 81 note.

**SEC. 4. JAMESTOWN 400TH COMMEMORATION COMMISSION.**

Establishment.

(a) **IN GENERAL.**—There is established a commission to be known as the “Jamestown 400th Commemoration Commission”.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Commission shall be composed of 16 members, of whom—

(A) four members shall be appointed by the Secretary, taking into consideration the recommendations of the Chairperson of the Jamestown 2007 Steering Committee;

(B) four members shall be appointed by the Secretary, taking into consideration the recommendations of the Governor;

(C) two members shall be employees of the National Park Service, of which—

(i) one shall be the Director of the National Park Service (or a designee); and

(ii) one shall be an employee of the National Park Service having experience relevant to the commemoration, to be appointed by the Secretary; and



PUBLIC LAW 106-565—DEC. 23, 2000

114 STAT. 2814

(D) five members shall be individuals that have an interest in, support for, and expertise appropriate to, the commemoration, to be appointed by the Secretary.

(2) TERM; VACANCIES.—

(A) TERM.—A member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—

(i) IN GENERAL.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(ii) PARTIAL TERM.—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the predecessor of the member was appointed.

(3) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet—

(i) at least twice each year; or

(ii) at the call of the Chairperson or the majority of the members of the Commission.

(B) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(4) VOTING.—

(A) IN GENERAL.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(B) QUORUM.—A majority of the Commission shall constitute a quorum.

(5) CHAIRPERSON.—The Secretary shall appoint a Chairperson of the Commission, taking into consideration any recommendations of the Governor.

(c) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) plan, develop, and execute programs and activities appropriate to commemorate the 400th anniversary of the founding of Jamestown;

(B) generally facilitate Jamestown-related activities throughout the United States;

(C) encourage civic, patriotic, historical, educational, religious, economic, and other organizations throughout the United States to organize and participate in anniversary activities to expand the understanding and appreciation of the significance of the founding and early history of Jamestown;

(D) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of, Jamestown; and

(E) ensure that the 400th anniversary of Jamestown provides a lasting legacy and long-term public benefit by assisting in the development of appropriate programs and facilities.

(2) PLANS; REPORTS.—

(A) STRATEGIC PLAN; ANNUAL PERFORMANCE PLANS.—In accordance with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285), the Commission shall prepare a strategic plan and annual

114 STAT. 2815

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Deadline.

performance plans for the activities of the Commission carried out under this Act.

(B) FINAL REPORT.—Not later than September 30, 2008, the Commission shall complete a final report that contains—

- (i) a summary of the activities of the Commission;
- (ii) a final accounting of funds received and expended by the Commission; and
- (iii) the findings and recommendations of the Commission.

(d) POWERS OF THE COMMISSION.—The Commission may—

(1) accept donations and make dispersions of money, personal services, and real and personal property related to Jamestown and of the significance of Jamestown in the history of the United States;

(2) appoint such advisory committees as the Commission determines to be necessary to carry out this Act;

(3) authorize any member or employee of the Commission to take any action that the Commission is authorized to take by this Act;

(4) procure supplies, services, and property, and make or enter into contracts, leases or other legal agreements, to carry out this Act (except that any contracts, leases or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission);

(5) use the United States mails in the same manner and under the same conditions as other Federal agencies;

(6) subject to approval by the Commission, make grants in amounts not to exceed \$10,000 to communities and nonprofit organizations to develop programs to assist in the commemoration;

(7) make grants to research and scholarly organizations to research, publish, or distribute information relating to the early history of Jamestown; and

(8) provide technical assistance to States, localities, and nonprofit organizations to further the commemoration.

(e) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS OF THE COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a member of the Commission shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(C) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director

## PUBLIC LAW 106-565—DEC. 23, 2000

114 STAT. 2816

and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.

(3) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—

(A) FEDERAL EMPLOYEES.—

(i) IN GENERAL.—On the request of the Commission, the head of any Federal agency may detail, on a reimbursable or non-reimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(ii) CIVIL SERVICE STATUS.—The detail of an employee under clause (i) shall be without interruption or loss of civil service status or privilege.

(B) STATE EMPLOYEES.—The Commission may—

(i) accept the services of personnel detailed from States (including subdivisions of States); and

(ii) reimburse States for services of detailed personnel.

(5) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(6) SUPPORT SERVICES.—The Director of the National Park Service shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(f) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(g) FACIA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) NO EFFECT ON AUTHORITY.—Nothing in this section supersedes the authority of the State, the National Park Service, or the Association for the Preservation of Virginia Antiquities, concerning the commemoration.

114 STAT. 2817

PUBLIC LAW 106–565—DEC. 23, 2000

(i) **TERMINATION.**—The Commission shall terminate on December 31, 2008.

16 USC 81 note.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved December 23, 2000.

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**LEGISLATIVE HISTORY—H.R. 4907 (S. 2885):**

**SENATE REPORTS:** No. 106–456 accompanying S. 2885 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD**, Vol. 146 (2000):

Oct. 30, considered and passed House.

Dec. 15, considered and passed Senate.



**27. John F. Kennedy Center for the Performing Arts**

PUBLIC LAW 107–117—JAN. 10, 2002

115 STAT. 2230

Public Law 107–117  
107th Congress**An Act**Making appropriations for the Department of Defense for the fiscal year ending  
September 30, 2002, and for other purposes.Jan. 10, 2002  
[H.R. 3338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of  
Defense and  
Emergency  
Supplemental  
Appropriations  
for Recovery from  
and Response to  
Terrorist Attacks  
on the United  
States Act, 2002.  
Department of  
Defense  
Appropriations  
Act, 2002.  
115 STAT. 2343

\* \* \* \* \*

**DIVISION D—MISCELLANEOUS PROVISIONS**

\* \* \* \* \*

**TITLE II—GENERAL PROVISION, THIS DIVISION**

115 STAT. 2353

SEC. 201. TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS. (a) MEMBERSHIP.—Section 2(a) of the John F. Kennedy Center Act (20 U.S.C. 76h(a)) is amended—

(1) by striking “There is hereby” and inserting the following:

“(1) IN GENERAL.—There is”; and

(2) by striking the second sentence and inserting the following:

115 STAT. 2354

“(2) MEMBERSHIP.—The Board shall be composed of—

“(A) the Secretary of Health and Human Services;

“(B) the Librarian of Congress;

“(C) the Secretary of State;

“(D) the Chairman of the Commission of Fine Arts;

“(E) the Mayor of the District of Columbia;

“(F) the Superintendent of Schools of the District of Columbia;

“(G) the Director of the National Park Service;

“(H) the Secretary of Education;

“(I) the Secretary of the Smithsonian Institution;

“(J)(i) the Speaker and the Minority Leader of the House of Representatives;

“(ii) the chairman and ranking minority member of the Committee on Public Works and Transportation of the House of Representatives; and

“(iii) three additional Members of the House of Representatives appointed by the Speaker of the House of Representatives;

115 STAT. 2354

PUBLIC LAW 107–117—JAN. 10, 2002

“(K)(i) the Majority Leader and the Minority Leader of the Senate;

“(ii) the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate; and

“(iii) three additional Members of the Senate appointed by the President of the Senate; and

“(L) thirty-six general trustees, who shall be citizens of the United States, to be appointed in accordance with subsection (b).”.

Applicability.  
20 USC 76h note.

(b) TERMS OF OFFICE FOR NEW GENERAL TRUSTEES.—Section 2(b) of the John F. Kennedy Center Act (20 U.S.C. 76h(b)) shall apply to each general trustee of the John F. Kennedy Center for the Performing Arts whose position is established by the amendment made by subsection (a)(2) (referred to in this subsection as a “new general trustee”), except that the initial term of office of each new general trustee shall—

Effective date.  
President.

(1) commence on the date on which the new general trustee is appointed by the President; and

Termination  
date.  
115 STAT. 2355

(2) terminate on September 1, 2007.

This Act may be cited as the “Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002”.

Approved January 10, 2002.

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**LEGISLATIVE HISTORY—H.R. 3338:**

HOUSE REPORTS: Nos. 107–298 (Comm. on Appropriations) and 107–350 (Comm. of Conference).

SENATE REPORTS: No. 107–109 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Nov. 28, considered and passed House.

Dec. 6, 7, considered and passed Senate, amended.

Dec. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Jan. 10, Presidential remarks and statement.



**28. Kate Mullany House, New York (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*



**29. Lewis and Clark Expedition Commemorative Coin**

PUBLIC LAW 106–126—DEC. 6, 1999

113 STAT. 1643

Public Law 106–126  
106th Congress**An Act**

To require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson.

Dec. 6, 1999

[H.R. 3373]

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

\* \* \* \* \*

**TITLE III—LEWIS AND CLARK  
EXPEDITION COMMEMORATIVE COIN**

**SEC. 301. SHORT TITLE.**

This title may be cited as the “Lewis and Clark Expedition Bicentennial Commemorative Coin Act”.

**SEC. 302. FINDINGS.**

The Congress finds that—

(1) the expedition commanded by Meriwether Lewis and William Clark, which came to be called “The Corps of Discovery”, was one of the most remarkable and productive scientific and military exploring expeditions in all American history;

(2) President Thomas Jefferson gave Lewis and Clark the mission to “explore the Missouri River & such principal stream of it, as, by its course and communication with the waters of the Pacific Ocean, whether the Columbia, Oregon, Colorado, or any other river may offer the most direct and practical water communication across this continent for the purposes of commerce”;

(3) the Expedition, in response to President Jefferson’s directive, greatly advanced our geographical knowledge of the continent and prepared the way for the extension of the American fur trade with American Indian tribes throughout the land;

(4) President Jefferson directed the explorers to take note of and carefully record the natural resources of the newly acquired territory known as Louisiana, as well as diligently report on the native inhabitants of the land;

(5) the Expedition departed St. Louis, Missouri on May 14, 1804;

(6) the Expedition held its first meeting with American Indians at Council Bluff near present-day Fort Calhoun, Nebraska, in August 1804, spent its first winter at Fort Mandan, North Dakota, crossed the Rocky Mountains by the mouth of the Columbia River in mid-November of that year, and wintered at Fort Clatsop, near the present-day city of Astoria, Oregon;

(7) the Expedition returned to St. Louis, Missouri, on September 23, 1806, after a 28-month journey covering 8,000 miles during which it traversed 11 future States: Illinois, Missouri,

113 STAT. 1647  
Lewis and Clark  
Expedition  
Bicentennial  
Commemorative  
Coin Act.  
31 USC 5112  
note.

113 STAT. 1648

113 STAT. 1648

PUBLIC LAW 106-126—DEC. 6, 1999

Kansas, Nebraska, Iowa, North Dakota, South Dakota, Montana, Idaho, Washington, and Oregon;

(8) accounts from the journals of Lewis and Clark and the detailed maps that were prepared by the Expedition enhance knowledge of the western continent and routes for commerce;

(9) the Expedition significantly enhanced amicable relationships between the United States and the autonomous American Indian nations, and the friendship and respect fostered between American Indian tribes and the Expedition represents the best of diplomacy and relationships between divergent nations and cultures; and

(10) the Lewis and Clark Expedition has been called the most perfect expedition of its kind in the history of the world and paved the way for the United States to become a great world power.

#### **SEC. 303. COIN SPECIFICATIONS.**

(a) **DENOMINATION.**—In commemoration of the bicentennial of the Lewis and Clark Expedition, the Secretary of the Treasury (hereafter in this title referred to as the “Secretary”) shall mint and issue not more than 500,000 \$1 coins, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) **LEGAL TENDER.**—The coins minted under this title shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) **NUMISMATIC ITEMS.**—For purposes of section 5136 of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

#### **SEC. 304. SOURCES OF BULLION.**

The Secretary may obtain silver for minting coins under this title from any available source, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

#### **SEC. 305. DESIGN OF COINS.**

(a) **DESIGN REQUIREMENTS.**—

(1) **IN GENERAL.**—The design of the coins minted under this title shall be emblematic of the expedition of Lewis and Clark.

(2) **DESIGNATION AND INSCRIPTIONS.**—On each coin minted under this title there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year “2004” and the years “1804–1806”; and

(C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(3) **OBVERSE OF COIN.**—The obverse of each coin minted under this title shall bear the likeness of Meriwether Lewis and William Clark.

(4) **GENERAL DESIGN.**—In designing this coin, the Secretary shall also consider incorporating appropriate elements from the Jefferson Peace and Friendship Medal which Lewis and Clark presented to the Chiefs of the various Indian tribes

113 STAT. 1649

PUBLIC LAW 106–126—DEC. 6, 1999

113 STAT. 1649

they encountered and shall consider recognizing Native American culture.

(b) **SELECTION.**—The design for the coins minted under this title shall be selected by the Secretary after consultation with the Commission of Fine Arts and shall be reviewed by the Citizens Commemorative Coin Advisory Committee.

**SEC. 306. ISSUANCE OF COINS.**

(a) **QUALITY OF COINS.**—Coins minted under this title shall be issued in uncirculated and proof qualities.

(b) **MINT FACILITY.**—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this title.

(c) **PERIOD FOR ISSUANCE.**—The Secretary may issue coins minted under this title only during the period beginning on January 1, 2004, and ending on December 31, 2004.

**SEC. 307. SALE OF COINS.**

(a) **SALE PRICE.**—The coins issued under this title shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **BULK SALES.**—The Secretary shall make bulk sales of the coins issued under this title at a reasonable discount.

(c) **PREPAID ORDERS.**—

(1) **IN GENERAL.**—The Secretary shall accept prepaid orders for the coins minted under this title before the issuance of such coins.

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) **SURCHARGES.**—All sales of coins minted under this title shall include a surcharge of \$10 per coin.

**SEC. 308. DISTRIBUTION OF SURCHARGES.**

(a) **IN GENERAL.**—Subject to section 5134(f) of title 31, United States Code, the proceeds from the surcharges received by the Secretary from the sale of coins issued under this title shall be promptly paid by the Secretary as follows:

(1) **NATIONAL LEWIS AND CLARK BICENTENNIAL COUNCIL.**—Two-thirds to the National Lewis and Clark Bicentennial Council, for activities associated with commemorating the bicentennial of the Lewis and Clark Expedition.

(2) **NATIONAL PARK SERVICE.**—One-third to the National Park Service for activities associated with commemorating the bicentennial of the Lewis and Clark Expedition.

(b) **AUDITS.**—Each organization that receives any payment from the Secretary under this section shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code.

**SEC. 309. FINANCIAL ASSURANCES.**

113 STAT. 1650

(a) **NO NET COST TO THE GOVERNMENT.**—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

113 STAT. 1650

PUBLIC LAW 106–126—DEC. 6, 1999

(b) PAYMENT FOR COINS.—A coin shall not be issued under this title unless the Secretary has received—

- (1) full payment for the coin;
- (2) security satisfactory to the Secretary to indemnify the United States for full payment; or
- (3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

Approved December 6, 1999.

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LEGISLATIVE HISTORY—H.R. 3373:

CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 16, considered and passed House.

Nov. 19, considered and passed Senate.



**30. Lincoln Highway (study)**

PUBLIC LAW 106–563—DEC. 23, 2000

114 STAT. 2809

Public Law 106–563  
106th Congress

**An Act**

To require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, and for other purposes.

Dec. 23, 2000

[H.R. 2570]

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

Lincoln Highway  
Study Act of  
2000.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Lincoln Highway Study Act of 2000”.

**SEC. 2. NATIONAL PARK SERVICE STUDY AND REPORT REGARDING THE LINCOLN HIGHWAY.**

(a) FINDINGS.—The Congress finds the following:

(1) The Lincoln Highway, established in 1913, comprises more than 3,000 miles of roadways from New York, New York, to San Francisco, California, and encompasses United States Routes 1, 20, 30 (including 30N and 30S), 40, 50, and 530 and Interstate Route 80.

(2) The Lincoln Highway played a historically significant role as the first United States transcontinental highway, providing motorists a paved route and allowing vast portions of the country to be accessible by automobile.

(3) The Lincoln Highway transverses the States of New York, New Jersey, Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Iowa, Nebraska, Wyoming, Utah, Nevada, and California.

(4) Although some parts of the Lincoln Highway have disappeared or have been realigned, the many historic, cultural, and engineering features and characteristics of the route still remain.

(5) Given the interest by organized groups and State governments in the preservation of features associated with the Lincoln Highway, the route’s history, and its role in American popular culture, a coordinated evaluation of preservation options should be undertaken.

(b) STUDY REQUIRED.—The Secretary of the Interior, acting through the Director of the National Park Service, shall coordinate a comprehensive study of routes comprising the Lincoln Highway. The study shall include an evaluation of the significance of the Lincoln Highway in American history, options for preservation and use of remaining segments of the Lincoln Highway, and options for the preservation and interpretation of significant features associated with the Lincoln Highway. The study shall also consider private sector preservation alternatives.

114 STAT. 2810

PUBLIC LAW 106–563—DEC. 23, 2000

Deadline.

(c) COOPERATIVE EFFORT.—The study under subsection (b) shall provide for the participation of representatives from each State traversed by the Lincoln Highway, State historic preservation offices, representatives of associations interested in the preservation of the Lincoln Highway and its features, and persons knowledgeable in American history, historic preservation, and popular culture.

(d) REPORT.—Not later than 1 year after the date on which funds are first made available for the study under subsection (b), the Secretary of the Interior shall submit a report to Congress containing the results of the study.

(e) LIMITATION.—Nothing in this section shall be construed to authorize the Secretary of the Interior or the National Park Service to assume responsibility for the maintenance of any of the routes comprising the Lincoln Highway.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$500,000 to carry out this section.

Approved December 23, 2000.

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LEGISLATIVE HISTORY—H.R. 2570:

HOUSE REPORTS: No. 106–912 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 17, considered and passed House.  
Dec. 15, considered and passed Senate.



**31. Loess Hills, Iowa (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*



**32. Los Angeles, California Land Transfer**

PUBLIC LAW 106–443—NOV. 6, 2000

114 STAT. 1927

Public Law 106–443  
106th Congress

**An Act**

To extend the authority of the Los Angeles Unified School District to use certain park lands in the City of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

Nov. 6, 2000  
[H.R. 5083]

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

**SECTION 1. FINDINGS.**

Congress finds the following:

(1) In 1988, the Los Angeles Board of Education voted to close Tweedy Elementary School in the City of South Gate, California, due to concerns about health risks at the site of the school.

(2) The school was temporarily relocated to South Gate Park on park land that was originally acquired with amounts provided by the Secretary of the Interior from the land and water conservation fund.

(3) In March 1991, the lease with the city that allowed the Los Angeles Unified School District to operate the school on park land expired, and no progress had been made in constructing new facilities to relocate the school and its students.

(4) In 1992, Congress enacted Public Law 102–443 (106 Stat. 2244), which authorized an 8-year extension in the lease for the use of the park land pending the construction of the new school.

(5) This 8-year extension is due to expire on October 23, 2000, and little progress has been made on the part of the Los Angeles Unified School District to relocate Tweedy Elementary School.

(6) In addition to the long-delayed Tweedy Elementary School relocation, recent studies have identified the need for additional educational facilities in the City of South Gate, including a new high school, junior high, and three primary centers in the near future.

(7) The lack of commitment, oversight, and accountability in finding a new site for Tweedy Elementary School must be corrected in any further lease extension, and a similar situation also must be avoided in addressing the construction of other education facilities in the City of South Gate.

114 STAT. 1928

PUBLIC LAW 106-443—NOV. 6, 2000

**SEC. 2. CONTINUATION OF TEMPORARY USE OF PARK LANDS FOR  
ELEMENTARY SCHOOL PURPOSES, SOUTH GATE, CALI-  
FORNIA.**

Notwithstanding section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(f)(3)), the City of South Gate, California, may extend until October 23, 2004, the lease between the City of South Gate and the Los Angeles Unified School District, dated June 8, 1988, and otherwise subject to expire on October 23, 2000, pursuant to Public Law 102-443 (106 Stat. 2244), regarding the use of approximately three acres of South Gate Park as the temporary site for Tweedy Elementary School.

**SEC. 3. REPORT ON PROGRESS TO RELOCATE TWEEDY ELEMENTARY  
SCHOOL AND OTHER SCHOOL CONSTRUCTION.**

(a) PERIODIC REPORTS REQUIRED.—As a condition on the extension of the lease referred to in section 1 beyond October 23, 2000, the President of the Board of Education for the Los Angeles Unified School District shall require the preparation of periodic reports describing—

(1) the progress being made to relocate Tweedy Elementary School from South Gate Park to a permanent location; and

(2) the School District's construction plans for a new high school, middle school, and three primary centers in the City of South Gate, California.

(b) ELEMENTS OF REPORT.—Each report under subsection (a) shall describe—

(1) the progress being made in site selection and acquisition, facility design, and construction; and

(2) any factors hindering either the relocation of Tweedy Elementary School or progress on the School District's other construction plans for the City of South Gate.

(c) SUBMISSION.—The reports required by subsection (a) shall be submitted to the City Manager of the City of South Gate, the Congress, the Los Angeles Board of Education, and Padres Unidos Pro Nuevas Escuelas. The first report shall be submitted not later than May 1, 2001, and subsequent reports shall be submitted every 6 months thereafter during the term of the extended lease.

Approved November 6, 2000.

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LEGISLATIVE HISTORY—H.R. 5083:

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 12, considered and passed House.

Oct. 26, considered and passed Senate.



**33. Marine Corps Heritage Center**

PUBLIC LAW 106–398—OCT. 30, 2000

114 STAT. 1654

\* Public Law 106–398  
106th Congress

**An Act**

To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Oct. 30, 2000  
[H.R. 4205]

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

**SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.**

Incorporation by  
reference.

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

**SEC. 2. PUBLICATION OF ACT.**

1 USC 112 note.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

Approved October 30, 2000.

**LEGISLATIVE HISTORY—H.R. 4205 (S. 2549) (S. 2550):**

HOUSE REPORTS: Nos. 106–616 (Comm. on Armed Services) and 106–945 (Comm. of Conference).

SENATE REPORTS: No. 106–292 accompanying S. 2549 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 17, 18 considered and passed House.

July 13, considered and passed Senate, amended.

Oct. 11, House agreed to conference report.

Oct. 12, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 30, Presidential statement.

\*ENDNOTE: The following appendix was added pursuant to the provisions of sections 1 and 2 of this Act.

**APPENDIX—H.R. 5408****SECTION 1. SHORT TITLE; FINDINGS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001”.

\* \* \* \* \*

114 STAT.  
1654A–2

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) **DIVISIONS.**—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

114 STAT.  
1654A–389

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS****SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2001”.

\* \* \* \* \*

114 STAT.  
1654A–410

**TITLE XXVIII—GENERAL PROVISIONS**

\* \* \* \* \*

114 STAT.  
1654A–438

**SUBTITLE E—OTHER MATTERS**

\* \* \* \* \*

114 STAT.  
1654A–440

**SEC. 2884. DEVELOPMENT OF MARINE CORPS HERITAGE CENTER AT  
MARINE CORPS BASE, QUANTICO, VIRGINIA.**

(a) **AUTHORITY TO ENTER INTO JOINT VENTURE FOR DEVELOPMENT.**—The Secretary of the Navy may enter into a joint venture with the Marine Corps Heritage Foundation, a not-for-profit entity, for the design and construction of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center.

(b) **AUTHORITY TO ACCEPT CERTAIN LAND.**—(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), accept without compensation any portion of the land known as Locust Shade Park which is now offered by the Park Authority of the County of Prince William, Virginia, as a potential site for the facility.

(2) The Park Authority may convey the land described in paragraph (1) to the Secretary under this section without regard to any limitation on its use, or requirement for its replacement upon

## PUBLIC LAW 106-398—APPENDIX 114 STAT. 1654A-440

conveyance, under section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(f)(3)) or under any other provision of law.

(c) DESIGN AND CONSTRUCTION.—For each phase of development of the facility described in subsection (a), the Secretary may—

(1) permit the Marine Corps Heritage Foundation to contract for the design, construction, or both of such phase of development; or

(2) accept funds from the Marine Corps Heritage Foundation for the design, construction, or both of such phase of development.

(d) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the facility described in subsection (a) by the Marine Corps Heritage Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Marine Corps Heritage Foundation, the facility shall become the property of the Department of the Navy with all right, title, and interest in and to facility being in the United States.

(e) LEASE OF FACILITY.—(1) The Secretary may lease, under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), portions of the facility developed under that subsection to the Marine Corps Heritage Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility.

(2) The amount of consideration paid the Secretary by the Marine Corps Heritage Foundation for the lease under paragraph (1) may not exceed an amount equal to the actual cost (as determined by the Secretary) of the operation of the facility.

114 STAT.  
1654A-441

(3) Notwithstanding any other provision of law, the Secretary shall use amounts paid under paragraph (2) to cover the costs of operation of the facility.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

\* \* \* \* \*

**34. Midway Atoll National Memorial**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000.** (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

**Approved November 29, 1999.****LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**NATIONAL PARK SERVICE**

113 STAT.  
1501A–142

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

113 STAT.  
1501A–154

\* \* \* \* \*

SEC. 126. The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and in consultation with the Director of the National Park Service, shall undertake the necessary activities to designate Midway Atoll as a National Memorial to the Battle of Midway. In pursuing such a designation the Secretary shall consult with organizations with an interest in Midway Atoll. The Secretary shall consult on a regular basis with such organizations, including the International Midway Memorial Foundation, Inc. on the management of the National Memorial.

113 STAT.  
1501A–164

\* \* \* \* \*

**35. Nan Madol, Micronesia (study)**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000.** (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

Approved November 29, 1999.

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).





## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A–190

\* \* \* \* \*

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”. 113 STAT. 1501A–194

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501). 113 STAT. 1501A–195

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) **REPORTS.**—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

**36. National Law Enforcement Museum**

114 STAT. 2210

PUBLIC LAW 106–492—NOV. 9, 2000

Public Law 106–492  
106th Congress**An Act**Nov. 9, 2000  
[S. 1438]

To establish the National Law Enforcement Museum on Federal land in the District of Columbia.

National Law  
Enforcement  
Museum Act.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Law Enforcement Museum Act”.

**SEC. 2. FINDING.**

Congress finds that there should be established a National Law Enforcement Museum to honor and commemorate the service and sacrifice of law enforcement officers in the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

- (1) MEMORIAL FUND.—The term “Memorial Fund” means the National Law Enforcement Officers Memorial Fund, Inc.
- (2) MUSEUM.—The term “Museum” means the National Law Enforcement Museum established under section 4(a).
- (3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 4. NATIONAL LAW ENFORCEMENT MUSEUM.**

(a) CONSTRUCTION.—

(1) IN GENERAL.—The Memorial Fund may construct a National Law Enforcement Museum on Federal land located on United States Reservation #7, on the property bounded by—

- (A) the National Law Enforcement Officers Memorial on the north;
- (B) the United States Court of Appeals for the Armed Forces on the west;
- (C) Court Building C on the east; and
- (D) Old City Hall on the south.

(2) UNDERGROUND FACILITY.—The Memorial Fund shall be permitted to construct part of the Museum underground below E Street, NW.

(3) CONSULTATION.—The Museum Fund shall consult with and coordinate with the Joint Committee on Administration of the District of Columbia courts in the planning, design, and construction of the Museum.

(b) DESIGN AND PLANS.—

## PUBLIC LAW 106-492—NOV. 9, 2000

114 STAT. 2211

(1) IN GENERAL.—In carrying out subsection (a), the Memorial Fund shall be responsible for preparation of the design and plans for the Museum.

(2) APPROVAL.—The design and plans for the Museum shall be subject to the approval of—

(A) the Secretary;

(B) the Commission of Fine Arts; and

(C) the National Capital Planning Commission.

(3) DESIGN REQUIREMENTS.—The Museum shall be designed so that—

(A) there is available for underground planned use by the courts of the District of Columbia for renovation and expansion of Old City Hall—

(i) an area extending to a line that is at least 57 feet, 6 inches, north of the northernmost facade of Old City Hall and parallel to that facade; plus

(ii) an area extending beyond that line and comprising a part of a circle with a radius of 40 feet measured from a point that is 59 feet, 9 inches, from the center of that facade;

(B) the underground portion of the Museum has a footprint of not less than 23,665 square feet;

(C) above ground, there is a no-build zone of 90 feet out from the northernmost face of the north portico of the existing Old City Hall running east to west parallel to Old City Hall;

(D) the aboveground portion of the Museum consists of 2 entrance pavilions totaling a maximum of 10,000 square feet, neither of which shall exceed 6,000 square feet and the height of neither of which shall exceed 25 feet, as measured from the curb of the westernmost pavilion; and

(E) no portion of the aboveground portion of the Museum is located within the 100-foot-wide area centered on the north-south axis of the Old City Hall.

(4) PARKING.—The courts of the District of Columbia and the United States Court of Appeals for the Armed Forces may construct an underground parking structure in the southwest quadrant of United States Reservation #7.

(c) OPERATION AND USE.—The Memorial Fund shall own, operate, and maintain the Museum after completion of construction.

(d) FEDERAL SHARE.—The United States shall pay no expense incurred in the establishment or construction of the Museum.

(e) FUNDING VERIFICATION.—The Secretary shall not permit construction of the Museum to begin unless the Secretary determines that sufficient amounts are available to complete construction of the Museum in accordance with the design and plans approved under subsection (b).

114 STAT. 2212

PUBLIC LAW 106–492—NOV. 9, 2000

Termination  
date.

(f) FAILURE TO CONSTRUCT.—If the Memorial Fund fails to begin construction of the Museum by the date that is 10 years after the date of enactment of this Act, the authority to construct the Museum shall terminate on that date.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 1438 (H.R. 2710):

HOUSE REPORTS: No. 106–918 accompanying H.R. 2710 (Comm. on Resources).

SENATE REPORTS: No. 106–330 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 28, considered and passed Senate.

Oct. 24, considered and passed House.



**37. National Military Museum**

PUBLIC LAW 106–65—OCT. 5, 1999

113 STAT. 512

Public Law 106–65  
106th Congress**An Act**

To authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Oct. 5, 1999

[S. 1059]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2000”.

National Defense  
Authorization  
Act for Fiscal  
Year 2000.

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) DIVISIONS.—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2000”.

\* \* \* \* \*

**TITLE XXIX—COMMISSION ON  
NATIONAL MILITARY MUSEUM**

113 STAT. 824  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2000.

113 STAT. 880

- Sec. 2901. Establishment.  
 Sec. 2902. Duties of Commission.  
 Sec. 2903. Report.  
 Sec. 2904. Powers.  
 Sec. 2905. Commission procedures.  
 Sec. 2906. Personnel matters.  
 Sec. 2907. Miscellaneous administrative provisions.  
 Sec. 2908. Funding.  
 Sec. 2909. Termination of Commission.

113 STAT. 881

**SEC. 2901. ESTABLISHMENT.**

10 USC 111 note.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the “Commission on the National Military Museum” (in this title referred to as the “Commission”).

(b) COMPOSITION.—(1) The Commission shall be composed of 11 voting members appointed from among individuals who have an expertise in military or museum matters as follows:

(A) Five shall be appointed by the President.

(B) Two shall be appointed by the Speaker of the House of Representatives, in consultation with the chairman of the Committee on Armed Services of the House of Representatives.

113 STAT. 881

PUBLIC LAW 106-65—OCT. 5, 1999

(C) One shall be appointed by the minority leader of the House of Representatives, in consultation with the ranking member of the Committee on Armed Services of the House of Representatives.

(D) Two shall be appointed by the majority leader of the Senate, in consultation with the chairman of the Committee on Armed Services of the Senate.

(E) One shall be appointed by the minority leader of the Senate, in consultation with the ranking member of the Committee on Armed Services of the Senate.

(2) The following shall be nonvoting members of the Commission:

(A) The Secretary of Defense.

(B) The Secretary of the Army.

(C) The Secretary of the Navy.

(D) The Secretary of the Air Force.

(E) The Secretary of Transportation.

(F) The Secretary of the Smithsonian Institution.

(G) The Chairman of the National Capital Planning Commission.

(H) The Chairperson of the Commission of Fine Arts.

President.

(c) CHAIRMAN.—The President shall designate one of the individuals first appointed to the Commission under subsection (b)(1)(A) as the chairman of the Commission.

(d) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

Deadline.

(e) INITIAL ORGANIZATION REQUIREMENTS.—(1) All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed.

10 USC 111 note.

**SEC. 2902. DUTIES OF COMMISSION.**

(a) STUDY OF NATIONAL MILITARY MUSEUM.—The Commission shall conduct a study in order to make recommendations to Congress regarding an authorization for the construction of a national military museum in the National Capital Area.

113 STAT. 882

(b) STUDY ELEMENTS.—In conducting the study, the Commission shall do the following:

(1) Determine whether existing military museums, historic sites, and memorials in the United States are adequate—

(A) to provide in a cost-effective manner for display of, and interaction with, adequately visited and adequately preserved artifacts and representations of the Armed Forces and of the wars in which the United States has been engaged;

(B) to honor the service to the United States of the active and reserve members of the Armed Forces and the veterans of the United States;

(C) to educate current and future generations regarding the Armed Forces and the sacrifices of members of the Armed Forces and the Nation in furtherance of the defense of freedom; and

## PUBLIC LAW 106-65—OCT. 5, 1999

113 STAT. 882

(D) to foster public pride in the achievements and activities of the Armed Forces.

(2) Determine whether adequate inventories of artifacts and representations of the Armed Forces and of the wars in which the United States has been engaged are available, either in current inventories or in private or public collections, for loan or other provision to a national military museum.

(3) Develop preliminary proposals for—

(A) the dimensions and design of a national military museum in the National Capital Area;

(B) the location of the museum in that Area; and

(C) the approximate cost of the final design and construction of the museum and of the costs of operating the museum.

(c) **ADDITIONAL DUTIES.**—If the Commission determines to recommend that Congress authorize the construction of a national military museum in the National Capital Area, the Commission shall also, as a part of the study under subsection (a), do the following:

(1) Recommend not fewer than three sites for the museum ranked by preference.

(2) Propose a schedule for construction of the museum.

(3) Assess the potential effects of the museum on the environment, facilities, and roadways in the vicinity of the site or sites where the museum is proposed to be located.

(4) Recommend the percentages of funding for the museum to be provided by the United States, State and local governments, and private sources, respectively.

(5) Assess the potential for fundraising for the museum during the 20-year period following the authorization of construction of the museum.

(6) Assess and recommend various governing structures for the museum, including a governing structure that places the museum within the Smithsonian Institution.

(d) **REQUIREMENTS FOR LOCATION ON NAVY ANNEX PROPERTY.**—In the case of a recommendation under subsection (c)(1) to authorize construction of a national military museum on the Navy Annex property authorized for reservation for such purpose by section 2871(b), the design of the national military museum on such property shall be subject to the following requirements:

(1) The design shall be prepared in consultation with the Superintendent of Arlington National Cemetery. 113 STAT. 883

(2) The design may not provide for access by vehicles to the national military museum through Arlington National Cemetery.

#### **SEC. 2903. REPORT.**

The Commission shall, not later than 12 months after the date of its first meeting, submit to Congress a report on its findings and conclusions under this title, including any recommendations under section 2902.

10 USC 111 note.  
Deadline.

#### **SEC. 2904. POWERS.**

(a) **HEARINGS.**—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this title, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths

10 USC 111 note.

113 STAT. 883

PUBLIC LAW 106-65—OCT. 5, 1999

to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this title.

10 USC 111 note.

**SEC. 2905. COMMISSION PROCEDURES.**

(a) MEETINGS.—The Commission shall meet at the call of the chairman.

(b) QUORUM.—(1) Six of the members appointed under section 2901(b)(1) shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this title.

10 USC 111 note.

**SEC. 2906. PERSONNEL MATTERS.**

(a) PAY OF MEMBERS.—Members of the Commission appointed under section 2901(b)(1) shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

113 STAT. 884

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS-15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.



## PUBLIC LAW 106-65—OCT. 5, 1999

113 STAT. 884

(e) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

**SEC. 2907. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.**

10 USC 111 note.

(a) **POSTAL AND PRINTING SERVICES.**—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the United States.

(b) **MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.**—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

**SEC. 2908. FUNDING.**

10 USC 111 note.

(a) **IN GENERAL.**—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000.

(b) **REQUEST.**—Upon receipt of a written certification from the chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

(c) **AVAILABILITY OF CERTAIN FUNDS.**—Of the funds available for activities of the Commission under this section, \$2,000,000 shall be available for the activities, if any, of the Commission under section 2902(c).

**SEC. 2909. TERMINATION OF COMMISSION.**

10 USC 111 note.

The Commission shall terminate 60 days after the date of the submission of its report under section 2903.

\* \* \* \* \*

Approved October 5, 1999.

113 STAT. 976

**LEGISLATIVE HISTORY—S. 1059 (H.R. 1401):**

**HOUSE REPORTS:** Nos. 106-162 accompanying H.R. 1401 (Comm. on Armed Services) and 106-301 (Comm. of Conference).

**SENATE REPORTS:** No. 106-50 (Comm. on Armed Services).

**CONGRESSIONAL RECORD**, Vol. 145 (1999):

May 24-27, considered and passed Senate.

June 14, considered and passed House, amended, in lieu of H.R. 1401.

Sept. 15, House agreed to conference report.

Sept. 21, 22, Senate considered and agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 35 (1999):

Oct. 5, Presidential remarks and statement.



**38. National Park Foundation**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

\* \* \* \* \*

114 STAT. 33

**SEC. 305. NATIONAL PARK FOUNDATION.**

16 USC 19h.

Section 4 of Public Law 90–209 is amended—

(1) by inserting “with or” between “practicable” and “with-  
out” in the final sentence thereof; and(2) by adding at the end thereof a new sentence as follows:  
“Monies reimbursed to either Department shall be returned  
by the Department to the account from which the funds for  
which the reimbursement is made were drawn and may, with-  
out further appropriation, be expended for any purpose for  
which such account is authorized.”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



PUBLIC LAW 106–408—NOV. 1, 2000

114 STAT. 1762

Public Law 106–408  
106th Congress

An Act

To amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

Nov. 1, 2000

[H.R. 3671]

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial Act of 2000”.

Fish and Wildlife  
Programs  
Improvement  
and National  
Wildlife Refuge  
System  
Centennial Act of  
2000.  
16 USC 669 note.

\* \* \* \* \*

**TITLE II—NATIONAL FISH AND  
WILDLIFE FOUNDATION**

114 STAT. 1777  
National Fish  
and Wildlife  
Foundation  
Establishment  
Act Amendments  
of 2000.

**SEC. 201. SHORT TITLE.**

This title may be cited as the “National Fish and Wildlife Foundation Establishment Act Amendments of 2000”.

\* \* \* \* \*

**SEC. 208. LIMITATION ON AUTHORITY.**

114 STAT. 1781

The National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.) is amended by adding at the end the following:

**“SEC. 11. LIMITATION ON AUTHORITY.**

114 STAT. 1782  
16 USC 3710.

“Nothing in this Act authorizes the Foundation to perform any function the authority for which is provided to the National Park Foundation by Public Law 90–209 (16 U.S.C. 19e et seq.).”.

\* \* \* \* \*

This title takes effect on January 20, 2001.

114 STAT. 1786

Approved November 1, 2000.

**LEGISLATIVE HISTORY—H.R. 3671:**

HOUSE REPORTS: No. 106–554 (Comm. on Resources).

SENATE REPORTS: No. 106–495 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 5, considered and passed House.

Oct. 12, considered and passed Senate, amended.

Oct. 18, House concurred in Senate amendments.



### 39. National Underground Railroad Freedom Center, Ohio

114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

Public Law 106–291  
106th Congress

#### An Act

Oct. 11, 2000  
[H.R. 4578]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

#### TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 941

#### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 956  
National  
Underground  
Railroad  
Freedom Center  
Act.  
16 USC 461 note.  
16 USC 469/-2  
note.

Sec. 150. (a) **SHORT TITLE.**—This section may be cited as the “National Underground Railroad Freedom Center Act”.

(b) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress finds that—

(A) the National Underground Railroad Freedom Center (hereinafter “Freedom Center”) is a nonprofit organization incorporated under the laws of the State of Ohio in 1995;

(B) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

(C) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

(D) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

(E) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act.

(2) **PURPOSES.**—The purposes of this section are—

114 STAT. 957

## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 957

(A) to promote preservation and public awareness of the history of the Underground Railroad;

(B) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and

(C) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (112 Stat. 679; 16 U.S.C. 469l and following).

(c) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) PROJECT BUDGET.—The term “project budget” means the total amount of funds expended by the Freedom Center on construction of its facility, development of its programs and exhibits, research, collection of informative and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center, prior to the opening of the Freedom Center facility in Cincinnati, Ohio.

(3) FEDERAL SHARE.—The term “Federal share” means an amount not to exceed 20 percent of the project budget and shall include all amounts received from the Federal Government under this legislation and any other Federal programs.

(4) NON-FEDERAL SHARE.—The term “non-Federal share” means all amounts obtained by the Freedom Center for the implementation of its facilities and programs from any source other than the Federal Government, and shall not be less than 80 percent of the project budget.

(5) THE FREEDOM CENTER FACILITY.—The term “the Freedom Center facility” means the facility, including the building and surrounding site, which will house the museum and research institute to be constructed and developed in Cincinnati, Ohio, on the site described in subsection (d)(3).

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) PROGRAM AUTHORIZED.—From sums appropriated pursuant to the authority of subsection (d)(4) in any fiscal year, the Secretary is authorized and directed to provide financial assistance to the Freedom Center, in order to pay the Federal share of the cost of authorized activities described in subsection (e).

114 STAT. 958

(2) EXPENDITURE ON NON-FEDERAL PROPERTY.—The Secretary is authorized to expend appropriated funds under subsection (d)(1) of this section to assist in the construction of the Freedom Center facility and the development of programs and exhibits for that facility which will be funded primarily through private and non-Federal funds, on property owned by the city of Cincinnati, Hamilton County, and the State of Ohio.

(3) DESCRIPTION OF THE FREEDOM CENTER FACILITY SITE.—The facility referred to in subsections (d)(1) and (d)(2) will be located on a site described as follows: a 2-block area south of new South Second, west of Walnut Street, north of relocated Theodore M. Berry Way, and east of Vine Street in Cincinnati, Ohio.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$16,000,000 for the 4 fiscal year period beginning October 1, 1999. Funds not to exceed that total

114 STAT. 958

PUBLIC LAW 106-291—OCT. 11, 2000

amount may be appropriated in 1 or more of such fiscal years. Funds shall not be disbursed until the Freedom Center has commitments for a minimum of 50 percent of the non-Federal share.

(5) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds appropriated to carry out the provisions of this section shall remain available for obligation and expenditure until the end of the fiscal year succeeding the fiscal year for which the funds were appropriated.

(6) OTHER PROVISIONS.—Any grant made under this section shall provide that—

(A) no change or alteration may be made in the Freedom Center facility except with the agreement of the property owner and the Secretary;

(B) the Secretary shall have the right of access at reasonable times to the public portions of the Freedom Center facility for interpretive and other purposes; and

(C) conversion, use, or disposal of the Freedom Center facility for purposes contrary to the purposes of this section, as determined by the Secretary, shall result in a right of the United States to compensation equal to the greater of—

(i) all Federal funds made available to the grantee under this section; or

(ii) the proportion of the increased value of the Freedom Center facility attributable to such funds, as determined at the time of such conversion, use, or disposal.

(e) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The Freedom Center may engage in any activity related to its objectives addressed in subsection (b)(1), including, but not limited to, construction of the Freedom Center facility, development of programs and exhibits related to the history of the Underground Railroad, research, collection of information and artifacts and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center.

(2) PRIORITIES.—The Freedom Center shall give priority to—

(A) construction of the Freedom Center facility;

(B) development of programs and exhibits to be presented in or from the Freedom Center facility; and

(C) providing assistance to the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

(f) APPLICATION.—

(1) IN GENERAL.—The Freedom Center shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each application shall—

(A) describe the activities for which assistance is sought;

(B) provide assurances that the non-Federal share of the cost of activities of the Freedom Center shall be paid from non-Federal sources, together with an accounting of costs expended by the Freedom Center to date, a budget

114 STAT. 959

## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 959

of costs to be incurred prior to the opening of the Freedom Center facility, an accounting of funds raised to date, both Federal and non-Federal, and a projection of funds to be raised through the completion of the Freedom Center facility.

(2) APPROVAL.—The Secretary shall approve the application submitted pursuant to subsection (f)(1) unless such application fails to comply with the provisions of this section.

(g) REPORTS.—The Freedom Center shall submit an annual report to the appropriate committees of the Congress not later than January 31, 2000, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this section. The report shall—

Deadline.

(1) include a financial statement addressing the Freedom Center's costs incurred to date and projected costs, and funds raised to date and projected fundraising goals;

(2) include a comprehensive and detailed description of the Freedom Center's activities for the preceding and succeeding fiscal years; and

(3) include a description of the activities taken to assure compliance with this section.

(h) AMENDMENT TO THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998.—The National Underground Railroad Network to Freedom Act of 1998 (112 Stat. 679; 16 U.S.C. 469l and following) is amended by adding at the end the following:

**“SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.**

“(a) AUTHORITY TO MAKE GRANTS.—The Secretary of the Interior may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

“(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

“(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

114 STAT. 960

“(2) the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and

“(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

“(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

114 STAT. 960

PUBLIC LAW 106–291—OCT. 11, 2000

“(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section \$2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.”.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.





#### 40. National Museum of African American History and Culture Plan for Action Presidential Commission

PUBLIC LAW 107–106—DEC. 28, 2001

115 STAT. 1009

Public Law 107–106  
107th Congress

#### An Act

To establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and Culture in Washington, D.C., and for other purposes.

Dec. 28, 2001

[H.R. 3442]

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Museum of African American History and Culture Plan for Action Presidential Commission Act of 2001”.

National  
Museum of  
African American  
History and  
Culture Plan for  
Action  
Presidential  
Commission Act  
of 2001.

#### SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established the National Museum of African American History and Culture Plan for Action Presidential Commission (hereafter in this Act referred to as the “Commission”).

(b) MEMBERSHIP.—The Commission shall consist of not more than 23 members appointed as follows:

(1) The President shall appoint seven voting members.

(2) The Speaker of the House of Representatives and the Senate Majority Leader shall each appoint six voting members.

(3) In addition to the members appointed under paragraph (2), the Speaker of the House of Representatives and the Senate Majority Leader shall each appoint two additional nonvoting members.

(c) QUALIFICATIONS.—Members of the Commission shall be chosen from the following professional groups:

(1) Professional museum associations, including the Association of African American Museums and African American Museum Cultural Complex, Inc.

(2) Academic institutions and groups committed to the research and study of African American life, art, history, and culture, including Historically Black Colleges and Universities and the Joint Center for Political and Economic Studies.

#### SEC. 3. FUNCTIONS OF THE COMMISSION.

(a) PLAN OF ACTION FOR ESTABLISHMENT AND MAINTENANCE OF MUSEUM.—

(1) IN GENERAL.—The Commission shall submit a report to the President and the Congress containing its recommendations with respect to a plan of action for the establishment and maintenance of the National Museum of African American

Reports.

115 STAT. 1010

PUBLIC LAW 107-106—DEC. 28, 2001

History and Culture in Washington, D.C. (hereafter in this Act referred to as the “Museum”).

(2) NATIONAL CONFERENCE.—In developing the recommendations, the Commission shall convene a national conference on the Museum, comprised of individuals committed to the advancement of African American life, art, history, and culture, not later than 3 months after the date of the enactment of this Act.

(b) FUNDRAISING PLAN.—The Commission shall develop a fundraising plan for supporting the creation and maintenance of the Museum through contributions by the American people, and a separate plan on fundraising by the African American community.

(c) REPORT ON ISSUES.—The Commission shall examine and submit a report to the President and the Congress on the following issues:

(1) The availability and cost of collections to be acquired and housed in the Museum.

(2) The impact of the Museum on regional African American museums.

(3) Possible locations for the Museum on or adjacent to the National Mall in Washington, D.C.

(4) The cost of converting the Smithsonian Institution’s Arts and Industries Building into a modern museum with requisite temperature and humidity controls.

(5) Whether the Museum should be located within the Smithsonian Institution.

(6) The governance and organizational structure from which the Museum should operate.

(d) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report submitted under subsection (a) and the report submitted under subsection (c), the Commission shall submit for consideration to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of the House of Representatives and Senate a legislative plan of action to create and construct the Museum.

#### SEC. 4. ADMINISTRATIVE PROVISIONS.

(a) FACILITIES AND SUPPORT OF SECRETARY OF THE INTERIOR.—The Secretary of the Interior shall provide the administrative services, facilities, and funds necessary for the performance of the Commission’s functions.

(b) COMPENSATION.—Each member of the Commission who is not an officer or employee of the Federal Government may receive compensation for each day on which the member is engaged in the work of the Commission, at a daily rate to be determined by the Secretary of the Interior.

(c) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

#### SEC. 5. DEADLINE FOR SUBMISSION OF REPORTS; TERMINATION.

(a) DEADLINE.—The Commission shall submit final versions of the reports and plans required under section 3 not later than 9 months after the date of the enactment of this Act.

PUBLIC LAW 107–106—DEC. 28, 2001

115 STAT. 1011

(b) **TERMINATION.**—The Commission shall terminate not later than 30 days after submitting the final versions of reports and plans pursuant to subsection (a).

**SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$3,000,000 for activities of the Commission during fiscal year 2002.

Approved December 28, 2001.

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**LEGISLATIVE HISTORY—H.R. 3442:**

CONGRESSIONAL RECORD, Vol. 147 (2001):

Dec. 11, considered and passed House.

Dec. 17, considered and passed Senate.



**41. Native Hiring in Northwest Alaska National Parks**

114 STAT. 2205

PUBLIC LAW 106–488—NOV. 9, 2000

Public Law 106–488  
106th Congress

**An Act**

Nov. 9, 2000  
[S. 748]

To improve Native hiring and contracting by the Federal Government within the State of Alaska, 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. REPORT.**

Deadline.

(a) Within six months after the enactment of this Act the Secretary of the Interior (hereinafter referred to as the “Secretary” shall submit a report detailing the progress the Department has made in the implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall include a detailed action plan on the future implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall describe, in detail, the measures and actions that will be taken, along with a description of the anticipated results to be achieved during the next three fiscal years. The report shall focus on lands under the jurisdiction of the Department of the Interior in Alaska and shall also address any laws, rules, regulations and policies which act as a deterrent to hiring Native Alaskans or contracting with Native Alaskans to perform and conduct activities and programs of those agencies and bureaus under the jurisdiction of the Department of the Interior.

(b) The report shall be completed within existing appropriations and shall be transmitted to the Committee on Resources of the United States Senate, and the Committee on Resources of the United States House of Representatives.

16 USC 3198  
note.

**SEC. 2. PILOT PROGRAM.**

(a) In furtherance of the goals of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall—

(1) implement pilot programs to employ residents of local communities at the following units of the National Park System located in northwest Alaska—

- (A) Bering Land Bridge National Preserve,
- (B) Cape Krusenstern National Monument,
- (C) Kobuk Valley National Park, and
- (D) Noatak National Preserve; and

## PUBLIC LAW 106–488—NOV. 9, 2000

114 STAT. 2206

(2) report on the results of the programs within one year to the Committee on Energy and Natural Resources of the United States and the Committee on Resources of the House of Representatives.

(b) In implementing the programs, the Secretary shall consult with the Native Corporations, nonprofit organizations, and Tribal entities in the immediate vicinity of such units and shall also, to the extent practicable, involve such groups in the development of interpretive materials and the pilot programs relating to such units.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 748:

SENATE REPORTS: No. 106–72 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



**42. New Jersey Coastal Heritage Trail**

113 STAT. 28

PUBLIC LAW 106–18—APR. 8, 1999

Public Law 106–18  
106th Congress**An Act**Apr. 8, 1999  
[H.R. 171]To authorize appropriations for the Coastal Heritage Trail Route in New Jersey,  
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. AUTHORIZATION OF APPROPRIATIONS.**Section 6 of Public Law 100–515 (16 U.S.C. 1244 note) is  
amended—(1) in subsection (b)(1), by striking “\$1,000,000” and insert-  
ing “\$4,000,000”; and

(2) in subsection (c), by striking “five” and inserting “10”.

Approved April 8, 1999.

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**LEGISLATIVE HISTORY—H.R. 171:**

HOUSE REPORTS: No. 106–16 (Comm. on Resources).

SENATE REPORTS: No. 106–24 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Feb. 23, considered and passed House.

Mar. 25, considered and passed Senate.



**43. Palace of the Governors Annex, New Mexico**

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress**An Act**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.Oct. 11, 2000  
[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

114 STAT. 941

\* \* \* \* \*

SEC. 147. (a) **SHORT TITLE.**—This section may be cited as the “Palace of the Governors Annex Act”.

114 STAT. 953  
Palace of the  
Governors Annex  
Act.

(b) **CONSTRUCTION OF PALACE OF THE GOVERNORS ANNEX, SANTA FE, NEW MEXICO.**—

(1) **FINDINGS.**—Congress finds that—

(A) the United States has a rich legacy of Hispanic influence in politics, government, economic development, and cultural expression;

(B) the Palace of the Governors—

(i) has been the center of administrative and cultural activity over a vast region of the Southwest since its construction as New Mexico’s second capitol in Santa Fe by Governor Pedro de Peralta in 1610;

(ii) is the oldest continuously occupied public building in the continental United States, having been occupied for 390 years; and

(iii) has been designated as a National Historic Landmark;

114 STAT. 954

(C) since its creation, the Museum of New Mexico has worked to protect and promote Southwestern, Hispanic, and Native American arts and crafts;

(D) the Palace of the Governors houses the history division of the Museum of New Mexico;

(E) the Museum has an extensive, priceless, and irreplaceable collection of—

(i) Spanish Colonial paintings (including the Segesser Hide Paintings, paintings on buffalo hide dating back to 1706);

(ii) pre-Columbian Art; and

(iii) historic artifacts, including—

(I) helmets and armor worn by the Don Juan de Oñate expedition conquistadors who established the first capital in the territory that is now the United States, San Juan de los Caballeros, in July 1598;

(II) the Vara Stick used to measure land grants and other real property boundaries in Dona Ana County, New Mexico;

(III) the Columbus, New Mexico Railway Station clock that was shot, stopping the pendulum, freezing for all history the moment when Pancho Villa's raid began;

(IV) the field desk of Brigadier General Stephen Watts Kearny, who was posted to New Mexico during the Mexican War and whose Army of the West traveled the Santa Fe trail to occupy the territories of New Mexico and California; and

(V) more than 800,000 other historic photographs, guns, costumes, maps, books, and handicrafts;

(F) the Palace of the Governors and its contents are included in the Mary C. Skaggs Centennial Collection of America's Treasures;

(G) the Palace of the Governors and the Segesser Hide paintings have been declared national treasures by the National Trust for Historic Preservation; and

(H) time is of the essence in the construction of an annex to the Palace of the Governors for the exhibition and storing of the collection described in paragraph (E), because—

(i) the existing facilities for exhibiting and storing the collection are so inadequate and unsuitable that existence of the collection is endangered and its preservation is in jeopardy; and

(ii) 2010 marks the 400th anniversary of the continuous occupation and use of the Palace of the Governors and is an appropriate date for ensuring the continued viability of the collection.

(2) DEFINITIONS.—In this section:

(A) ANNEX.—The term “Annex” means the annex for the Palace of the Governors of the Museum of New Mexico, to be constructed behind the Palace of the Governors building at 110 Lincoln Avenue, Santa Fe, New Mexico.

(B) OFFICE.—The term “Office” means the State Office of Cultural Affairs.

(C) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(D) STATE.—The term “State” means the State of New Mexico.

(3) GRANT.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to the Office to pay 50 percent of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex.

(B) REQUIREMENTS.—Subject to the availability of appropriations, to receive a grant under this paragraph (A), the Office shall—

(i) submit to the Secretary a copy of the architectural blueprints for the Annex; and



## PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 955

(ii) enter into a memorandum of understanding with the Secretary under subsection ((b)(4).

(4) MEMORANDUM OF UNDERSTANDING.—At the request of the Office, the Secretary shall enter into a memorandum of understanding with the Office that—

(A) requires that the Office award the contract for construction of the Annex after a competitive bidding process and in accordance with the New Mexico Procurement Code; and

(B) specifies a date for completion of the Annex.

(5) NON-FEDERAL SHARE.—The non-Federal share of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex—

(A) may be in cash or in kind fairly evaluated, including land, art and artifact collections, plant, equipment, or services; and

(B) shall include any contribution received by the State (including contributions from the New Mexico Foundation and other endowment funds) for, and any expenditure made by the State for, the Palace of the Governors or the Annex, including—

(i) design;

(ii) land acquisition (including the land at 110 Lincoln Avenue, Santa Fe, New Mexico);

(iii) acquisitions for and renovation of the library;

(iv) conservation of the Palace of the Governors;

(v) construction, management, inspection, furnishing, and equipping of the Annex; and

(vi) donations of art collections and artifacts to the Museum of New Mexico on or after the date of enactment of this section.

(6) USE OF FUNDS.—The funds received under a grant awarded under subsection (b)(3) shall be used only for the final design, construction, management, inspection, furnishing and equipment of the Annex.

(7) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—Subject to paragraph (B), subject to the availability of appropriations, there is authorized to be appropriated to the Secretary to carry out this section \$15,000,000, to remain available until expended.

(B) CONDITION.—Paragraph (A) authorizes sums to be appropriated on the condition that— 114 STAT. 956

(i) after the date of enactment of this section and before January 1, 2010, the State appropriate at least \$8,000,000 to pay the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex; and

(ii) other non-Federal sources provide sufficient funds to pay the remainder of the 50 percent non-Federal share of those costs.

\* \* \* \* \*

114 STAT. 1029

PUBLIC LAW 106–291—OCT. 11, 2000

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



**44. Paoli Battlefield, Pennsylvania**

PUBLIC LAW 106–86—OCT. 31, 1999

113 STAT. 1298

Public Law 106–86  
106th Congress**An Act**

To authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

Oct. 31, 1999  
[H.R. 659]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pennsylvania Battlefields Protection Act of 1999”.

Pennsylvania  
Battlefields  
Protection Act of  
1999.  
16 USC 410aa  
note.

**TITLE I—PAOLI AND BRANDYWINE  
BATTLEFIELDS****SEC. 101. PAOLI BATTLEFIELD PROTECTION.**

(a) **PAOLI BATTLEFIELD.**—The Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to provide funds to the borough of Malvern, Pennsylvania, for the acquisition of the area known as the “Paoli Battlefield”, located in the borough of Malvern, Pennsylvania, as generally depicted on the map entitled “Paoli Battlefield” numbered 80,000 and dated April 1999 (referred to in this title as the “Paoli Battlefield”). The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) **COOPERATIVE AGREEMENT AND TECHNICAL ASSISTANCE.**—The Secretary shall enter into a cooperative agreement with the borough of Malvern, Pennsylvania, for the management by the borough of the Paoli Battlefield. The Secretary may provide technical assistance to the borough of Malvern to assure the preservation and interpretation of the Paoli Battlefield’s resources.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$1,250,000 to carry out this section. Such funds shall be expended in the ratio of one dollar of Federal funds for each dollar of funds contributed by non-Federal sources. Any funds provided by the Secretary shall be subject to an agreement that provides for the protection of the Paoli Battlefield’s resources.

\* \* \* \* \*

Approved October 31, 1999.

113 STAT. 1300

**LEGISLATIVE HISTORY—H.R. 659:**

HOUSE REPORTS: No. 106–139 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

June 22, considered and passed House.

Oct. 14, considered and passed Senate, amended.

Oct. 18, House concurred in Senate amendment.



**45. POW/MIA Memorial Flag Act of 2001**

116 STAT. 2787

PUBLIC LAW 107–323—DEC. 4, 2002

Public Law 107–323  
107th Congress

**An Act**

Dec. 4, 2002  
[S. 1226]

To require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

POW/MIA  
Memorial Flag  
Act of 2002.  
36 USC 101 note.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “POW/MIA Memorial Flag Act of 2002”.

**SEC. 2. DISPLAY OF POW/MIA FLAG AT WORLD WAR II MEMORIAL, KOREAN WAR MEMORIAL, AND VIETNAM VETERANS MEMORIAL.**

(a) **REQUIREMENT FOR DISPLAY.**—Subsection (d)(3) of section 902 of title 36, United States Code, is amended by striking “The Korean War Veterans Memorial and the Vietnam Veterans Memorial” and inserting “The World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial”.

(b) **DAYS FOR DISPLAY.**—Subsection (c)(2) of that section is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

“(A) in the case of display at the World War II Memorial, Korean War Veterans Memorial, and Vietnam Veterans Memorial (required by subsection (d)(3) of this section), any day on which the United States flag is displayed;”.

## PUBLIC LAW 107–323—DEC. 4, 2002

116 STAT. 2788

(c) DISPLAY ON EXISTING FLAGPOLE.—No element of the United States Government may construe the amendments made by this section as requiring the acquisition of erection of a new or additional flagpole for purposes of the display of the POW/MIA flag. 36 USC 902 note.

Approved December 4, 2002.

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LEGISLATIVE HISTORY—S. 1226:

CONGRESSIONAL RECORD, Vol. 148 (2002):

Oct. 2, considered and passed Senate.

Nov. 14, considered and passed House.



**46. Presidio Trust**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I****SEC. 101. PRESIDIO OF SAN FRANCISCO.**

Title I of division I of the Omnibus Parks Act (16 U.S.C. 460bb note) is amended as follows:

(1) In section 101(2) (110 Stat. 4097), by striking “the Presidio is” and inserting “the Presidio was”.

(2) In section 103(b)(1) (110 Stat. 4099), by striking “other lands administrated by the Secretary.” in the last sentence and inserting “other lands administered by the Secretary.”.

(3) In section 105(a)(2) (110 Stat. 4104), by striking “in accordance with section 104(h) of this title.” and inserting “in accordance with section 104(i) of this title.”.

(4) In section 104(b) (110 Stat. 4101), by—

Contracts.

(A) adding the following after the end of the first sentence: “The National Park Service or any other Federal agency is authorized to enter into agreements, leases, contracts and other arrangements with the Presidio Trust which are necessary and appropriate to carry out the purposes of this title.”;

(B) inserting after “June 30, 1932 (40 U.S.C. 303b).” the following “The Trust may use alternative means of dispute resolution authorized under subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 571 et seq.).”; and

(C) by inserting at the end of the paragraph “The Trust is authorized to use funds available to the Trust to purchase insurance and for reasonable reception and

## PUBLIC LAW 106-176—MAR. 10, 2000

114 STAT. 24

representation expenses, including membership dues, business cards and business related meal expenditures.”.

(5) Section 104(g) (110 Stat. 4103) is amended to read as follows:

“(g) FINANCIAL MANAGEMENT.—Notwithstanding section 1341 of title 31 of the United States Code, all proceeds and other revenues received by the Trust shall be retained by the Trust. Those proceeds shall be available, without further appropriation, to the Trust for the administration, preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties under its administrative jurisdiction. The Secretary of the Treasury shall invest, at the direction of the Trust, such excess moneys that the Trust determines are not required to meet current withdrawals. Such investment shall be in public debt securities with maturities suitable to the needs of the Trust and bearing interest at rates determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity.”.

(6) In section 104(j) (110 Stat. 4103), by striking “exercised.” and inserting “exercised, including rules and regulations for the use and management of the property under the Trust’s jurisdiction.”.

(7) In section 104 (110 Stat. 4101, 4104), by adding after subsection (o) the following:

“(p) EXCLUSIVE RIGHTS TO NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words ‘Presidio Trust’ and any seal, emblem, or other insignia adopted by its Board of Directors. Without express written authority of the Trust, no person may use the words ‘Presidio Trust’, or any combination or variation of those words alone or with other words, as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.”.

(8) In section 104(n) (110 Stat. 4103), by inserting after “implementation of the” in the first sentence the following “general objectives of the”.

(9) In section 105(a)(2) (110 Stat. 4104), by striking “not more than \$3,000,000 annually” and inserting after “Of such sums,” the following “funds”.

(10) In section 105(c) (110 Stat. 4104), by inserting before “including” the following “on a reimbursable basis,”.

(11) Section 103(c)(2) (110 Stat. 4099) is amended by striking “consecutive terms.” and inserting “consecutive terms, except that upon the expiration of his or her term, an appointed member may continue to serve until his or her successor has been appointed.”.

(12) Section 103(c)(9) (110 Stat. 4100) is amended by striking “properties administered by the Trust” and inserting “properties administered by the Trust and all interest created under leases, concessions, permits and other agreements associated with the properties”.

(13) Section 104(d) (110 Stat. 4102) is amended as follows—

(A) by inserting “(1)” after “FINANCIAL AUTHORITIES.—”;

(B) by striking “(1) The authority” and inserting “(A) The authority”;

114 STAT. 25

PUBLIC LAW 106-176—MAR. 10, 2000

(C) by striking “(A) the terms” and inserting “(i) the terms”;

(D) by striking “(B) adequate” and inserting “(ii) adequate”;

(E) by striking “(C) such guarantees” and inserting “(iii) such guarantees”;

(F) by striking “(2) The authority” and inserting “(B) The authority”;

(G) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively;

(H) in paragraph (2) (as redesignated by this section)—

(i) by striking “The authority” and inserting “The Trust shall also have the authority”;

(ii) by striking “after determining that the projects to be funded from the proceeds thereof are creditworthy and that a repayment schedule is established and only”; and

(iii) by inserting after “and subject to such terms and conditions,” the following “including a review of the creditworthiness of the loan and establishment of a repayment schedule,”; and

(I) in paragraph (3) (as redesignated by this section) by inserting before “this subsection” the following “paragraph (2) of”.

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106-17 (Comm. on Resources).

SENATE REPORTS: No. 106-125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.





PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress

## An Act

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000

[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,* That the  
following sums are appropriated, out of any money in the Treasury  
not otherwise appropriated, for the Department of the Interior  
and related agencies for the fiscal year ending September 30, 2001,  
and for other purposes, namely:Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

\* \* \* \* \*

## TITLE III—GENERAL PROVISIONS

114 STAT. 987

\* \* \* \* \*

SEC. 315. All interests created under leases, concessions, per-  
mits and other agreements associated with the properties adminis-  
tered by the Presidio Trust, hereafter shall be exempt from all  
taxes and special assessments of every kind by the State of Cali-  
fornia and its political subdivisions.114 STAT. 989  
16 USC 460bb  
note.

\* \* \* \* \*

This Act may be cited as the “Department of the Interior  
and Related Agencies Appropriations Act, 2001”.

114 STAT. 1029

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914  
(Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



115 STAT. 1012

PUBLIC LAW 107–107—DEC. 28, 2001

Public Law 107–107  
107th Congress

An Act

Dec. 28, 2001  
[S. 1438]

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

\* \* \* \* \*

115 STAT. 1280  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2002.

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE; DEFINITION.**

(a) **SHORT TITLE.**—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.

(b) **DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.**—In this division, the term “Spence Act” means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1654).

\* \* \* \* \*

115 STAT. 1303

**TITLE XXVIII—GENERAL PROVISIONS**

\* \* \* \* \*

115 STAT. 1328

**Subtitle E—Other Matters**

**SEC. 2861. MANAGEMENT OF THE PRESIDIO OF SAN FRANCISCO.**

(a) **AUTHORITY TO LEASE CERTAIN HOUSING UNITS FOR USE AS ARMY HOUSING.**—Title I of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 16 U.S.C. 460bb note) is amended by adding at the end the following new section:

**“SEC. 107. CONDITIONAL AUTHORITY TO LEASE CERTAIN HOUSING UNITS WITHIN THE PRESIDIO.**

“(a) **AVAILABILITY OF HOUSING UNITS FOR LONG-TERM ARMY LEASE.**—Subject to subsection (c), the Trust shall make available for lease, to those persons designated by the Secretary of the Army and for such length of time as requested by the Secretary of the Army, 22 housing units located within the Presidio that are under the administrative jurisdiction of the Trust and specified in the agreement between the Trust and the Secretary of the Army in existence as of the date of the enactment of this section.

“(b) **LEASE AMOUNT.**—The monthly amount charged by the Trust for the lease of a housing unit under this section shall be equivalent to the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code.

## PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1328

“(c) CONDITION ON CONTINUED AVAILABILITY OF HOUSING UNITS.—Effective after the end of the four-year period beginning on the date of the enactment of this section, the Trust shall have no obligation to make housing units available under subsection (a) unless, during that four-year period, the Secretary of the Treasury purchases new obligations of at least \$80,000,000 issued by the Trust under section 104(d)(2). In the event that this condition is not satisfied, the existing agreement referred to in subsection (a) shall be renewed on the same terms and conditions for an additional five years.”.

115 STAT. 1329

(b) INCREASED BORROWING AUTHORITY AND TECHNICAL CORRECTIONS.—Paragraphs (2) and (3) of section 104(d) of title I of division I of the Omnibus Parks and Public Lands Management Act of 1996, as amended by section 334 of appendix C of Public Law 106-113 (113 Stat. 1501A-198) and amended and redesignated by section 101(13) of Public Law 106-176 (114 Stat. 25), are amended—

16 USC 460bb  
note.

(1) in paragraph (2), by striking “including a review of the creditworthiness of the loan and establishment of a repayment schedule,” the second place it appears; and

(2) in paragraph (3)—

(A) by striking “\$50,000,000” and inserting “\$150,000,000”; and

(B) by striking “paragraph (3) of”.

\* \* \* \* \*

Approved December 28, 2001.

115 STAT. 1393

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LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.



**47. Recreation Lakes (study)**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

**Public Law 106–176  
106th Congress****An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.  
16 USC 1 note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

114 STAT. 29

**SEC. 123. RECREATION LAKES.**(a) **TECHNICAL CORRECTIONS.**—Section 1021(a) of division I of  
the Omnibus Parks Act (110 Stat. 4210; 16 U.S.C. 4601–10e note)  
is amended as follows:(1) By striking “manmade lakes” both places it appears  
and inserting “man-made lakes”.(2) By striking “for recreational opportunities at federally-  
managed” and inserting “for recreational opportunities at feder-  
ally managed”.(b) **ADVISORY COMMISSION.**—Section 13 of the Land and Water  
Conservation Fund Act of 1965 (16 U.S.C. 4601–10e), as added  
by section 1021(b) of the Omnibus Parks Act (110 Stat. 4210),  
is amended as follows:(1) In subsection (b)(6), by striking “recreation related infra-  
structure.” and inserting “recreation-related infrastructure.”.

(2) In subsection (e)—

(A) by striking “water related recreation” in the first  
sentence and inserting “water-related recreation”;(B) in paragraph (2), by striking “at federally-managed  
lakes” and inserting “at federally managed lakes”; and

114 STAT. 30

(C) by striking “manmade lakes” each place it appears  
and inserting “man-made lakes”.

\* \* \* \* \*

114 STAT. 34

**Approved March 10, 2000.****LEGISLATIVE HISTORY—H.R. 149:****HOUSE REPORTS:** No. 106–17 (Comm. on Resources).**SENATE REPORTS:** No. 106–125 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**48. Revolutionary War and War of 1812 (study)**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 114. REVOLUTIONARY WAR AND WAR OF 1812 HISTORIC PRESERVATION STUDY.**

114 STAT. 27

Section 603(d)(2) of division I of the Omnibus Parks Act (110 Stat. 4172; 16 U.S.C. 1a–5 note) is amended by striking “subsection (b) shall—” and inserting “paragraph (1) shall—”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**49. Route 66 Preservation**

113 STAT. 224

PUBLIC LAW 106–45—AUG. 10, 1999

Public Law 106–45  
106th Congress

**An Act**

Aug. 10, 1999  
[H.R. 66]

To preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance.

Historic  
preservation.

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

16 USC 461 note.

**SECTION 1. DEFINITIONS.**

In this Act, the following definitions apply:

(1) **ROUTE 66 CORRIDOR.**—The term “Route 66 corridor” means structures and other cultural resources described in paragraph (3), including—

(A) lands owned by the Federal Government and lands owned by a State or local government within the immediate vicinity of those portions of the highway formerly designated as United States Route 66; and

(B) private land within that immediate vicinity that is owned by persons or entities that are willing to participate in the programs authorized by this Act.

(2) **CULTURAL RESOURCE PROGRAMS.**—The term “Cultural Resource Programs” means the programs established and administered by the National Park Service for the benefit of and in support of preservation of the Route 66 corridor, either directly or indirectly.

(3) **PRESERVATION OF THE ROUTE 66 CORRIDOR.**—The term “preservation of the Route 66 corridor” means the preservation or restoration of structures or other cultural resources of businesses, sites of interest, and other contributing resources that—

(A) are located within the land described in paragraph (1);

(B) existed during the route’s period of outstanding historic significance (principally between 1926 and 1970), as defined by the study prepared by the National Park Service and entitled “Special Resource Study of Route 66”, dated July 1995; and

(C) remain in existence as of the date of the enactment of this Act.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Cultural Resource Programs at the National Park Service.

(5) **STATE.**—The term “State” means a State in which a portion of the Route 66 corridor is located.

## PUBLIC LAW 106-45—AUG. 10, 1999

113 STAT. 225

**SEC. 2. MANAGEMENT.**

16 USC 461 note.

(a) **IN GENERAL.**—The Secretary, in collaboration with the entities described in subsection (c), shall facilitate the development of guidelines and a program of technical assistance and grants that will set priorities for the preservation of the Route 66 corridor.

Guidelines.

(b) **DESIGNATION OF OFFICIALS.**—The Secretary shall designate officials of the National Park Service stationed at locations convenient to the States to perform the functions of the Cultural Resource Programs under this Act.

(c) **GENERAL FUNCTIONS.**—The Secretary shall—

(1) support efforts of State and local public and private persons, nonprofit Route 66 preservation entities, Indian tribes, State Historic Preservation Offices, and entities in the States for the preservation of the Route 66 corridor by providing technical assistance, participating in cost-sharing programs, and making grants;

(2) act as a clearinghouse for communication among Federal, State, and local agencies, nonprofit Route 66 preservation entities, Indian tribes, State historic preservation offices, and private persons and entities interested in the preservation of the Route 66 corridor; and

(3) assist the States in determining the appropriate form of and establishing and supporting a non-Federal entity or entities to perform the functions of the Cultural Resource Programs after those programs are terminated.

(d) **AUTHORITIES.**—In carrying out this Act, the Secretary may—

(1) enter into cooperative agreements, including (but not limited to) cooperative agreements for study, planning, preservation, rehabilitation, and restoration related to the Route 66 corridor;

(2) accept donations of funds, equipment, supplies, and services as appropriate;

(3) provide cost-share grants for projects for the preservation of the Route 66 corridor (but not to exceed 50 percent of total project costs) and information about existing cost-share opportunities;

(4) provide technical assistance in historic preservation and interpretation of the Route 66 corridor; and

(5) coordinate, promote, and stimulate research by other persons and entities regarding the Route 66 corridor.

(e) **PRESERVATION ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary shall provide assistance in the preservation of the Route 66 corridor in a manner that is compatible with the idiosyncratic nature of the Route 66 corridor.

(2) **PLANNING.**—The Secretary shall not prepare or require preparation of an overall management plan for the Route 66 corridor, but shall cooperate with the States and local public and private persons and entities, State historic preservation offices, nonprofit Route 66 preservation entities, and Indian tribes in developing local preservation plans to guide efforts to protect the most important or representative resources of the Route 66 corridor.

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16 USC 461 note. **SEC. 3. RESOURCE TREATMENT.**(a) **TECHNICAL ASSISTANCE PROGRAM.**—(1) **PROGRAM REQUIRED.**—The Secretary shall develop a program of technical assistance in the preservation of the Route 66 corridor and interpretation of the Route 66 corridor.(2) **PROGRAM GUIDELINES.**—As part of the technical assistance program under paragraph (1), the Secretary shall establish guidelines for setting priorities for preservation needs for the Route 66 corridor. The Secretary shall base the guidelines on the Secretary's standards for historic preservation.(b) **PROGRAM FOR COORDINATION OF ACTIVITIES.**—(1) **IN GENERAL.**—The Secretary shall coordinate a program of historic research, curation, preservation strategies, and the collection of oral and video histories of events that occurred along the Route 66 corridor.(2) **DESIGN.**—The program under paragraph (1) shall be designed for continuing use and implementation by other organizations after the Cultural Resource Programs are terminated.16 USC 461 note. **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$10,000,000 for the period of fiscal years 2000 through 2009 to carry out the purposes of this Act.

Approved August 10, 1999.

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**LEGISLATIVE HISTORY—H.R. 66 (S. 292):****HOUSE REPORTS:** No. 106–137 (Comm. on Resources).**SENATE REPORTS:** No. 106–20 accompanying S. 292 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD**, Vol. 145 (1999):

June 30, considered and passed House.

July 27, considered and passed Senate.





**50. Sonoran Desert Lands (study)**

PUBLIC LAW 106–65—OCT. 5, 1999

113 STAT. 512

Public Law 106–65  
106th Congress**An Act**

To authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Oct. 5, 1999

[S. 1059]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2000”.

National Defense  
Authorization  
Act for Fiscal  
Year 2000.

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) DIVISIONS.—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

113 STAT. 824  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2000.

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2000”.

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**TITLE XXX—MILITARY LAND  
WITHDRAWALS**

113 STAT. 885  
Military Lands  
Withdrawal Act  
of 1999.

\* \* \* \* \*

**SUBTITLE B—WITHDRAWALS IN ARIZONA**

113 STAT. 897

**SEC. 3031. BARRY M. GOLDWATER RANGE, ARIZONA.**

(a) WITHDRAWAL AND RESERVATION.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this title, all lands and interests in lands within the boundaries established at the Barry M. Goldwater Range, referred to in paragraph (3), are hereby withdrawn from all forms of appropriation under the general land laws, including the mining laws and the mineral leasing and geothermal leasing laws, and jurisdiction over such lands and interests in lands is hereby transferred to the Secretary of the Navy and the Secretary of the Air Force.

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(2) RESERVATION.—The lands withdrawn by paragraph (1) for the Barry M. Goldwater Range—East are reserved for use

by the Secretary of the Air Force, and for the Barry M. Goldwater Range—West are reserved for use by the Secretary of the Navy, for—

- (A) an armament and high-hazard testing area;
- (B) training for aerial gunnery, rocketry, electronic warfare, and tactical maneuvering and air support;
- (C) equipment and tactics development and testing; and
- (D) other defense-related purposes consistent with the purposes specified in this paragraph.

(3) LAND DESCRIPTION.—The public lands and interests in lands withdrawn and reserved by this subsection comprise approximately 1,650,200 acres of land in Maricopa, Pima, and Yuma Counties, Arizona, as generally depicted on the map entitled “Barry M. Goldwater Range Land Withdrawal”, dated June 17, 1999, and filed in accordance with section 3033.

(4) TERMINATION OF CURRENT WITHDRAWAL.—Except as otherwise provided in section 3032, as to the lands withdrawn by section 1(c) of the Military Lands Withdrawal Act of 1986 (Public Law 99-606), but not withdrawn for military purposes by this section, the withdrawal of such lands under that Act shall not terminate until after November 6, 2001, or until the relinquishment by the Secretary of the Air Force of such lands is accepted by the Secretary of the Interior. The withdrawal under that Act with respect to the Cabeza Prieta National Wildlife Refuge shall terminate on the date of the enactment of this Act.

(5) CHANGES IN USE.—The Secretary of the Navy and the Secretary of the Air Force shall consult with the Secretary of the Interior before using the lands withdrawn and reserved by this section for any purpose other than the purposes specified in paragraph (2).

(6) INDIAN TRIBES.—Nothing in this section shall be construed as altering any rights reserved for Indians by treaty or Federal law.

(7) STUDY.—(A) The Secretary of the Interior, in coordination with the Secretary of Defense, shall conduct a study of the lands referred to in subparagraph (C) that have important aboriginal, cultural, environmental, or archaeological significance in order to determine the appropriate method to manage and protect such lands following relinquishment of such lands by the Secretary of the Air Force. The study shall consider whether such lands can be better managed by the Federal Government or through conveyance of such lands to another appropriate entity.

(B) In carrying out the study required by subparagraph (A), the Secretary of the Interior shall work with the affected tribes and other Federal and State agencies having experience and knowledge of the matters covered by the study, including all applicable laws relating to the management of the resources referred to in subparagraph (A) on the lands referred to in that subparagraph.

(C) The lands referred to in subparagraph (A) are four tracts of land currently included within the military land withdrawal for the Barry M. Goldwater Air Force Range in the State of Arizona, but that have been identified by the Air Force as unnecessary for military purposes in the Air Force’s

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Draft Legislative Environmental Impact Statement, dated September 1998, and are depicted in figure 2-1 at page 2-7 of such statement, as amended by figure A at page 177 of volume 2 of the Air Force's Final Legislative Environmental Impact Statement, dated March 1999, as the following:

(i) Area 1 (the Sand Tank Mountains) containing approximately 83,554 acres.

(ii) Area 9 (the Sentinel Plain) containing approximately 24,756 acres.

(iii) Area 13 (lands surrounding the Ajo Airport) containing approximately 2,779 acres.

(iv) Interstate 8 Vicinity Non-renewal Area containing approximately 1,090 acres.

(D) Not later than one year after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a report containing the results of the study required by subparagraph (A). Deadline.

(b) MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.—

(1) GENERAL MANAGEMENT AUTHORITY.—(A) During the period of the withdrawal and reservation of lands by this section, the Secretary of the Navy and the Secretary of the Air Force shall manage the lands withdrawn and reserved by this section for the military purposes specified in this section, and in accordance with the integrated natural resource management plan prepared pursuant to paragraph (3).

(B) Responsibility for the natural and cultural resources management of the lands referred to in subparagraph (A), and the enforcement of Federal laws related thereto, shall not transfer under that subparagraph before the earlier of—

(i) the date on which the integrated natural resources management plan required by paragraph (3) is completed; or

(ii) November 6, 2001.

(C) The Secretary of the Interior may, if appropriate, transfer responsibility for the natural and cultural resources of the lands referred to in subparagraph (A) to the Department of the Interior pursuant to paragraph (7).

(2) ACCESS RESTRICTIONS.—(A) If the Secretary of the Navy or the Secretary of the Air Force determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of lands withdrawn and reserved by this section, the Secretary of the Navy or the Secretary of the Air Force may take such action as the Secretary of the Navy or the Secretary of the Air Force determines necessary or desirable to effect and maintain such closure.

(B) Any closure under this paragraph shall be limited to the minimum areas and periods that the Secretary of the Navy or the Secretary of the Air Force determines are required for the purposes specified in subparagraph (A).

(C) Before any nonemergency closure under this paragraph not specified in the integrated natural resources management plan required by paragraph (3), the Secretary of the Navy or the Secretary of the Air Force shall consult with the Secretary of the Interior and, where such closure may affect tribal lands, treaty rights, or sacred sites, the Secretary of the Navy

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or the Secretary of the Air Force shall consult, at the earliest practicable time, with affected Indian tribes.

(D) Immediately before and during any closure under this paragraph, the Secretary of the Navy or the Secretary of the Air Force shall post appropriate warning notices and take other steps, as necessary, to notify the public of such closure.

Deadline.

(3) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—

(A) Not later than two years after the date of the enactment of this Act, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior shall jointly prepare an integrated natural resources management plan for the lands withdrawn and reserved by this section.

(B) The Secretary of the Navy and the Secretary of the Interior may jointly prepare a separate plan pursuant to this paragraph.

(C) Any disagreement concerning the contents of a plan under this paragraph, or any subsequent amendments to the plan, shall be resolved by the Secretary of the Navy for the West Range and the Secretary of the Air Force for the East Range, after consultation with the Secretary of the Interior through the State Director, Bureau of Land Management and, as appropriate, the Regional Director, United States Fish and Wildlife Service. This authority may be delegated to the installation commanders.

(D) Any plan under this paragraph shall be prepared and implemented in accordance with the Sikes Act (16 U.S.C. 670 et seq.) and the requirements of this section.

(E) A plan under this paragraph for lands withdrawn and reserved by this section shall—

(i) include provisions for proper management and protection of the natural and cultural resources of such lands, and for sustainable use by the public of such resources to the extent consistent with the military purposes for which such lands are withdrawn and reserved by this section;

(ii) be developed in consultation with affected Indian tribes and include provisions that address how the Secretary of the Navy and the Secretary of the Air Force intend to—

(I) meet the trust responsibilities of the United States with respect to Indian tribes, lands, and rights reserved by treaty or Federal law affected by the withdrawal and reservation;

(II) allow access to and ceremonial use of sacred sites to the extent consistent with the military purposes for which such lands are withdrawn and reserved; and

(III) provide for timely consultation with affected Indian tribes;

(iii) provide that any hunting, fishing, and trapping on such lands be conducted in accordance with the provisions of section 2671 of title 10, United States Code;

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(iv) provide for continued livestock grazing and agricultural out-leasing where it currently exists in accordance with the provisions of section 2667 of title 10, United States Code, and at the discretion of the Secretary of the

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Navy or the Secretary of the Air Force, as the case may be;

(v) identify current test and target impact areas and related buffer or safety zones;

(vi) provide that the Secretary of the Navy and the Secretary of the Air Force—

(I) shall take necessary actions to prevent, suppress, and manage brush and range fires occurring within the boundaries of the Barry M. Goldwater Range, as well as brush and range fires occurring outside the boundaries of the Barry M. Goldwater Range resulting from military activities; and

(II) may obligate funds appropriated or otherwise available to the Secretaries to enter into memoranda of understanding, and cooperative agreements that shall reimburse the Secretary of the Interior for costs incurred under this clause;

(vii) provide that all gates, fences, and barriers constructed on such lands after the date of the enactment of this Act be designed and erected to allow wildlife access, to the extent practicable and consistent with military security, safety, and sound wildlife management use;

(viii) incorporate any existing management plans pertaining to such lands, to the extent that the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior, upon reviewing such plans, mutually determine that incorporation of such plans into a plan under this paragraph is appropriate;

(ix) include procedures to ensure that the periodic reviews of the plan under the Sikes Act are conducted jointly by the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior, and that affected States and Indian tribes, and the public, are provided a meaningful opportunity to comment upon any substantial revisions to the plan that may be proposed; and

(x) provide procedures to amend the plan as necessary.

(4) MEMORANDA OF UNDERSTANDING AND COOPERATIVE AGREEMENTS.—(A) The Secretary of the Navy and the Secretary of the Air Force may enter into memoranda of understanding or cooperative agreements with the Secretary of the Interior or other appropriate Federal, State, or local agencies, Indian tribes, or other public or private organizations or institutions for purposes of implementing an integrated natural resources management plan prepared under paragraph (3).

(B) Any memorandum of understanding or cooperative agreement under subparagraph (A) affecting integrated natural resources management may be combined, where appropriate, with any other memorandum of understanding or cooperative agreement entered into under this subtitle, and shall not be subject to the provisions of chapter 63 of title 31, United States Code.

(5) PUBLIC REPORTS.—(A)(i) Concurrent with each review of the integrated natural resources management plan under paragraph (3) pursuant to subparagraph (E)(ix) of that paragraph, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior shall jointly prepare

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and issue a report describing changes in the condition of the lands withdrawn and reserved by this section from the later of the date of any previous report under this paragraph or the date of the environmental impact statement prepared to support this section.

(ii) Any report under clause (i) shall include a summary of current military use of the lands referred to in that clause, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

(iii) Any report under this subparagraph may be combined with any report required by the Sikes Act.

(iv) Any disagreements concerning the contents of a report under this subparagraph shall be resolved by the Secretary of the Navy and the Secretary of the Air Force. This authority may be delegated to the installation commanders.

(B)(i) Before the finalization of any report under this paragraph, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

Federal Register,  
publication.

(ii) Each public meeting under clause (i) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, publication of an announcement in the Federal Register, and any other means considered necessary.

(C) The final version of any report under this paragraph shall be made available to the public and submitted to appropriate committees of Congress.

Deadline.

(6) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—(A) Not later than two years after the date of the enactment of this Act, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior shall, by memorandum of understanding, establish an intergovernmental executive committee comprised of selected representatives from interested Federal agencies, as well as at least one elected officer (or other authorized representative) from State government and at least one elected officer (or other authorized representative) from each local and tribal government as may be designated at the discretion of the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior.

(B) The intergovernmental executive committee shall be established solely for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this section.

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(C) The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subparagraph (A), which shall specify the Federal agencies and elected officers or representatives of State, local, and tribal governments to be invited to participate.

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(D) The memorandum of understanding under subparagraph (A) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands concerned, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings.

(E) The Secretary of the Navy and the Secretary of the Air Force shall, in consultation with the Secretary of the Interior, appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subparagraph (A). The coordinator shall not be a member of the committee.

(7) TRANSFER OF MANAGEMENT RESPONSIBILITY.—(A)(i) If the Secretary of the Interior determines that the Secretary of the Navy or the Secretary of the Air Force has failed to manage lands withdrawn and reserved by this section for military purposes in accordance with the integrated natural resource management plan for such lands under paragraph (3), and that failure to do so is resulting in significant and verifiable degradation of the natural or cultural resources of such lands, the Secretary of the Interior shall give the Secretary of the Navy or the Secretary of the Air Force, as the case may be, written notice of such determination, a description of the deficiencies in management practices by the Secretary of the Navy or the Secretary of the Air Force, as the case may be, and an explanation of the methodology employed in reaching the determination.

(ii) Not later than 60 days after the date a notification under clause (i) is received, the Secretary of the Navy or the Secretary of the Air Force, as the case may be, shall submit a response to the Secretary of the Interior, which response may include a plan of action for addressing any deficiencies identified in the notice in the conduct of management responsibility and for preventing further significant degradation of the natural or cultural resources of the lands concerned.

Deadline.

(iii) If, not earlier than three months after the date a notification under clause (i) is received, the Secretary of the Interior determines that deficiencies identified in the notice are not being corrected, and that significant and verifiable degradation of the natural or cultural resources of the lands concerned is continuing, the Secretary of the Interior may, not earlier than 90 days after the date on which the Secretary of the Interior submits to the committees referred to in section 3032(d)(3) notice and a report on the determination, transfer management responsibility for the natural and cultural resources of such lands from the Secretary of the Navy or the Secretary of the Air Force, as the case may be, to the Secretary of the Interior in accordance with a schedule for such transfer established by the Secretary of the Interior.

(B) After a transfer of management responsibility pursuant to subparagraph (A), the Secretary of the Interior may transfer management responsibility back to the Secretary of the Navy or the Secretary of the Air Force if the Secretary of the Interior determines that adequate procedures and plans have been

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established to ensure that the lands concerned will be adequately managed by the Secretary of the Navy or the Secretary of the Air Force, as the case may be, in accordance with the integrated natural resources management plan for such lands under paragraph (3).

(C) For any period during which the Secretary of the Interior has management responsibility under this paragraph for lands withdrawn and reserved by this section, the integrated natural resources management plan for such lands under paragraph (3), including any amendments to the plan, shall remain in effect, pending the development of a management plan prepared pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), in cooperation with the Secretary of the Navy or the Secretary of the Air Force.

(D) Assumption by the Secretary of the Interior pursuant to this paragraph of management responsibility for the natural and cultural resources of lands shall not affect the use of such lands for military purposes, and the Secretary of the Navy or the Secretary of the Air Force, as the case may be, shall continue to direct military activities on such lands.

(8) PAYMENT FOR SERVICES.—The Secretary of the Navy and the Secretary of the Air Force shall assume all costs for implementation of an integrated natural resources management plan under paragraph (3), including payment to the Secretary of the Interior under section 1535 of title 31, United States Code, for any costs the Secretary of the Interior incurs in providing goods or services to assist the Secretary of the Navy or the Secretary of the Air Force, as the case may be, in the implementation of the integrated natural resources management plan.

(9) DEFINITIONS.—In this subsection:

(A) The term “Indian tribe” means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479 et seq.).

(B) The term “sacred site” means any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian tribe, or its designee, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion, but only to the extent that the tribe or its designee, has informed the Secretary of the Navy or the Secretary of the Air Force of the existence of such site. Neither the Secretary of the Department of Defense, the Secretary of the Navy, the Secretary of the Air Force, nor the Secretary of the Interior shall be required under section 552 of title 5, United States Code, to make available to the public any information concerning the location, character, or use of any traditional Indian religious or sacred site located on lands withdrawn and reserved by this subsection.

(c) ENVIRONMENTAL REQUIREMENTS.—

(1) DURING WITHDRAWAL AND RESERVATION.—Throughout the duration of the withdrawal and reservation of lands by this section, including the duration of any renewal or extension, and with respect both to the activities undertaken by the Secretary of the Navy and the Secretary of the Air Force on



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such lands and to all activities occurring on such lands during such times as the Secretary of the Navy and the Secretary of the Air Force may exercise management jurisdiction over such lands, the Secretary of the Navy and the Secretary of the Air Force shall—

(A) be responsible for and pay all costs related to the compliance of the Department of the Navy or the Department of the Air Force, as the case may be, with applicable Federal, State, and local environmental laws, regulations, rules, and standards;

(B) carry out and maintain in accordance with the requirements of all regulations, rules, and standards issued by the Department of Defense pursuant to chapter 160 of title 10, United States Code, relating to the Defense Environmental Restoration Program, the joint board on ammunition storage established under section 172 of that title, and Executive Order No. 12580, a program to address—

(i) any release or substantial threat of release attributable to military munitions (including unexploded ordnance) and other constituents; and

(ii) any release or substantial threat of release, regardless of its source, occurring on or emanating from such lands during the period of withdrawal and reservation; and

(C) provide to the Secretary of the Interior a copy of any report prepared by the Secretary of the Navy or the Secretary of the Air Force, as the case may be, pursuant to any Federal, State, or local environmental law, regulation, rule, or standard.

(2) BEFORE RELINQUISHMENT OR TERMINATION.—

(A) ENVIRONMENTAL REVIEW.—(i) Upon notifying the Secretary of the Interior that the Secretary of the Navy or the Secretary of the Air Force intends, pursuant to subsection (f), to relinquish jurisdiction over lands withdrawn and reserved by this section, the Secretary of the Navy or the Secretary of the Air Force shall provide to the Secretary of the Interior an environmental baseline survey, military range assessment, or other environmental review characterizing the environmental condition of the land, air, and water resources affected by the activities undertaken by the Secretary of the Navy or the Secretary of the Air Force, as the case may be, on and over such lands.

(ii) If hazardous substances were stored for one year or more, known to have been released or disposed of, or if a substantial threat of release exists, on lands referred to in clause (i), any environmental review under that clause shall include notice of the type and quantity of such hazardous substances and notice of the time during which such storage, release, substantial threat of release, or disposal took place.

(B) MEMORANDUM OF UNDERSTANDING.—(i) In addition to any other requirements under this section, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior may enter into a memorandum of

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understanding to implement the environmental remediation requirements of this section.

(ii) The memorandum of understanding under clause (i) may include appropriate, technically feasible, and mutually acceptable cleanup standards that the concerned Secretaries believe environmental remediation activities shall achieve and a schedule for completing cleanup activities to meet such standards.

(iii) Cleanup standards under clause (ii) shall be consistent with any legally applicable or relevant and appropriate standard, requirement, criteria, or limitation otherwise required by law.

(C) ENVIRONMENTAL REMEDIATION.—With respect to lands to be relinquished pursuant to subsection (f), the Secretary of the Navy or the Secretary of the Air Force shall take all actions necessary to address any release or substantial threat of release, regardless of its source, occurring on or emanating from such lands during the period of withdrawal and reservation under this section. To the extent practicable, all such response actions shall be taken before the termination of the withdrawal and reservation of such lands under this section.

(D) CONSULTATION.—If the Secretary of the Interior accepts the relinquishment of jurisdiction over any lands withdrawn and reserved by this section before all necessary response actions under this section have been completed, the Secretary of the Interior shall consult with the Secretary of the Navy or the Secretary of the Air Force, as the case may be, before undertaking or authorizing any activities on such lands that may affect existing releases, interfere with the installation, maintenance, or operation of any response action, or expose any person to a safety or health risk associated with either the releases or the response action being undertaken.

(3) RESPONSIBILITY AND LIABILITY.—(A) The Secretary of the Navy and the Secretary of the Air Force, and not the Secretary of the Interior, shall be responsible for and conduct the necessary remediation of all releases or substantial threats of release, whether located on or emanating from lands withdrawn and reserved by this section, and whether known at the time of relinquishment or termination or subsequently discovered, attributable to management of the lands withdrawn and reserved by this section by the Secretary of the Navy or the Secretary of the Air Force, as the case may be, or the use, management, storage, release, treatment, or disposal of hazardous materials, hazardous substances, hazardous wastes, pollutants, contaminants, petroleum products and their derivatives, military munitions, or other constituents on such lands by the Secretary of the Navy or the Secretary of the Air Force, as the case may be.

(B) Responsibility under subparagraph (A) shall include liability for any costs or claims asserted against the United States for activities referred to in that subparagraph.

(C) Nothing in this paragraph is intended to prevent the United States from bringing a cost recovery, contribution, or other action against third persons or parties the Secretary of the Navy or the Secretary of the Air Force reasonably believes

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may have contributed to a release or substantial threat of release.

(4) OTHER FEDERAL AGENCIES.—If the Secretary of the Navy or the Secretary of the Air Force delegates responsibility or jurisdiction to another Federal agency over, or permits another Federal agency to operate on, lands withdrawn and reserved by this section, the agency shall assume all responsibility and liability described in paragraph (3) for their activities with respect to such lands.

(5) DEFINITIONS.—In this subsection:

(A)(i) The term “military munitions”—

(I) means all ammunition products and components produced or used by or for the Department of Defense or the Armed Services for national defense and security, including military munitions under the control of the Department of Defense, the Coast Guard, the Department of Energy, and National Guard personnel;

(II) includes confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by and for Department of Defense components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components thereof; and

(III) includes nonnuclear components of nuclear devices managed under the nuclear weapons program of the Department of Energy after all required sanitization operations under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) have been completed.

(ii) The term does not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components thereof.

(B) The term “unexploded ordnance” means military munitions that have been primed, fused, armed, or otherwise prepared for action, and have been fired, dropped, launched, projected, or placed in such a manner as to constitute a hazard or potential hazard, to operations, installation, personnel, or material, and remain unexploded either by malfunction, design, or other cause.

(C) The term “other constituents” means potentially hazardous compounds, mixtures, or elements that are released from military munitions or unexploded ordnance or result from other activities on military ranges.

(d) DURATION OF WITHDRAWAL AND RESERVATIONS.—

(1) IN GENERAL.—Unless extended pursuant to subsection (e), the withdrawal and reservation of lands by this section shall terminate 25 years after the date of the enactment of this Act, except as otherwise provided in subsection (f)(4).

(2) OPENING.—On the date of the termination of the withdrawal and reservation of lands by this section, such lands shall not be open to any form of appropriation under the general land laws, including the mining laws and the mineral leasing

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and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order stating the date upon which such lands shall be restored to the public domain and opened.

(e) EXTENSION OF INITIAL WITHDRAWAL AND RESERVATION.—

(1) IN GENERAL.—Not later than three years before the termination date of the initial withdrawal and reservation of lands by this section, the Secretary of the Navy and the Secretary of the Air Force shall notify Congress and the Secretary of the Interior concerning whether the Navy or Air Force, as the case may be, will have a continuing military need, after such termination date, for all or any portion of such lands.

(2) DUTIES REGARDING CONTINUING MILITARY NEED.—(A) If the Secretary of the Navy or the Secretary of the Air Force determines that there will be a continuing military need for any lands withdrawn by this section, the Secretary of the Navy or the Secretary of the Air Force, as the case may be, shall—

(i) consult with the Secretary of the Interior concerning any adjustments to be made to the extent of, or to the allocation of management responsibility for, such lands; and

(ii) file with the Secretary of the Interior, not later than one year after the notice required by paragraph (1), an application for extension of the withdrawal and reservation of such lands.

(B) The general procedures of the Department of the Interior for processing Federal Land withdrawals notwithstanding, any application for extension under this paragraph shall be considered complete if it includes the following:

(i) The information required by section 3 of the Engle Act (43 U.S.C. 157), except that no information shall be required concerning the use or development of mineral, timber, or grazing resources unless, and to the extent, the Secretary of the Navy or the Secretary of the Air Force proposes to use or develop such resources during the period of extension.

(ii) A copy of the most recent public report prepared in accordance with subsection (b)(5).

Deadline.

(3) LEGISLATIVE PROPOSALS.—The Secretary of the Interior, the Secretary of the Navy, and the Secretary of the Air Force shall ensure that any legislative proposal for the extension of the withdrawal and reservation of lands under this section is submitted to Congress not later than May 1 of the year preceding the year in which the existing withdrawal and reservation would otherwise terminate under this section.

(f) TERMINATION AND RELINQUISHMENT.—

Deadline.

(1) NOTICE OF INTENT TO RELINQUISH.—At any time during the withdrawal and reservation of lands under this section, but not later than three years before the termination of the withdrawal and reservation, if the Secretary of the Navy or the Secretary of the Air Force determines that there is no continuing military need for lands withdrawn and reserved by this section, or any portion of such lands, the Secretary of the Navy or the Secretary of the Air Force, as the case may be, shall notify the Secretary of the Interior of an intent

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to relinquish jurisdiction over such lands, which notice shall specify the proposed date of relinquishment.

(2) **AUTHORITY TO ACCEPT RELINQUISHMENT.**—The Secretary of the Interior may accept jurisdiction over any lands covered by a notice of intent to relinquish jurisdiction under this subsection if the Secretary of the Interior determines that the Secretary of the Navy or the Secretary of the Air Force has taken the environmental response actions required under this section.

(3) **ORDER.**—If the Secretary of the Interior accepts jurisdiction over lands covered by a notice of intent to relinquish jurisdiction under this subsection before the termination date of the withdrawal and reservation of such lands under this section, the Secretary of the Interior shall publish in the Federal Register an appropriate order that shall—

Federal Register,  
publication.

(A) terminate the withdrawal and reservation of such lands under this section;

(B) constitute official acceptance of administrative jurisdiction over such lands by the Secretary of the Interior; and

(C) state the date upon which such lands shall be opened to the operation of the general land laws, including the mining laws and the mineral leasing and geothermal leasing laws, if appropriate.

(4) **JURISDICTION PENDING RELINQUISHMENT.**—(A) Notwithstanding the termination date, unless and until the Secretary of the Interior accepts jurisdiction of land proposed for relinquishment under this subsection, or until the Administrator of General Services accepts jurisdiction of such lands under the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 251 et seq.), such lands shall remain under the jurisdiction of the Secretary of the Navy or the Secretary of the Air Force, as the case may be, for the limited purposes of—

(i) environmental response actions under this section; and

(ii) continued land management responsibilities pursuant to the integrated natural resources management plan for such lands under subsection (b)(3).

(B) For any land that the Secretary of the Interior determines to be suitable for return to the public domain, but does not agree with the Secretary of the Navy or the Secretary of the Air Force that all necessary environmental response actions under this section have been taken, the Secretary of the Navy or the Secretary of the Air Force, as the case may be, and the Secretary of the Interior shall resolve the dispute in accordance with any applicable dispute resolution process.

(C) For any land that the Secretary of the Interior determines to be unsuitable for return to the public domain, the Secretary of the Interior shall immediately notify the Administrator of General Services.

(5) **SCOPE OF FUNCTIONS.**—All functions described under this subsection, including transfers, relinquishes, extensions, and other determinations, may be made on a parcel-by-parcel basis.

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(g) **DELEGATIONS OF FUNCTIONS.**—The functions of the Secretary of the Interior under this section may be delegated, except

that the following determinations and decisions may be approved and signed only by the Secretary of the Interior, the Deputy Secretary of the Interior, an Assistant Secretary of the Interior, or the Director, Bureau of Land Management:

(1) Decisions to accept transfer, relinquishment, or jurisdiction of lands under this section and to open such lands to operation of the public land laws.

(2) Decisions to transfer management responsibility from or to a military department pursuant to subsection (b)(7).

**SEC. 3032. MILITARY USE OF CABEZA PRIETA NATIONAL WILDLIFE REFUGE AND CABEZA PRIETA WILDERNESS.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The historic use of the areas designated as the Cabeza Prieta National Wildlife Refuge and the Cabeza Prieta Wilderness by the Marine Corps and the Air Force has been integral to the effective operation of the Barry M. Goldwater Air Force Range.

(2) Continued use of the Cabeza Prieta National Wildlife Refuge and Cabeza Prieta Wilderness by the Marine Corps and the Air Force to support military aviation training will remain necessary to ensure the readiness of the Armed Forces.

(3) The historic use of the Cabeza Prieta National Wildlife Refuge and Cabeza Prieta Wilderness by the Marine Corps and the Air Force has coexisted for many years with the wildlife conservation and wilderness purposes for which the refuge and wilderness were established.

(4) The designation of the Cabeza Prieta National Wildlife Refuge and the Cabeza Prieta Wilderness recognizes the area as one of our nation's most ecologically and culturally valuable areas.

(b) **MANAGEMENT AND USE OF REFUGE AND WILDERNESS.**—

(1) **IN GENERAL.**—The Secretary of the Interior, in coordination with the Secretary of the Navy and the Secretary of the Air Force, shall manage the Cabeza Prieta National Wildlife Refuge and Cabeza Prieta Wilderness—

(A) for the purposes for which the refuge and wilderness were established; and

(B) to support current and future military aviation training needs consistent with the November 21, 1994, memorandum of understanding among the Department of the Interior, the Department of the Navy, and the Department of the Air Force, including any extension or other amendment of such memorandum of understanding under this section.

(2) **CONSTRUCTION.**—Except as otherwise provided in this section, nothing in this subtitle shall be construed to effect the following:

(A) The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) or any other law related to management of the National Wildlife Refuge System.

(B) Any Executive order or public land order in effect on the date of the enactment of this Act with respect to the Cabeza Prieta National Wildlife Refuge.

(c) **EXTENSION OF MEMORANDUM OF UNDERSTANDING.**—The Secretary of the Interior, the Secretary of the Navy, and the Secretary

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of the Air Force shall extend the memorandum of understanding referred to in subsection (b)(1)(B). The memorandum of understanding shall be extended for a period that coincides with the duration of the withdrawal and reservation of the Barry M. Goldwater Air Force Range made by section 3031.

(d) OTHER AMENDMENTS OF MEMORANDUM OF UNDERSTANDING.—

(1) AMENDMENTS TO MEET MILITARY AVIATION TRAINING NEEDS.—(A) When determined by the Secretary of the Navy or the Secretary of the Air Force to be essential to support military aviation training, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior shall negotiate amendments to the memorandum of understanding referred to in subsection (b)(1)(B) in order—

(i) to revise existing or establish new low-level training routes or to otherwise accommodate low-level overflight;

(ii) to establish new or enlarged areas closed to public use as surface safety zones; or

(iii) to accommodate the maintenance, upgrade, replacement, or installation of existing or new associated ground instrumentation.

(B) Any amendment of the memorandum of understanding shall be consistent with the responsibilities under law of the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior, respectively.

(C) As provided by the existing provisions of the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57) and the Arizona Desert Wilderness Act of 1990 (Public Law 101-628), amendments to the memorandum of understanding to revise existing or establish new low-level training routes or to otherwise accommodate low-level overflight are not subject to compatibility determinations nor precluded by the designation of lands within the Cabeza Prieta National Wildlife Refuge as wilderness.

(D) Amendments to the memorandum of understanding with respect to the upgrade or replacement of existing associated ground instrumentation or the installation of new associated ground instrumentation shall not be precluded by the existing designation of lands within the Cabeza Prieta National Wildlife Refuge as wilderness to the extent that the Secretary of the Interior, after consultation with the Secretary of the Navy and the Secretary of the Air Force, determines that such actions, considered both individually and cumulatively, create similar or less impact than the existing ground instrumentation permitted by the Arizona Desert Wilderness Act of 1990.

(2) OTHER AMENDMENTS.—The Secretary of the Interior, the Secretary of the Navy, or the Secretary of the Air Force may initiate renegotiation of the memorandum of understanding at any time to address other needed changes, and the memorandum of understanding may be amended to accommodate such changes by the mutual consent of the parties consistent with their respective responsibilities under law.

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(3) EFFECTIVE DATE OF AMENDMENTS.—Amendments to the memorandum of understanding shall take effect 90 days after the date on which the Secretary of the Interior submits notice of such amendments to the Committees on Environment and

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Public Works, Energy and Natural Resources, and Armed Services of the Senate and the Committees on Resources and Armed Services of the House of Representatives.

(e) ACCESS RESTRICTIONS.—If the Secretary of the Navy or the Secretary of the Air Force determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of the Cabeza Prieta National Wildlife Refuge or the Cabeza Prieta Wilderness, the Secretary of the Interior shall take such action as is determined necessary or desirable to effect and maintain such closure, including agreeing to amend the memorandum of understanding to establish new or enhanced surface safety zones.

(f) STATUS OF CONTAMINATED LANDS.—

(1) DECONTAMINATION.—Throughout the duration of the withdrawal of the Barry M. Goldwater Range under section 3031, the Secretary of the Navy and the Secretary of the Air Force shall, to the extent that funds are made available for such purpose, carry out a program of decontamination of the portion of the Cabeza Prieta National Wildlife Refuge and the Cabeza Prieta Wilderness used for military training purposes that maintains a level of cleanup of such lands equivalent to the level of cleanup of such lands as of the date of the enactment of this Act. Any environmental contamination of the Cabeza Prieta National Wildlife Refuge or the Cabeza Prieta Wilderness caused or contributed to by the Department of the Navy or the Department of the Air Force shall be the responsibility of the Department of the Navy or the Department of the Air Force, respectively, and not the responsibility of the Department of the Interior.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed as constituting or effecting a relinquishment within the meaning of section 8 of the Military Lands Withdrawal Act of 1986 (Public Law 99-606).

#### SEC. 3033. MAPS AND LEGAL DESCRIPTION.

(a) PUBLICATION AND FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall—

Federal Register,  
publication.

(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by this subtitle; and

(2) file maps and the legal description of the lands withdrawn and reserved by this subtitle with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(b) TECHNICAL CORRECTIONS.—Such maps and legal description shall have the same force and effect as if included in this subtitle, except that the Secretary of the Interior may correct clerical and typographical errors in such maps and legal description.

(c) AVAILABILITY FOR PUBLIC INSPECTION.—Copies of such maps and legal descriptions shall be available for public inspection in the offices of the Director and appropriate State Directors and field office managers of the Bureau of Land Management, the office of the commander, Luke Air Force Base, Arizona, the office of the commander, Marine Corps Air Station, Yuma, Arizona, and the Office of the Secretary of Defense.

(d) REIMBURSEMENT.—The Secretary of Defense shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this section.

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## (e) DELEGATIONS.—

(1) **MILITARY DEPARTMENTS.**—The functions of the Secretary of Defense, or of the Secretary of a military department, under this section may be delegated.

(2) **DEPARTMENT OF INTERIOR.**—The functions of the Secretary of the Interior under this section may be delegated.

**SEC. 3034. WATER RIGHTS.**

Nothing in this subtitle shall be construed to establish a reservation to the United States with respect to any water or water right on lands covered by section 3031 or 3032. No provision of this subtitle shall be construed as authorizing the appropriation of water on lands covered by section 3031 or 3032 by the United States after the date of the enactment of this Act, except in accordance with the law of the State in which such lands are located. This section shall not be construed to affect water rights acquired by the United States before the date of the enactment of this Act.

**SEC. 3035. HUNTING, FISHING, AND TRAPPING.**

All hunting, fishing, and trapping on lands withdrawn by this subtitle shall be conducted in accordance with the provisions of section 2671 of title 10, United States Code, except that hunting, fishing, and trapping within the Cabeza Prieta National Wildlife Refuge shall be conducted in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Recreation Use of Wildlife Areas Act of 1969 (16 U.S.C. 460k et seq.), and other laws applicable to the National Wildlife Refuge System.

**SEC. 3036. USE OF MINERAL MATERIALS.**

Notwithstanding any other provision of this subtitle or the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.), the Secretary of the military department concerned may use sand, gravel, or similar mineral material resources of the type subject to disposition under that Act from lands withdrawn and reserved by this subtitle if use of such resources is required for construction needs on such lands.

**SEC. 3037. IMMUNITY OF UNITED STATES.**

The United States and all departments or agencies thereof shall be held harmless and shall not be liable for any injuries or damages to persons or property suffered in the course of any mining or mineral or geothermal leasing activity conducted on lands covered by section 3031.

\* \* \* \* \*

Approved October 5, 1999.

113 STAT. 976

**LEGISLATIVE HISTORY—S. 1059 (H.R. 1401):**

**HOUSE REPORTS:** Nos. 106–162 accompanying H.R. 1401 (Comm. on Armed Services) and 106–301 (Comm. of Conference).

**SENATE REPORTS:** No. 106–50 (Comm. on Armed Services).

**CONGRESSIONAL RECORD**, Vol. 145 (1999):

May 24–27, considered and passed Senate.

June 14, considered and passed House, amended, in lieu of H.R. 1401.

Sept. 15, House agreed to conference report.

Sept. 21, 22, Senate considered and agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 35 (1999):

Oct. 5, Presidential remarks and statement.



**51. Spirit Mound, South Dakota Preservation**

114 STAT. 23

PUBLIC LAW 106–176—MAR. 10, 2000

Public Law 106–176  
106th Congress**An Act**Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND  
PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus  
Parks Technical Corrections Act of 2000”.(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term  
“Omnibus Parks Act” means the Omnibus Parks and Public Lands  
Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS  
TO OTHER PUBLIC LAWS**

\* \* \* \* \*

114 STAT. 33

**SEC. 308. SPIRIT MOUND.**Section 112(a) of division C of Public Law 105–277 (112 Stat.  
2681–592) is amended—(1) by striking “is authorized to acquire” and inserting  
“is authorized: (1) to acquire”;

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(2) by striking “South Dakota.” and inserting “South  
Dakota; or”; and(3) by adding at the end thereof the following new para-  
graph:“(2) to transfer available funds for the acquisition of the  
tract to the State of South Dakota upon the completion of  
a binding agreement with the State to provide for the acquisi-  
tion and long-term preservation, interpretation, and restoration  
of the Spirit Mound tract.”.

\* \* \* \* \*

Approved March 10, 2000.

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**52. Timbisha Shoshone Homeland Act**

PUBLIC LAW 106–423—NOV. 1, 2000

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Public Law 106–423  
106th Congress

**An Act**

To provide to the Timbisha Shoshone Tribe a permanent land base within its  
aboriginal homeland, and for other purposes.

Nov. 1, 2000  
[S. 2102]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Timbisha Shoshone Homeland  
Act”.

Timbisha  
Shoshone  
Homeland Act.  
California.  
Nevada.  
Historic  
preservation.  
16 USC 410aaa  
note.  
16 USC 410aaa  
note.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Since time immemorial, the Timbisha Shoshone Tribe has lived in portions of California and Nevada. The Tribe’s ancestral homeland includes the area that now comprises Death Valley National Park and other areas of California and Nevada now administered by the Bureau of Land Management.

(2) Since 1936, the Tribe has lived and governed the affairs of the Tribe on approximately 40 acres of land near Furnace Creek in the Park.

(3) The Tribe achieved Federal recognition in 1983 but does not have a land base within the Tribe’s ancestral homeland.

(4) Since the Tribe commenced use and occupancy of the Furnace Creek area, the Tribe’s membership has grown. Tribal members have a desire and need for housing, government and administrative facilities, cultural facilities, and sustainable economic development to provide decent, safe, and healthy conditions for themselves and their families.

(5) The interests of both the Tribe and the National Park Service would be enhanced by recognizing their coexistence on the same land and by establishing partnerships for compatible land uses and for the interpretation of the Tribe’s history and culture for visitors to the Park.

(6) The interests of both the Tribe and the United States would be enhanced by the establishment of a land base for the Tribe and by further delineation of the rights and obligations of each with respect to the Furnace Creek area and to the Park as a whole.

**SEC. 3. PURPOSES.**

16 USC 410aaa  
note.

Consistent with the recommendations of the report required by section 705(b) of the California Desert Protection Act of 1994 (Public Law 103–433; 108 Stat. 4498), the purposes of this Act are—

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(1) to provide in trust to the Tribe land on which the Tribe can live permanently and govern the Tribe's affairs in a modern community within the ancestral homeland of the Tribe outside and within the Park;

(2) to formally recognize the contributions by the Tribe to the history, culture, and ecology of the Park and surrounding area;

(3) to ensure that the resources within the Park are protected and enhanced by—

(A) cooperative activities within the Tribe's ancestral homeland; and

(B) partnerships between the Tribe and the National Park Service and partnerships involving the Bureau of Land Management;

(4) to ensure that such activities are not in derogation of the purposes and values for which the Park was established;

(5) to provide opportunities for a richer visitor experience at the Park through direct interactions between visitors and the Tribe including guided tours, interpretation, and the establishment of a tribal museum and cultural center;

(6) to provide appropriate opportunities for economically viable and ecologically sustainable visitor-related development, by the Tribe within the Park, that is not in derogation of the purposes and values for which the Park was established; and

(7) to provide trust lands for the Tribe in 4 separate parcels of land that is now managed by the Bureau of Land Management and authorize the purchase of 2 parcels now held in private ownership to be taken into trust for the Tribe.

16 USC 410aaa  
note.

#### **SEC. 4. DEFINITIONS.**

In this Act:

(1) **PARK.**—The term “Park” means Death Valley National Park, including any additions to that Park.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior or the designee of the Secretary.

(3) **TRIBAL.**—The term “tribal” means of or pertaining to the Tribe.

(4) **TRIBE.**—The term “Tribe” means the Timbisha Shoshone Tribe, a tribe of American Indians recognized by the United States pursuant to part 83 of title 25, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(5) **TRUST LANDS.**—The term “trust lands” means those lands taken into trust pursuant to this Act.

16 USC 410aaa  
note.

#### **SEC. 5. TRIBAL RIGHTS AND AUTHORITY ON THE TIMBISHA SHOSHONE HOMELAND.**

(a) **IN GENERAL.**—Subject to valid existing rights (existing on the date of enactment of this Act), all right, title, and interest of the United States in and to the lands, including improvements and appurtenances, described in subsection (b) are declared to be held in trust by the United States for the benefit of the Tribe. All maps referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Bureau of Land Management.

(b) **PARK LANDS AND BUREAU OF LAND MANAGEMENT LANDS DESCRIBED.**—

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(1) IN GENERAL.—The following lands and water shall be held in trust for the Tribe pursuant to subsection (a):

(A) Furnace Creek, Death Valley National Park, California, an area of 313.99 acres for community development, residential development, historic restoration, and visitor-related economic development, depicted as Tract 37 on the map of Township 27 North, Range 1 East, of the San Bernardino Meridian, California, numbered Map #1 and dated December 2, 1999, together with 92 acre feet per annum of surface and ground water for the purposes associated with the transfer of such lands. This area shall include a 25-acre, nondevelopment zone at the north end of the area and an Adobe Restoration zone containing several historic adobe homes, which shall be managed by the Tribe as a tribal historic district.

(B) Death Valley Junction, California, an area of approximately 1,000 acres, as generally depicted on the map entitled “Death Valley Junction, California”, numbered Map #2 and dated April 12, 2000, together with 15.1 acre feet per annum of ground water for the purposes associated with the transfer of such lands.

(C)(i) Centennial, California, an area of approximately 640 acres, as generally depicted on the map entitled “Centennial, California”, numbered Map #3 and dated April 12, 2000, together with an amount of ground water not to exceed 10 acre feet per annum for the purposes associated with the transfer of such lands.

(ii) If the Secretary determines that there is insufficient ground water available on the lands described in clause (i) to satisfy the Tribe’s right to ground water to fulfill the purposes associated with the transfer of such lands, then the Tribe and the Secretary shall, within 2 years of such determination, identify approximately 640 acres of land that are administered by the Bureau of Land Management in that portion of Inyo County, California, to the north and east of the China Lake Naval Weapons Center, to be a mutually agreed upon substitute for the lands described in clause (i). If the Secretary determines that sufficient water is available to fulfill the purposes associated with the transfer of the lands described in the preceding sentence, then the Tribe shall request that the Secretary accept such lands into trust for the benefit of the Timbisha Shoshone Tribe, and the Secretary shall accept such lands, together with an amount of water not to exceed 10 acre feet per annum, into trust for the Tribe as a substitute for the lands described in clause (i).

(D) Scotty’s Junction, Nevada, an area of approximately 2,800 acres, as generally depicted on the map entitled “Scotty’s Junction, Nevada”, numbered Map #4 and dated April 12, 2000, together with 375.5 acre feet per annum of ground water for the purposes associated with the transfer of such lands.

(E) Lida, Nevada, Community Parcel, an area of approximately 3,000 acres, as generally depicted on the map entitled “Lida, Nevada, Community Parcel”, numbered Map #5 and dated April 12, 2000, together with 14.7 acre

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feet per annum of ground water for the purposes associated with the transfer of such lands.

(2) WATER RIGHTS.—The priority date of the Federal water rights described in subparagraphs (A) through (E) of paragraph (1) shall be the date of enactment of this Act, and such Federal water rights shall be junior to Federal and State water rights existing on such date of enactment. Such Federal water rights shall not be subject to relinquishment, forfeiture or abandonment.

(3) LIMITATIONS ON FURNACE CREEK AREA DEVELOPMENT.—

(A) DEVELOPMENT.—Recognizing the mutual interests and responsibilities of the Tribe and the National Park Service in and for the conservation and protection of the resources in the area described in paragraph (1), development in the area shall be limited to—

(i) for purposes of community and residential development—

(I) a maximum of 50 single-family residences; and

(II) a tribal community center with space for tribal offices, recreation facilities, a multipurpose room and kitchen, and senior and youth facilities;

(ii) for purposes of economic development—

(I) a small-to-moderate desert inn; and

(II) a tribal museum and cultural center with a gift shop; and

(iii) the infrastructure necessary to support the level of development described in clauses (i) and (ii).

(B) EXCEPTION.—Notwithstanding the provisions of subparagraph (A)(ii), the National Park Service and the Tribe are authorized to negotiate mutually agreed upon, visitor-related economic development in lieu of the development set forth in that subparagraph if such alternative development will have no greater environmental impact than the development set forth in that subparagraph.

(C) RIGHT-OF-WAY.—The Tribe shall have a right-of-way for ingress and egress on Highway 190 in California.

(4) LIMITATIONS ON IMPACT ON MINING CLAIMS.—Nothing in this Act shall be construed as terminating any valid mining claim existing on the date of enactment of this Act on the land described in paragraph (1)(E). Any person with such an existing mining claim shall have all the rights incident to mining claims, including the rights of ingress and egress on the land described in paragraph (1)(E). Any person with such an existing mining claim shall have the right to occupy and use so much of the surface of the land as is required for all purposes reasonably necessary to mine and remove the minerals from the land, including the removal of timber for mining purposes. Such a mining claim shall terminate when the claim is determined to be invalid or is abandoned.

Deadline.

(c) LEGAL DESCRIPTIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall file a legal description of the areas described in subsection (b) with the Committee on Resources of the House of Representatives and with the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate. Such legal description shall have the

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same force and effect as if the information contained in the description were included in that subsection except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in the legal description. The legal description shall be on file and available for public inspection in the offices of the National Park Service and the Bureau of Land Management.

(d) **ADDITIONAL TRUST RESOURCES.**—The Secretary may purchase from willing sellers the following parcels and appurtenant water rights, or the water rights separately, to be taken into trust for the Tribe:

(1) Indian Rancheria Site, California, an area of approximately 120 acres, as generally depicted on the map entitled “Indian Rancheria Site, California” numbered Map #6 and dated December 3, 1999.

(2) Lida Ranch, Nevada, an area of approximately 2,340 acres, as generally depicted on the map entitled “Lida Ranch” numbered Map #7 and dated April 6, 2000, or another parcel mutually agreed upon by the Secretary and the Tribe.

(e) **SPECIAL USE AREAS.**—

(1) **IN GENERAL.**—The areas described in this subsection shall be nonexclusive special use areas for the Tribe, subject to other Federal law. Members of the Tribe are authorized to use these areas for low impact, ecologically sustainable, traditional practices pursuant to a jointly established management plan mutually agreed upon by the Tribe, and by the National Park Service or the Bureau of Land Management, as appropriate. All maps referred to in paragraph (4) shall be on file and available for public inspection in the offices of the National Park Service and Bureau of Land Management.

(2) **RECOGNITION OF THE HISTORY AND CULTURE OF THE TRIBE.**—In the special use areas, in recognition of the significant contributions the Tribe has made to the history, ecology, and culture of the Park and to ensure that the visitor experience in the Park will be enhanced by the increased and continued presence of the Tribe, the Secretary shall permit the Tribe’s continued use of Park resources for traditional tribal purposes, practices, and activities.

(3) **RESOURCE USE BY THE TRIBE.**—In the special use areas, any use of Park resources by the Tribe for traditional purposes, practices, and activities shall not include the taking of wildlife and shall not be in derogation of purposes and values for which the Park was established.

(4) **SPECIFIC AREAS.**—The following areas are designated special use areas pursuant to paragraph (1):

(A) **MESQUITE USE AREA.**—The area generally depicted on the map entitled “Mesquite Use Area” numbered Map #8 and dated April 12, 2000. The Tribe may use this area for processing mesquite using traditional plant management techniques such as thinning, pruning, harvesting, removing excess sand, and removing exotic species. The National Park Service may limit and condition, but not prohibit entirely, public use of this area or parts of this area, in consultation with the Tribe. This area shall be managed in accordance with the jointly established management plan referred to in paragraph (1).

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(B) **BUFFER AREA.**—An area of approximately 1,500 acres, as generally depicted on the map entitled “Buffer Area” numbered Map #8 and dated April 12, 2000. The National Park Service shall restrict visitor use of this area to protect the privacy of the Tribe and to provide an opportunity for the Tribe to conduct community affairs without undue disruption from the public.

(C) **TIMBISHA SHOSHONE NATURAL AND CULTURAL PRESERVATION AREA.**—An area that primarily consists of Park lands and also a small portion of Bureau of Land Management land in California, as generally depicted on the map entitled “Timbisha Shoshone Natural and Cultural Preservation Area” numbered Map #9 and dated April 12, 2000.

(5) **ADDITIONAL PROVISIONS.**—With respect to the Timbisha Shoshone Natural and Cultural Preservation Area designated in paragraph (4)(C)—

(A) the Tribe may establish and maintain a tribal resource management field office, garage, and storage area, all within the area of the existing ranger station at Wildrose (existing as of the date of enactment of this Act);

(B) the Tribe also may use traditional camps for tribal members at Wildrose and Hunter Mountain in accordance with the jointly established management plan referred to in paragraph (1);

(C) the area shall be depicted on maps of the Park and Bureau of Land Management that are provided for general visitor use;

(D) the National Park Service and the Bureau of Land Management shall accommodate access by the Tribe to and use by the Tribe of—

(i) the area (including portions described in subparagraph (E)) for traditional cultural and religious activities, in a manner consistent with the purpose and intent of Public Law 95-341 (commonly known as the “American Indian Religious Freedom Act”) (42 U.S.C. 1996 et seq.); and

(ii) areas designated as wilderness (including portions described in subparagraph (E)), in a manner consistent with the purpose and intent of the Wilderness Act (16 U.S.C. 1131 et seq.); and

(E)(i) on the request of the Tribe, the National Park Service and the Bureau of Land Management shall temporarily close to the general public, 1 or more specific portions of the area in order to protect the privacy of tribal members engaging in traditional cultural and religious activities in those portions; and

(ii) any such closure shall be made in a manner that affects the smallest practicable area for the minimum period necessary for the purposes described in clause (i).

(f) **ACCESS AND USE.**—Members of the Tribe shall have the right to enter and use the Park without payment of any fee for admission into the Park.

(g) **ADMINISTRATION.**—The trust lands shall constitute the Timbisha Shoshone Reservation and shall be administered pursuant to the laws and regulations applicable to other Indian trust lands, except as otherwise provided in this Act.



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114 STAT. 1881

**SEC. 6. IMPLEMENTATION PROCESS.**16 USC 410aaa  
note.

(a) **GOVERNMENT-TO-GOVERNMENT AGREEMENTS.**—In order to fulfill the purposes of this Act and to establish cooperative partnerships for purposes of this Act, the National Park Service, the Bureau of Land Management, and the Tribe shall enter into government-to-government consultations and shall develop protocols to review planned development in the Park. The National Park Service and the Bureau of Land Management are authorized to enter into cooperative agreements with the Tribe for the purpose of providing training on the interpretation, management, protection, and preservation of the natural and cultural resources of the areas designated for special uses by the Tribe in section 5(e)(4).

(b) **STANDARDS.**—The National Park Service and the Tribe shall develop mutually agreed upon standards for size, impact, and design for use in planning, resource protection, and development of the Furnace Creek area and for the facilities at Wildrose. The standards shall be based on standards for recognized best practices for environmental sustainability and shall not be less restrictive than the environmental standards applied within the National Park System at any given time. Development in the area shall be conducted in a manner consistent with the standards, which shall be reviewed periodically and revised as necessary.

(c) **WATER MONITORING.**—The Secretary and the Tribe shall develop mutually agreed upon standards for a water monitoring system to assess the effects of water use at Scotty's Junction and at Death Valley Junction on the tribal trust lands described in subparagraphs (A), (B), and (D) of section 5(b)(1), and on the Park. Water monitoring shall be conducted in a manner that is consistent with such standards, which shall be reviewed periodically and revised as necessary.

**SEC. 7. MISCELLANEOUS PROVISIONS.**16 USC 410aaa  
note.

(a) **TRIBAL EMPLOYMENT.**—In employing individuals to perform any construction, maintenance, interpretation, or other service in the Park, the Secretary shall, insofar as practicable, give first preference to qualified members of the Tribe.

(b) **GAMING.**—Gaming as defined and regulated by the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall be prohibited on trust lands within the Park.

(c) **INITIAL RESERVATION.**—Lands taken into trust for the Tribe pursuant to section 5, except for the Park land described in subsections (b)(1)(A) and (d)(1) of such section, shall be considered to be the Tribe's initial reservation for purposes of section 20(b)(1)(B)(ii) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(ii)).

(d) **TRIBAL JURISDICTION OVER TRUST LANDS.**—All trust lands that are transferred under this Act and located within California shall be exempt from section 1162 of title 18, United States Code, and section 1360 of title 28, United States Code, upon the certification by the Secretary, after consultation with the Attorney General, that the law enforcement system in place for such lands will be adequate to provide for the public safety and the public interest, except that no such certification may take effect until the expiration of the 3-year period beginning on the date of enactment of this Act.

Effective date.

114 STAT. 1882

PUBLIC LAW 106–423—NOV. 1, 2000

16 USC 410aaa  
note.**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this Act such sums as may be necessary.

Approved November 1, 2000.

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**LEGISLATIVE HISTORY—S. 2102:****SENATE REPORTS:** No. 106–327 (Comm. on Indian Affairs).**CONGRESSIONAL RECORD,** Vol. 146 (2000):

July 19, considered and passed Senate.

Oct. 17, considered and passed House.



**53. University of Utah Museum Grant**

PUBLIC LAW 107–329—DEC. 6, 2002

116 STAT. 2815

Public Law 107–329  
107th Congress

**An Act**

To provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

Dec. 6, 2002

[S. 1240]

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

\* \* \* \* \*

**TITLE II—UTAH PUBLIC LANDS  
ARTIFACT PRESERVATION**

116 STAT. 2818

**SEC. 201. FINDINGS.**

Congress finds that—

(1) the collection of the Utah Museum of Natural History in Salt Lake City, Utah, includes more than 1,000,000 archaeological, paleontological, zoological, geological, and botanical artifacts;

(2) the collection of items housed by the Museum contains artifacts from land managed by—

(A) the Bureau of Land Management;

(B) the Bureau of Reclamation;

(C) the National Park Service;

(D) the United States Fish and Wildlife Service; and

(E) the Forest Service;

(3) more than 75 percent of the Museum's collection was recovered from federally managed public land; and

(4) the Museum has been designated by the legislature of the State of Utah as the State museum of natural history.

**SEC. 202. DEFINITIONS.**

In this title:

(1) **MUSEUM.**—The term “Museum” means the University of Utah Museum of Natural History in Salt Lake City, Utah.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 203. ASSISTANCE FOR UNIVERSITY OF UTAH MUSEUM OF NATURAL HISTORY.**

(a) **ASSISTANCE FOR MUSEUM.**—The Secretary shall make a grant to the University of Utah in Salt Lake City, Utah, to pay the Federal share of the costs of construction of a new facility for the Museum, including the design, planning, furnishing, and equipping of the Museum. Grants.

(b) **GRANT REQUIREMENTS.**—

(1) **IN GENERAL.**—To receive a grant under subsection (b), the Museum shall submit to the Secretary a proposal for the use of the grant.

(2) **FEDERAL SHARE.**—The Federal share of the costs described in subsection (a) shall not exceed 25 percent.

116 STAT. 2819

PUBLIC LAW 107-329—DEC. 6, 2002

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000, to remain available until expended.

\* \* \* \* \*

Approved December 6, 2002.

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LEGISLATIVE HISTORY—S. 1240 (H.R. 3928):

HOUSE REPORTS: No. 107-669 (Comm. on Resources).

SENATE REPORTS: No. 107-178 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Aug. 1, considered and passed Senate.

Sept. 24, considered and passed House, amended.

Nov. 19, Senate concurred in House amendment.



**54. Upper Housatonic River Valley, Connecticut (study)**

PUBLIC LAW 106–470—NOV. 9, 2000

114 STAT. 2055

Public Law 106–470  
106th Congress

**An Act**

To direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

Nov. 9, 2000  
[H.R. 4312]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Upper Housatonic National Heritage Area Study Act of 2000”.

Upper  
Housatonic  
National  
Heritage Area  
Study Act of  
2000.

**SEC. 2. AUTHORIZATION OF STUDY.**

(a) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct a study of the Upper Housatonic National Heritage Area (“Study Area”). The study shall include analysis, documentation, and determinations regarding whether the Study Area—

(1) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs and folklife that are a valuable part of the national story;

(3) provides outstanding opportunities to conserve natural, historic, cultural, and/or scenic features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme or themes of the Study Area that retain a degree of integrity capable of supporting interpretation;

(6) includes residents, business interests, nonprofit organizations, and local and State governments who are involved in the planning, have developed a conceptual financial plan that outlines the roles for all participants including the Federal Government, and have demonstrated support for the concept of a national heritage area;

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a national heritage area consistent with continued local and State economic activity; and

114 STAT. 2056

PUBLIC LAW 106-470—NOV. 9, 2000

(8) has a conceptual boundary map that is supported by the public.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult with the State historic preservation officers, State historical societies and other appropriate organizations.

**SEC. 3. BOUNDARIES OF THE STUDY AREA.**

The Study Area shall be comprised of—

(1) part of the Housatonic River's watershed, which extends 60 miles from Lanesboro, Massachusetts to Kent, Connecticut;

(2) the towns of Canaan, Cornwall, Kent, Norfolk, North Canaan, Salisbury, Sharon, and Warren in Connecticut; and

(3) the towns of Alford, Dalton, Egremont, Great Barrington, Hinsdale, Lanesboro, Lee, Lenox, Monterey, Mount Washington, New Marlboro, Pittsfield, Richmond, Sheffield, Stockbridge, Tyringham, Washington, and West Stockbridge in Massachusetts.

Deadline.

**SEC. 4. REPORT.**

Not later than 3 fiscal years after the date on which funds are first available for this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of the study.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$300,000 to carry out the provisions of this Act.

Approved November 9, 2000.

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**LEGISLATIVE HISTORY—H.R. 4312 (S. 2421):**

SENATE REPORTS: No. 106-317 accompanying S. 2421 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 17, considered and passed House.

Oct. 27, considered and passed Senate.



**55. Valley City, ND Land Conveyance**

PUBLIC LAW 106–291—OCT. 11, 2000

114 STAT. 922

Public Law 106–291  
106th Congress**An Act**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 11, 2000

[H.R. 4578]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

114 STAT. 941

\* \* \* \* \*

SEC. 144. (a) Notwithstanding any other provision of law, and subject to subsections (b) and (c), all conveyances to the city of Valley City, a municipal corporation of Barnes County, North Dakota, of lands described in subsection (b), heretofore or hereafter made directly by The Burlington Northern and Santa Fe Railway Company or its successors, are hereby validated to the extent that the conveyances would be legal and valid if all right, title, and interest of the United States, except minerals, were held by The Burlington Northern and Santa Fe Railway Company.

114 STAT. 950

(b) **LANDS DESCRIBED.**—The lands referred to in subsection (a) are the land that formed part of the railroad right-of-way granted to the Northern Pacific Railroad Company, a predecessor to The Burlington Northern and Santa Fe Railway Company, by an Act of Congress on July 2, 1864, specifically a 400-foot wide right-of-way, being 200 feet wide on each side of the centerline of the rail track as originally located and constructed between milepost 69.05 and milepost 61.10 within Barnes County, North Dakota, as shown and described on the map entitled “City of Valley City—Railroad Parcels” dated September 1, 2000. Such map shall be placed on file and available for inspection in the offices of the Director of the Bureau of Land Management.

(c) **ACCESS AND MINERAL RIGHTS.**—

(1) **PRESERVATION OF RIGHTS OF ACCESS.**—Nothing in this section shall impair any rights of access in favor of the public or any owner of adjacent lands over, under, or across the lands described in section 2.

(2) **MINERALS.**—The United States reserves any federally owned mineral rights in the lands described in subsection (b), except that the United States disclaims any and all right of surface entry to the mineral estate of such lands.

\* \* \* \* \*

114 STAT. 1029

PUBLIC LAW 106–291—OCT. 11, 2000

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

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LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.





**56. Vancouver National Historic Reserve**

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress**An Act**

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**Omnibus Parks  
Technical  
Corrections Act  
of 2000.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 107. VANCOUVER NATIONAL HISTORIC RESERVE.**

114 STAT. 26

Section 502(a) of division I of the Omnibus Parks Act (110 Stat. 4154; 16 U.S.C. 461 note) is amended by striking “by the Vancouver Historical Assessment’ published”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106–17 (Comm. on Resources).

SENATE REPORTS: No. 106–125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



114 STAT. 1654

PUBLIC LAW 106–398—OCT. 30, 2000

**\* Public Law 106–398**  
**106th Congress**

**An Act**

Oct. 30, 2000  
 [H.R. 4205]

To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

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

Incorporation by  
 reference.

**SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.**

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

1 USC 112 note.

**SEC. 2. PUBLICATION OF ACT.**

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

Approved October 30, 2000.

**LEGISLATIVE HISTORY—H.R. 4205 (S. 2549) (S. 2550):**

HOUSE REPORTS: Nos. 106–616 (Comm. on Armed Services) and 106–945 (Comm. of Conference).

SENATE REPORTS: No. 106–292 accompanying S. 2549 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 17, 18 considered and passed House.

July 13, considered and passed Senate, amended.

Oct. 11, House agreed to conference report.

Oct. 12, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 30, Presidential statement.

\*ENDNOTE: The following appendix was added pursuant to the provisions of sections 1 and 2 of this Act.



**APPENDIX—H.R. 5408****SECTION 1. SHORT TITLE; FINDINGS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001”.

\* \* \* \* \*

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

114 STAT.  
1654A–2

(a) **DIVISIONS.**—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

\* \* \* \* \*

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

114 STAT.  
1654A–389

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2001”.

\* \* \* \* \*

**TITLE XXVIII—GENERAL PROVISIONS**

114 STAT.  
1654A–410

\* \* \* \* \*

**Subtitle D—Land Conveyances**

114 STAT.  
1654A–419

**PART I—ARMY CONVEYANCES**

\* \* \* \* \*

**SEC. 2843. LAND CONVEYANCE, VANCOUVER BARRACKS, WASHINGTON.**

114 STAT.  
1654A–425

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may convey, without consideration, to the City of Vancouver, Washington (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, encompassing 19 structures at Vancouver Barracks, Washington, which are identified by the Army using numbers between 602 and 676, and are known as the west barracks.

(b) **PURPOSE.**—The purpose of the conveyance authorized by subsection (a) shall be to include the property described in that subsection in the Vancouver National Historic Reserve, Washington.

(c) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

\* \* \* \* \*

116 STAT. 2891

PUBLIC LAW 107–342—DEC. 17, 2002

Public Law 107–342  
107th Congress

An Act

Dec. 17, 2002  
[H.R. 2099]

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve.

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

**SECTION 1. INCREASE IN AUTHORIZATION FOR RESERVE.**

Section 502(d) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 461 note; 110 Stat. 4154) is amended by striking “\$5,000,000” and all that follows through the period and inserting “\$15,000,000 for development costs associated with capital projects consistent with the cooperative management plan, except that the Federal share of such development costs shall not exceed 50 percent of the total costs.”.

Approved December 17, 2002.

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**LEGISLATIVE HISTORY—H.R. 2099 (S. 1649):**

HOUSE REPORTS: No. 107–627 (Comm. on Resources).

SENATE REPORTS: No. 107–193 accompanying S. 1649 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Sept. 24, considered and passed House.

Nov. 19, considered and passed Senate.



**57. Vicksburg Campaign Trail (study)**

PUBLIC LAW 106–487—NOV. 9, 2000

114 STAT. 2202

Public Law 106–487  
106th Congress

**An Act**

To authorize a feasibility study on the preservation of certain Civil War battlefields  
along the Vicksburg Campaign Trail.

Nov. 9, 2000

[S. 710]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Vicksburg Campaign Trail Battle-  
fields Preservation Act of 2000”.

Vicksburg  
Campaign Trail  
Battlefields  
Preservation Act  
of 2000.  
State listing.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) there are situated along the Vicksburg Campaign Trail  
in the States of Mississippi, Louisiana, Arkansas, and Ten-  
nessee the sites of several key Civil War battles;

(2) the battlefields along the Vicksburg Campaign Trail  
are collectively of national significance in the history of the  
Civil War; and

(3) the preservation of those battlefields would vitally con-  
tribute to the understanding of the heritage of the United  
States.

(b) PURPOSE.—The purpose of this Act is to authorize a feasi-  
bility study to determine what measures should be taken to preserve  
certain Civil War battlefields along the Vicksburg Campaign Trail.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) CAMPAIGN TRAIL STATE.—The term “Campaign Trail  
State” means each of the States of Mississippi, Louisiana,  
Arkansas, and Tennessee, including political subdivisions of  
those States.

(2) CIVIL WAR BATTLEFIELD.—The term “Civil War battle-  
field” includes the following sites (including related structures  
adjacent to or thereon)—

(A) the battlefields at Helena and Arkansas Post,  
Arkansas;

(B) Goodrich’s Landing near Transylvania, and sites  
in and around Lake Providence, East Carroll Parish, Lou-  
isiana;

(C) the battlefield at Milliken’s Bend, Madison Parish,  
Louisiana;

(D) the route of Grant’s march through Louisiana from  
Milliken’s Bend to Hard Times, Madison and Tensas Par-  
ishes, Louisiana;

(E) the Winter Quarters at Tensas Parish, Louisiana;

(F) Grant's landing site at Bruinsburg, and the route of Grant's march from Bruinsburg to Vicksburg, Claiborne, Hinds, and Warren Counties, Mississippi;

(G) the battlefield at Port Gibson (including Shaifer House, Bethel Church, and the ruins of Windsor), Claiborne County, Mississippi;

(H) the battlefield at Grand Gulf, Claiborne County, Mississippi;

(I) the battlefield at Raymond (including Waverly (the Peyton House)), Hinds County, Mississippi;

(J) the battlefield at Jackson, Hinds County, Mississippi;

(K) the Union siege lines around Jackson, Hinds County, Mississippi;

(L) the battlefield at Champion Hill (including Coker House), Hinds County, Mississippi;

(M) the battlefield at Big Black River Bridge, Hinds and Warren Counties, Mississippi;

(N) the Union fortifications at Haynes Bluff, Confederate fortifications at Snyder's Bluff, and remnants of Federal exterior lines, Warren County, Mississippi;

(O) the battlefield at Chickasaw Bayou, Warren County, Mississippi;

(P) Pemberton's Headquarters at Warren County, Mississippi;

(Q) the site of actions taken in the Mississippi Delta and Confederate fortifications near Grenada, Grenada County, Mississippi;

(R) the site of the start of Greirson's Raid and other related sites, LaGrange, Tennessee; and

(S) any other sites considered appropriate by the Secretary.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

#### SEC. 4. FEASIBILITY STUDY.

Deadline.

(a) IN GENERAL.—Not later than 3 years after funds are made available for this Act, the Secretary shall complete a feasibility study to determine what measures should be taken to preserve Civil War battlefields along the Vicksburg Campaign Trail.

(b) COMPONENTS.—In completing the study, the Secretary shall—

(1) review current National Park Service programs, policies and criteria to determine the most appropriate means of ensuring the Civil War battlefields and associated natural, cultural, and historical resources are preserved;

(2) evaluate options for the establishment of a management entity for the Civil War battlefields consisting of a unit of government or a private nonprofit organization that—

(A) administers and manages the Civil War battlefields; and

(B) possesses the legal authority to—

(i) receive Federal funds and funds from other units of government or other organizations for use in managing the Civil War battlefields;

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114 STAT. 2204

(ii) disburse Federal funds to other units of government or other nonprofit organizations for use in managing the Civil War battlefields;

(iii) enter into agreements with the Federal Government, State governments, or other units of government and nonprofit organizations; and

(iv) acquire land or interests in land by gift or devise, by purchase from a willing seller using donated or appropriated funds, or by donation;

(3) make recommendations to the Campaign Trail States for the management, preservation, and interpretation of the natural, cultural, and historical resources of the Civil War battlefields;

(4) identify appropriate partnerships among Federal, State, and local governments, regional entities, and the private sector, including nonprofit organizations and the organization known as “Friends of the Vicksburg Campaign and Historic Trail”, in furtherance of the purposes of this Act; and

(5) recommend methods of ensuring continued local involvement and participation in the management, protection, and development of the Civil War battlefields.

(c) REPORT.—Not later than 60 days after the date of completion of the study under this section, the Secretary shall submit a report describing the findings of the study to—

Deadline.

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$1,500,000.

Approved November 9, 2000.

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LEGISLATIVE HISTORY—S. 710:

SENATE REPORTS: No. 106–184 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



**58. Virginia Key Beach, FL (study)**

116 STAT. 2892

PUBLIC LAW 107-343—DEC. 17, 2002

**Public Law 107-343  
107th Congress****An Act**

Dec. 17, 2002  
[H.R. 2109]

To authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park in Biscayne Bay, Florida, for possible inclusion in the National Park System.

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

**SECTION 1. STUDY AND CRITERIA.**

(a) **STUDY.**—The Secretary of the Interior (in this Act referred to as “the Secretary”) shall conduct a study of Virginia Key Beach Park in Biscayne Bay, Florida, which was used for recreation by African Americans at a time when public beaches were racially segregated by law. The study shall evaluate the national significance of the site and the suitability and feasibility of establishing the site as a unit of the National Park System.

(b) **CRITERIA.**—In conducting the study required by subsection (a), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System contained in section 8 of Public Law 91-383 (16 U.S.C. 1a-5; popularly known as the National Park System General Authorities Act).

**SEC. 2. REPORT.**

Upon completion of the study, the Secretary shall transmit to the Congress a report on the findings of the study and the conclusions and recommendations of the Secretary.

Approved December 17, 2002.

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**LEGISLATIVE HISTORY—H.R. 2109:**

HOUSE REPORTS: No. 107-390 (Comm. on Resources).

SENATE REPORTS: No. 107-273 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Apr. 30, considered and passed House.

Nov. 19, considered and passed Senate.





**59. Waco Mammoth Site Area, TX (study)**

PUBLIC LAW 107-341—DEC. 16, 2002

116 STAT. 2890

Public Law 107-341  
107th Congress**An Act**

To direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, and for other purposes.

Dec. 16, 2002  
[H.R. 1925]

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

**SECTION 1. STUDY AND REPORT REGARDING WACO MAMMOTH SITE AREA.**

(a) **STUDY.**—The Secretary of the Interior, in consultation with the State of Texas, the city of Waco, and other appropriate organizations, shall carry out a special resource study regarding the national significance, suitability, and feasibility of designating the Waco Mammoth Site Area located in the city of Waco, Texas, as a unit of the National Park System.

(b) **STUDY PROCESS AND COMPLETION.**—Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall apply to the conduct and completion of the study required by this section.

Applicability.

**SEC. 2. SUBMISSION OF STUDY RESULTS.**

Deadline.

Not later than 3 years after funds are first made available for this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

Approved December 16, 2002.

**LEGISLATIVE HISTORY—H.R. 1925:**

HOUSE REPORTS: No. 107-317 (Comm. on Resources).

SENATE REPORTS: No. 107-264 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

May 14, considered and passed House.

Nov. 19, considered and passed Senate.



**60. Walden Pond and Woods, Massachusetts (study)**

113 STAT. 1501

PUBLIC LAW 106–113—NOV. 29, 1999

**Public Law 106–113  
106th Congress****An Act**Nov. 29, 1999  
[H.R. 3194]Making consolidated appropriations for the fiscal year ending September 30, 2000,  
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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT. 1535

**DIVISION B**Incorporation by  
reference.**SEC. 1000.** (a) The provisions of the following bills are hereby enacted into law:

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

113 STAT. 1536  
Incorporation by  
reference;  
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

\* \* \* \* \*

113 STAT. 1537

**Approved November 29, 1999.****LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



## PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–135

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

113 STAT.  
1501A–190

\* \* \* \* \*

SEC. 326. (a) **SHORT TITLE.**—This section may be cited as the “National Park Service Studies Act of 1999”. 113 STAT. 1501A–194

(b) **AUTHORIZATION OF STUDIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) **CRITERIA.**—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501). 113 STAT. 1501A–195

(3) **STUDY AREAS.**—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) **REPORTS.**—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

**61. Washington-Rochambeau Revolutionary Route  
(study)**

114 STAT. 2083

PUBLIC LAW 106–473—NOV. 9, 2000

Public Law 106–473  
106th Congress

An Act

Nov. 9, 2000  
[H.R. 4794]

To require the Secretary of the Interior to complete a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Rochambeau during the American Revolutionary War.

Washington-  
Rochambeau  
Revolutionary  
Route National  
Heritage Act of  
2000.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Washington-Rochambeau Revolutionary Route National Heritage Act of 2000”.

**SEC. 2. STUDY OF THE WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE.**

Deadline.

(a) **IN GENERAL.**—Not later than 2 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Jean Baptiste Donatien de Vimeur, comte de Rochambeau during the American Revolutionary War.

(b) **CONSULTATION.**—In conducting the study required by subsection (a), the Secretary shall consult with State and local historic associations and societies, State historic preservation agencies, and other appropriate organizations.

(c) **CONTENTS.**—The study shall—

(1) identify the full range of resources and historic themes associated with the route referred to in subsection (a), including its relationship to the American Revolutionary War;

(2) identify alternatives for National Park Service involvement with preservation and interpretation of the route referred to in subsection (a); and

PUBLIC LAW 106–473—NOV. 9, 2000

114 STAT. 2084

(3) include cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance associated with the alternatives identified pursuant to paragraph (2).

Approved November 9, 2000.

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LEGISLATIVE HISTORY—H.R. 4794:

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 23, considered and passed House.

Oct. 27, considered and passed Senate.



**62. World War II Home Front Sites (study)**

114 STAT. 1370

PUBLIC LAW 106–352—OCT. 24, 2000

Public Law 106–352  
106th Congress**An Act**Oct. 24, 2000  
[H.R. 4063]

To establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*Rosie the Riveter/  
World War II  
Home Front  
National  
Historical Park  
Establishment  
Act of 2000.  
16 USC 410gg  
note.  
114 STAT. 1372  
16 USC  
410ggg–2.**SECTION 1. SHORT TITLE.**This Act may be cited as the “Rosie the Riveter/World War  
II Home Front National Historical Park Establishment Act of 2000”.

\* \* \* \* \*

**SEC. 4. WORLD WAR II HOME FRONT STUDY.**The Secretary shall conduct a theme study of the World War  
II home front to determine whether other sites in the United  
States meet the criteria for potential inclusion in the National  
Park System in accordance with section 8 of Public Law 91–383  
(16 U.S.C. 1a–5).

\* \* \* \* \*

114 STAT. 1373

Approved October 24, 2000.

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**LEGISLATIVE HISTORY—H.R. 4063:**

HOUSE REPORTS: No. 106–723 (Comm. on Resources).

SENATE REPORTS: No. 106–446 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 11, considered and passed House.

Oct. 5, considered and passed Senate.



**63. World War II Sites, Northern Marianas (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*



**64. World War II Sites, Palau (study)**

PUBLIC LAW 106–113—NOV. 29, 1999

113 STAT. 1501

Public Law 106–113  
106th Congress**An Act**Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.Nov. 29, 1999  
[H.R. 3194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

**DIVISION B**

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by  
reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by  
reference;  
publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

**LEGISLATIVE HISTORY—H.R. 3194:**HOUSE REPORTS: No. 106–479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).

## 113 STAT. 1501A–135 PUBLIC LAW 106–113—APPENDIX C

**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

\* \* \* \* \*

113 STAT.  
1501A–190

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

113 STAT.  
1501A–194

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91–383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105–391; 112 Stat. 3501).

113 STAT.  
1501A–195

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

\* \* \* \* \*

## XXIV. APPENDIX

### 1. Omnibus Parks Technical Corrections Act

PUBLIC LAW 106–176—MAR. 10, 2000

114 STAT. 23

Public Law 106–176  
106th Congress

#### An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000

[H.R. 149]

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

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

#### SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4093).

## TITLE I—TECHNICAL CORRECTIONS TO DIVISION I

### SEC. 101. PRESIDIO OF SAN FRANCISCO.

Title I of division I of the Omnibus Parks Act (16 U.S.C. 460bb note) is amended as follows:

(1) In section 101(2) (110 Stat. 4097), by striking “the Presidio is” and inserting “the Presidio was”.

(2) In section 103(b)(1) (110 Stat. 4099), by striking “other lands administrated by the Secretary.” in the last sentence and inserting “other lands administered by the Secretary.”.

(3) In section 105(a)(2) (110 Stat. 4104), by striking “in accordance with section 104(h) of this title.” and inserting “in accordance with section 104(i) of this title.”.

(4) In section 104(b) (110 Stat. 4101), by—

(A) adding the following after the end of the first sentence: “The National Park Service or any other Federal agency is authorized to enter into agreements, leases, contracts and other arrangements with the Presidio Trust which are necessary and appropriate to carry out the purposes of this title.”;

Contracts.

(B) inserting after “June 30, 1932 (40 U.S.C. 303b).” the following “The Trust may use alternative means of dispute resolution authorized under subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 571 et seq.).”; and

(C) by inserting at the end of the paragraph “The Trust is authorized to use funds available to the Trust to purchase insurance and for reasonable reception and

representation expenses, including membership dues, business cards and business related meal expenditures.”.

(5) Section 104(g) (110 Stat. 4103) is amended to read as follows:

“(g) FINANCIAL MANAGEMENT.—Notwithstanding section 1341 of title 31 of the United States Code, all proceeds and other revenues received by the Trust shall be retained by the Trust. Those proceeds shall be available, without further appropriation, to the Trust for the administration, preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties under its administrative jurisdiction. The Secretary of the Treasury shall invest, at the direction of the Trust, such excess moneys that the Trust determines are not required to meet current withdrawals. Such investment shall be in public debt securities with maturities suitable to the needs of the Trust and bearing interest at rates determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity.”.

(6) In section 104(j) (110 Stat. 4103), by striking “exercised.” and inserting “exercised, including rules and regulations for the use and management of the property under the Trust’s jurisdiction.”.

(7) In section 104 (110 Stat. 4101, 4104), by adding after subsection (o) the following:

“(p) EXCLUSIVE RIGHTS TO NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words ‘Presidio Trust’ and any seal, emblem, or other insignia adopted by its Board of Directors. Without express written authority of the Trust, no person may use the words ‘Presidio Trust’, or any combination or variation of those words alone or with other words, as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.”.

(8) In section 104(n) (110 Stat. 4103), by inserting after “implementation of the” in the first sentence the following “general objectives of the”.

(9) In section 105(a)(2) (110 Stat. 4104), by striking “not more than \$3,000,000 annually” and inserting after “Of such sums,” the following “funds”.

(10) In section 105(c) (110 Stat. 4104), by inserting before “including” the following “on a reimbursable basis,”.

(11) Section 103(c)(2) (110 Stat. 4099) is amended by striking “consecutive terms.” and inserting “consecutive terms, except that upon the expiration of his or her term, an appointed member may continue to serve until his or her successor has been appointed.”.

(12) Section 103(c)(9) (110 Stat. 4100) is amended by striking “properties administered by the Trust” and inserting “properties administered by the Trust and all interest created under leases, concessions, permits and other agreements associated with the properties”.

(13) Section 104(d) (110 Stat. 4102) is amended as follows—

(A) by inserting “(1)” after “FINANCIAL AUTHORITIES.—”;

(B) by striking “(1) The authority” and inserting “(A) The authority”;

## PUBLIC LAW 106-176—MAR. 10, 2000

114 STAT. 25

(C) by striking “(A) the terms” and inserting “(i) the terms”;

(D) by striking “(B) adequate” and inserting “(ii) adequate”;

(E) by striking “(C) such guarantees” and inserting “(iii) such guarantees”;

(F) by striking “(2) The authority” and inserting “(B) The authority”;

(G) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively;

(H) in paragraph (2) (as redesignated by this section)—

(i) by striking “The authority” and inserting “The Trust shall also have the authority”;

(ii) by striking “after determining that the projects to be funded from the proceeds thereof are creditworthy and that a repayment schedule is established and only”; and

(iii) by inserting after “and subject to such terms and conditions,” the following “including a review of the creditworthiness of the loan and establishment of a repayment schedule,”; and

(I) in paragraph (3) (as redesignated by this section) by inserting before “this subsection” the following “paragraph (2) of”.

**SEC. 102. COLONIAL NATIONAL HISTORICAL PARK.**

Section 211(d) of division I of the Omnibus Parks Act (110 Stat. 4110; 16 U.S.C. 81p) is amended by striking “depicted on the map dated August 1993, numbered 333/80031A,” and inserting “depicted on the map dated August 1996, numbered 333/80031B,”.

**SEC. 103. MERCED IRRIGATION DISTRICT.**

Section 218(a) of division I of the Omnibus Parks Act (110 Stat. 4113) is amended by striking “this Act” and inserting “this section”.

**SEC. 104. BIG THICKET NATIONAL PRESERVE.**

Section 306 of division I of the Omnibus Parks Act (110 Stat. 4132; 16 U.S.C. 698 note) is amended as follows:

(1) In subsection (d), by striking “until the earlier of the consummation of the exchange of July 1, 1998,” and inserting “until the earlier of the consummation of the exchange or July 1, 1998,”.

(2) In subsection (f)(2), by striking “in Menard” and inserting “in the Menard”.

**SEC. 105. KENAI NATIVES ASSOCIATION LAND EXCHANGE.**

43 USC 1784  
note.

Section 311 of division I of the Omnibus Parks Act (110 Stat. 4139) is amended as follows:

(1) In subsection (d)(2)(B)(ii), by striking “W, Seward Meridian” and inserting “W., Seward Meridian”.

(2) In subsection (f)(1), by striking “to be know” and inserting “to be known”.

**SEC. 106. LAMPREY WILD AND SCENIC RIVER.**

(a) TECHNICAL CORRECTION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by section 405(a) of division I of the Omnibus Parks Act (110 Stat. 4149), is amended

114 STAT. 26

PUBLIC LAW 106-176—MAR. 10, 2000

in the second sentence of the paragraph relating to the Lamprey River, New Hampshire, by striking “through cooperation agreements” and inserting “through cooperative agreements”.

(b) CROSS REFERENCE.—Section 405(b)(1) of division I of the Omnibus Parks Act (110 Stat. 4149; 16 U.S.C. 1274 note) is amended by striking “this Act” and inserting “the Wild and Scenic Rivers Act”.

**SEC. 107. VANCOUVER NATIONAL HISTORIC RESERVE.**

Section 502(a) of division I of the Omnibus Parks Act (110 Stat. 4154; 16 U.S.C. 461 note) is amended by striking “by the Vancouver Historical Assessment’ published”.

**SEC. 108. MEMORIAL TO MARTIN LUTHER KING, JR.**

Section 508 of division I of the Omnibus Parks Act (110 Stat. 4157; 40 U.S.C. 1003 note) is amended as follows:

(1) In subsection (a), by striking “of 1986” and inserting “(40 U.S.C. 1001 et seq.)”.

(2) In subsection (b), by striking “the Act” and all that follows through “1986” and inserting “the Commemorative Works Act”.

(3) In subsection (d), by striking “the Act referred to in section 4401(b))” and inserting “the Commemorative Works Act”.

**SEC. 109. ADVISORY COUNCIL ON HISTORIC PRESERVATION.**

The first sentence of section 205(g) of the National Historic Preservation Act (16 U.S.C. 470m(g)), as amended by section 509(c) of division I of the Omnibus Parks Act (110 Stat. 4157), is amended by striking “for the purpose.” and inserting “for that purpose.”.

**SEC. 110. GREAT FALLS HISTORIC DISTRICT, NEW JERSEY.**

Section 510(a)(1) of division I of the Omnibus Parks Act (110 Stat. 4158; 16 U.S.C. 461 note) is amended by striking “the contribution of our national heritage” and inserting “the contribution to our national heritage”.

**SEC. 111. NEW BEDFORD WHALING NATIONAL HISTORICAL PARK.**

(a) Section 511 of division I of the Omnibus Parks Act (110 Stat. 4159; 16 U.S.C. 410ddd) is amended as follows:

(1) In the section heading, by striking “NATIONAL HISTORIC LANDMARK DISTRICT” and inserting “WHALING NATIONAL HISTORICAL PARK”.

(2) In subsection (c)—

(A) in paragraph (1), by striking “certain districts structures, and relics” and inserting “certain districts, structures, and relics”; and

(B) in paragraph (2)(A)(i), by striking “The area included with the New Bedford National Historic Landmark District, known as the” and inserting “The area included within the New Bedford Historic District (a National Landmark District), also known as the”.

(3) In subsection (d)(2), by striking “to provide”.

(4) By redesignating the second subsection (e) and subsection (f) as subsections (f) and (g), respectively.

(5) In subsection (g), as so redesignated—

(A) in paragraph (1), by striking “section 3(D).” and inserting “subsection (d).”; and

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(B) in paragraph (2)(C), by striking “cooperative grants under subsection (d)(2).” and inserting “cooperative agreements under subsection (e)(2).”.

**SEC. 112. NICODEMUS NATIONAL HISTORIC SITE.**

Section 512(a)(1)(B) of division I of the Omnibus Parks Act (110 Stat. 4163; 16 U.S.C. 461 note) is amended by striking “African-Americans” and inserting “African-Americans”.

**SEC. 113. UNALASKA.**

Section 513(c) of division I of the Omnibus Parks Act (110 Stat. 4165; 16 U.S.C. 461 note) is amended by striking “whall be comprised” and inserting “shall be comprised”.

**SEC. 114. REVOLUTIONARY WAR AND WAR OF 1812 HISTORIC PRESERVATION STUDY.**

Section 603(d)(2) of division I of the Omnibus Parks Act (110 Stat. 4172; 16 U.S.C. 1a-5 note) is amended by striking “subsection (b) shall—” and inserting “paragraph (1) shall—”.

**SEC. 115. SHENANDOAH VALLEY BATTLEFIELDS.**

Section 606 of division I of the Omnibus Parks Act (110 Stat. 4175; 16 U.S.C. 461 note) is amended as follows:

(1) In subsection (d)—

(A) in paragraph (1), by striking “section 5.” and inserting “subsection (e).”;

(B) in paragraph (2), by striking “section 9.” and inserting “subsection (h).”; and

(C) in paragraph (3), by striking “Commission plan approved by the Secretary under section 6.” and inserting “plan developed and approved under subsection (f).”.

(2) In subsection (f)(1), by striking “this Act” and inserting “this section”.

(3) In subsection (g)—

(A) in paragraph (3), by striking “purposes of this Act” and inserting “purposes of this section”; and

(B) in paragraph (5), by striking “section 9.” and inserting “subsection (i).”.

(4) In subsection (h)(12), by striking “this Act” and inserting “this section”.

**SEC. 116. WASHITA BATTLEFIELD.**

Section 607 of division I of the Omnibus Parks Act (110 Stat. 4181; 16 U.S.C. 461 note) is amended—

(1) in subsection (c)(3), by striking “this Act” and inserting “this section”; and

(2) in subsection (d)(2), by striking “local land owners” and inserting “local landowners”.

**SEC. 117. SKI AREA PERMIT RENTAL CHARGE.**

Section 701 of division I of the Omnibus Parks Act (110 Stat. 4182; 16 U.S.C. 497c) is amended as follows:

(1) In subsection (b)(3), by striking “legislated by this Act” and inserting “required by this section”.

(2) In subsection (d)—

(A) in the matter preceding paragraph (1), by striking “formula of this Act” and inserting “formula of this section”;

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(B) in paragraphs (1), (2), and (3) and in the sentence below paragraph (3), by striking “this Act” each place it appears and inserting “this section”; and

(C) in the sentence below paragraph (3), by inserting “adjusted gross revenue for the” before “1994–1995 base year”.

(3) In subsection (f), by inserting inside the parenthesis “offered for commercial or other promotional purposes” after “complimentary lift tickets”.

(4) In subsection (i), by striking “this Act” and inserting “this section”.

#### **SEC. 118. GLACIER BAY NATIONAL PARK.**

Section 3 of Public Law 91-383 (16 U.S.C. 1a-2), as amended by section 703 of division I of the Omnibus Parks Act (110 Stat. 4185), is amended as follows:

(1) In subsection (g), by striking “bearing the cost of such exhibits and demonstrations;” and inserting “bearing the cost of such exhibits and demonstrations.”.

(2) By capitalizing the first letter of the first word in each of the subsections (a) through (i).

(3) By striking the semicolon at the end of each of the subsections (a) through (f) and at the end of subsection (h) and inserting a period.

(4) In subsection (i), by striking “; and” and inserting a period.

(5) By conforming the margins of subsection (j) with the margins of the preceding subsections.

#### **SEC. 119. ROBERT J. LAGOMARSINO VISITOR CENTER.**

Section 809(b) of division I of the Omnibus Parks Act (110 Stat. 4189; 16 U.S.C. 410ff note) is amended by striking “section 301” and inserting “subsection (a)”.

#### **SEC. 120. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.**

(a) TECHNICAL CORRECTIONS.—Section 814 of division I of the Omnibus Parks Act (110 Stat. 4190) is amended as follows:

16 USC 17o.

(1) In subsection (a) (16 U.S.C. 17o note)—

(A) in paragraph (6), by striking “this Act” and inserting “this section”;

(B) in paragraph (7)(B), by striking “COMPETITIVE LEASING.—” and inserting “COMPETITIVE LEASING.—”;

(C) in paragraph (9), by striking “granted by statue” and inserting “granted by statute”;

(D) in paragraph (11)(B)(ii), by striking “more cost effective” and inserting “more cost-effective”;

(E) in paragraph (13), by striking “paragraph (13),” and inserting “paragraph (12),”; and

(F) in paragraph (18), by striking “under paragraph (7)(A)(i)(I), any lease under paragraph (11)(B), and any lease of seasonal quarters under subsection (I),” and inserting “under paragraph (7)(A) and any lease under paragraph (11)”.

16 USC 470w-6.

(2) In subsection (d)(2)(E), by striking “is amended”.

(b) CHANGE TO PLURAL.—Section 7(c)(2) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9(c)(2)), as added by section 814(b) of the Omnibus Parks Act (110 Stat. 4194), is amended as follows:



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(1) In subparagraph (C), by striking “lands, water, and interest therein” and inserting “lands, waters, and interests therein”.

(2) In subparagraph (F), by striking “lands, water, or interests therein, or a portion of whose lands, water, or interests therein,” and inserting “lands, waters, or interests therein, or a portion of whose lands, waters, or interests therein,”.

(c) ADD MISSING WORD.—Section 2(b) of Public Law 101-337 (16 U.S.C. 19jj-1(b)), as amended by section 814(h)(3) of the Omnibus Parks Act (110 Stat. 4199), is amended by inserting “or” after “park system resource”.

**SEC. 121. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR.**

Section 6(d)(2) of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), as added by section 901(c) of division I of the Omnibus Parks Act (110 Stat. 4202), is amended by striking “may be made in the approval plan” and inserting “may be made in the approved plan”.

**SEC. 122. TALLGRASS PRAIRIE NATIONAL PRESERVE.**

Subtitle A of title X of division I of the Omnibus Parks Act is amended as follows:

(1) In section 1002(a)(4)(A) (110 Stat. 4204; 16 U.S.C. 689u(a)(4)(A)), by striking “to purchase” and inserting “to acquire”. 16 USC 698u.

(2) In section 1004(b) (110 Stat. 4205; 16 U.S.C. 689u-2(b)), by striking “of June 3, 1994,” and inserting “on June 3, 1994,”. 16 USC 698u-2.

(3) In section 1005 (110 Stat. 4205; 16 U.S.C. 689u-3)— 16 USC 698u-3.

(A) in subsection (d)(1), by striking “this Act” and inserting “this subtitle”; and

(B) in subsection (g)(3)(A), by striking “the tall grass prairie” and inserting “the tallgrass prairie”.

**SEC. 123. RECREATION LAKES.**

(a) TECHNICAL CORRECTIONS.—Section 1021(a) of division I of the Omnibus Parks Act (110 Stat. 4210; 16 U.S.C. 460l-10e note) is amended as follows:

(1) By striking “manmade lakes” both places it appears and inserting “man-made lakes”.

(2) By striking “for recreational opportunities at federally-managed” and inserting “for recreational opportunities at federally managed”.

(b) ADVISORY COMMISSION.—Section 13 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-10e), as added by section 1021(b) of the Omnibus Parks Act (110 Stat. 4210), is amended as follows:

(1) In subsection (b)(6), by striking “recreation related infrastructure.” and inserting “recreation-related infrastructure.”.

(2) In subsection (e)—

(A) by striking “water related recreation” in the first sentence and inserting “water-related recreation”;

(B) in paragraph (2), by striking “at federally-managed lakes” and inserting “at federally managed lakes”; and

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(C) by striking “manmade lakes” each place it appears and inserting “man-made lakes”.

**SEC. 124. FOSSIL FOREST PROTECTION.**

43 USC 1785. Section 103 of the San Juan Basin Wilderness Protection Act of 1984 (43 U.S.C. 178), as amended by section 1022(e) of the Omnibus Parks Act (110 Stat. 4213), is amended as follows:

(1) In subsections (b)(1) and (e)(1), by striking “Committee on Natural Resources” and inserting “Committee on Resources”.

(2) In subsection (e)(1), by striking “this Act” and inserting “this subsection”.

16 USC 1132  
note.

**SEC. 125. OPAL CREEK WILDERNESS AND SCENIC RECREATION AREA.**

Section 1023(c)(1)(A) of division I of the Omnibus Parks Act (110 Stat. 4215; 16 U.S.C. 545b(c)(1)(A)) is amended by striking “of 1964”.

**SEC. 126. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.**

Section 1029 of division I of the Omnibus Parks Act (110 Stat. 4232; 16 U.S.C. 460kkk) is amended as follows:

(1) In the section heading, by striking “RECREATION AREA” and inserting “NATIONAL RECREATION AREA”.

(2) In subsection (b)(1), by inserting quotation marks around the term “recreation area”.

(3) In subsection (e)(3)(B), by striking “subsections (b)(3), (4), (5), (6), (7), (8), (9), and (10).” and inserting “subparagraphs (C), (D), (E), (F), (G), (H), (I), and (J) of paragraph (2).”.

(4) In subsection (f)(2)(A)(i), by striking “profit sector roles” and inserting “private-sector roles”.

(5) In subsection (g)(1), by striking “and revenue raising activities.” and inserting “and revenue-raising activities.”.

(6) In subsection (h)(2), by striking “ration” and inserting “ratio”.

**SEC. 127. NATCHEZ NATIONAL HISTORICAL PARK.**

(a) TECHNICAL AMENDMENT.—Section 3(b)(1) of Public Law 100–479 (16 U.S.C. 410oo–2(b)(1)), as added by section 1030 of the Omnibus Parks Act (110 Stat. 4238), is amended by striking “and visitors’ center” and inserting “and visitor center”.

16 USC 410oo–2. (b) AMENDATORY INSTRUCTION.—Section 1030 of the Omnibus Parks Act (110 Stat. 4238) is amended by striking “after ‘SEC. 3.’;” and inserting “before ‘Except’;”.

**SEC. 128. REGULATION OF FISHING IN CERTAIN WATERS OF ALASKA.**

Section 1035 of division I of the Omnibus Parks Act (110 Stat. 2240) is amended as follows:

(1) In the section heading, by striking “REGULATIONS” and inserting “REGULATION”.

(2) In subsection (c), by striking “this Act” and inserting “this section”.

**SEC. 129. BOUNDARY REVISIONS.**

16 USC 460l–9. Section 814(b)(2)(G) of Public Law 104–333 is amended by striking “are adjacent to” and inserting “abut”.

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## TITLE II—TECHNICAL CORRECTIONS TO DIVISION II

### SEC. 201. NATIONAL COAL HERITAGE AREA.

Title I of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 104(4) (110 Stat. 4244), by striking “history preservation” and inserting “historic preservation”.

(2) In section 105 (110 Stat. 4244), by striking “paragraphs (2) and (5) of section 104” and inserting “paragraph (2) of section 104”.

(3) In section 106(a)(3) (110 Stat. 4244), by striking “or Secretary” and inserting “or the Secretary”.

### SEC. 202. TENNESSEE CIVIL WAR HERITAGE AREA.

Title II of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 201(b)(4) (110 Stat. 4245), by striking “and associated sites associated” and inserting “and sites associated”.

(2) In section 207(a) (110 Stat. 4248), by striking “as provide for” and inserting “as provided for”.

### SEC. 203. AUGUSTA CANAL NATIONAL HERITAGE AREA.

Section 301(1) of division II of the Omnibus Parks Act (110 Stat. 4249; 16 U.S.C. 461 note) is amended by striking “National Historic Register of Historic Places,” and inserting “National Register of Historic Places,”.

### SEC. 204. ESSEX NATIONAL HERITAGE AREA.

Section 501(a)(8) of division II of the Omnibus Parks Act (110 Stat. 4257; 16 U.S.C. 461 note) is amended by striking “a visitors’ center” and inserting “a visitor center”.

### SEC. 205. OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR.

Title VIII of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 805(b)(2) (110 Stat. 4269), by striking “One individuals,” and inserting “One individual,”.

(2) In section 808(a)(3)(A) (110 Stat. 4279), by striking “from the Committee.” and inserting “from the Committee,”.

### SEC. 206. HUDSON RIVER VALLEY NATIONAL HERITAGE AREA.

Section 908(a)(1)(B) of division II of the Omnibus Parks Act (110 Stat. 4279; 16 U.S.C. 461 note) is amended by striking “on nonfederally owned property” and inserting “for non-federally owned property”.

## TITLE III—TECHNICAL CORRECTIONS TO OTHER PUBLIC LAWS

### SEC. 301. REAUTHORIZATION OF DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY COMMISSION.

Effective as of November 6, 1998, section 507 of Public Law 105–355 (112 Stat. 3264; 16 U.S.C. 460o note) is amended by

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striking “Public Law 101-573” and inserting “Public Law 100-573”.

**SEC. 302. ARCHES NATIONAL PARK EXPANSION ACT OF 1998.**

Section 8 of Public Law 92-155 (16 U.S.C. 272g), as added by section 2(e)(2) of the Arches National Park Expansion Act of 1998 (Public Law 105-329; 112 Stat. 3062), is amended as follows:

(1) In subsection (b)(2), by striking “, described as lots 1 through 12 located in the S $\frac{1}{2}$ N $\frac{1}{2}$  and the N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$  of section 1, Township 25 South, Range 18 East, Salt Lake base and meridian.” and inserting “located in section 1, Township 25 South, Range 18 East, Salt Lake base and meridian, and more fully described as follows:

“(A) Lots 1 through 12.

“(B) The S $\frac{1}{2}$ N $\frac{1}{2}$  of such section.

“(C) The N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$  of such section.”; and

(2) By striking subsection (d).

**SEC. 303. DUTCH JOHN FEDERAL PROPERTY DISPOSITION AND ASSISTANCE ACT OF 1998.**

(a) TRANSFER OF JURISDICTION.—Section 6(b) of the Dutch John Federal Property Disposition and Assistance Act of 1998 (Public Law 105-326; 112 Stat. 3044) is amended as follows:

16 USC 460v  
note.

(1) By striking the subsection heading and inserting the following: “ADDITIONAL TRANSFERS OF ADMINISTRATIVE JURISDICTION.—”.

(2) By striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) TRANSFER FROM SECRETARY OF THE INTERIOR.—The Secretary of the Interior shall transfer to the Secretary of Agriculture administrative jurisdiction over approximately 2,167 acres of lands and interests in land located in Duchesne and Wasatch Counties, Utah, that were acquired by the Secretary of the Interior for the Central Utah Project, as depicted on the maps entitled—

“(A) the ‘Dutch John Townsite, Ashley National Forest, Lower Stillwater’, dated February 1997;

“(B) the ‘Dutch John Townsite, Ashley National Forest, Red Hollow (Diamond Properties)’, dated February 1997; and

“(C) the ‘Dutch John Townsite, Ashley National Forest, Coal Hollow (Current Creek Reservoir)’, dated February 1997.

“(2) TRANSFER FROM SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall transfer to the Secretary of the Interior administrative jurisdiction over approximately 2,450 acres of lands and interests in lands located in the Ashley National Forest, as depicted on the map entitled ‘Ashley National Forest, Lands to be Transferred to the Bureau of Reclamation (BOR) from the Forest Service’, dated February 1997.”.

(3) In paragraph (3)(A), by striking the second sentence and inserting the following new sentence: “The boundaries of the Ashley National Forest and the Uinta National Forest are hereby adjusted to reflect the transfers required by this section.”.

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(4) In paragraph (3)(B), by striking “The transferred lands” and inserting “The lands and interests in land transferred to the Secretary of Agriculture under paragraph (1)”.

(5) Section 10(g)(5)(A) of such Act (112 Stat. 3050) is amended by striking “Daggett County” and inserting “Dutch John”.

(b) **ELECTRIC POWER.**—Section 13(d) of such Act (112 Stat. 3053) is amended by striking paragraph (1) and inserting the following new paragraph:

16 USC 460v  
note.

“(1) **AVAILABILITY.**—The United States shall make available for the Dutch John community electric power and associated energy previously reserved from the Colorado River Storage Project for project use as firm electric service.”.

**SEC. 304. OREGON PUBLIC LANDS TRANSFER AND PROTECTION ACT OF 1998.**

Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022) is amended as follows:

(1) In subsection (a), by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(2) By striking subsection (b) and inserting the following new subsection:

“(b) **POLICY OF NO NET LOSS OF O & C LAND AND CBWR LAND.**—In carrying out sales, purchases, and exchanges of land in the geographic area, the Secretary shall ensure that on October 30, 2008, and on the expiration of each 10-year period thereafter, the number of acres of O & C land and CBWR land in the geographic area is not less than the number of acres of such land on October 30, 1998.”.

Deadline.

**SEC. 305. NATIONAL PARK FOUNDATION.**

Section 4 of Public Law 90–209 is amended—

16 USC 19h.

(1) by inserting “with or” between “practicable” and “without” in the final sentence thereof; and

(2) by adding at the end thereof a new sentence as follows: “Monies reimbursed to either Department shall be returned by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which such account is authorized.”.

**SEC. 306. NATIONAL PARKS OMNIBUS MANAGEMENT ACT OF 1998.**

Section 603(c)(1) of Public Law 105–391 is amended by striking “10” and inserting “15”.

16 USC 5993.

**SEC. 307. GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT.**

Section 201(d) of Public Law 105–355 is amended by inserting “and/or Tropic Utah,” after the words “school district, Utah,” and by striking “Public Purposes Act,” and the remainder of the sentence and inserting “Public Purposes Act.”.

16 USC 431 note.

**SEC. 308. SPIRIT MOUND.**

Section 112(a) of division C of Public Law 105–277 (112 Stat. 2681–592) is amended—

(1) by striking “is authorized to acquire” and inserting “is authorized: (1) to acquire”;

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(2) by striking “South Dakota.” and inserting “South Dakota; or”; and

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

“(2) to transfer available funds for the acquisition of the tract to the State of South Dakota upon the completion of a binding agreement with the State to provide for the acquisition and long-term preservation, interpretation, and restoration of the Spirit Mound tract.”.

**SEC. 309. AMERICA’S AGRICULTURAL HERITAGE PARTNERSHIP ACT AMENDMENT.**

16 USC 461 note. Section 702(5) of division II of the Public Law 104-333 (110 Stat. 4265), is amended by striking “Secretary of Agriculture” and inserting “Secretary of the Interior”.

16 USC 460l-6a note.

**SEC. 310. NATIONAL PARK SERVICE ENTRANCE AND RECREATIONAL USE FEES.**

(a) The Secretary of the Interior is authorized to retain and expend revenues from entrance and recreation use fees at units of the National Park System where such fees are collected under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-6a), notwithstanding the provisions of section 4(i) of such Act. Fees shall be retained and expended in the same manner and for the same purposes as provided under the Recreational Fee Demonstration Program (section 315 of Public Law 104-134, as amended (16 U.S.C. 460l-6a note)).

(b) Nothing in this section shall affect the collection of fees at units of the National Park System designated as fee demonstration projects under the Recreational Fee Demonstration Program.

Expiration date.

(c) The authorities in this section shall expire upon the termination of the Recreational Fee Demonstration Program.

**SEC. 311. NATIONAL PARKS OMNIBUS MANAGEMENT ACT OF 1998.**

Section 404 of the National Parks Omnibus Management Act of 1998 (Public Law 105-391; 112 Stat. 3508; 16 U.S.C. 5953) is amended by striking “contract terms and conditions,” and inserting “contract terms and conditions,”.

Approved March 10, 2000.

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**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106-17 (Comm. on Resources).

SENATE REPORTS: No. 106-125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



## XXV. EXECUTIVE ORDERS

**No. 13221**

July 31, 2001, 66 F.R. 40571

### **Energy Efficient Standby Power Devices**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Energy Conservation Policy Act (Public Law 95–619, 92 Stat. 3206, 42 U.S.C. 8252 *et seq.*), as amended by the Energy Policy Act of 1992 (EPACT) (Public Law 102–486, 106 Stat. 2776), and section 301 of title 3, United States Code, and in order to further encourage energy conservation by the Federal Government, it is hereby ordered as follows:

**Section 1. *Energy Efficient Standby Power Devices.*** Each agency, when it purchases commercially available, off-the-shelf products that use external standby power devices, or that contain an internal standby power function, shall purchase products that use no more than one watt in their standby power consuming mode. If such products are not available, agencies shall purchase products with the lowest standby power wattage while in their standby power consuming mode. Agencies shall adhere to these requirements, when life-cycle cost-effective and practicable and where the relevant product's utility and performance are not compromised as a result. By December 31, 2001, and on an annual basis thereafter, the Department of Energy, in consultation with the Department of Defense and the General Services Administration, shall compile a preliminary list of products to be subject to these requirements. The Department of Energy shall finalize the list and may remove products deemed inappropriate for listing.

**Sec. 2. *Independent Agencies.*** Independent agencies are encouraged to comply with the provisions of this order.

**Sec. 3. *Definition.*** “Agency” means an executive agency as defined in 5 U.S.C. 105. For the purpose of this order, military departments, as defined in 5 U.S.C. 102, are covered by the Department of Defense.

George W. Bush

THE WHITE HOUSE,  
*July 31, 2001.*

**No. 13225**

September 28, 2001, 66 F.R. 50291

**Continuance of Certain  
Federal Advisory Committees**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

**Section 1.** Each advisory committee listed below is continued until September 30, 2003.

(a) Committee for the Preservation of the White House; Executive Order 11145, as amended (Department of the Interior).

(b) Federal Advisory Council on Occupational Safety and Health; Executive Order 12196, as amended (Department of Labor).

(c) President's Advisory Commission on Educational Excellence for Hispanic Americans; Executive Order 12900 (Department of Education).

(d) President's Board of Advisors on Historically Black Colleges and Universities; Executive Order 13021, as amended, (Department of Education).

(e) President's Board of Advisors on Tribal Colleges and Universities; Executive Order 13021, as amended (Department of Education).

(f) President's Commission on White House Fellowships; Executive Order 11183, as amended (Office of Personnel Management).

(g) President's Committee on the Arts and the Humanities; Executive Order 12367, as amended (National Endowment for the Arts).

(h) President's Committee on the International Labor Organization; Executive Order 12216, as amended (Department of Labor).

(i) President's Committee on the National Medal of Science; Executive Order 11287, as amended (National Science Foundation).

(j) President's Committee on Mental Retardation; Executive Order 12994 (Department of Health and Human Services).

(k) President's Council on Physical Fitness and Sports; Executive Order 12345, as amended (Department of Health and Human Services).

(l) President's Export Council; Executive Order 12131, as amended (Department of Commerce).

(m) President's National Security Telecommunications Advisory Committee; Executive Order 12382, as amended (Department of Defense).

(n) Trade and Environment Policy Advisory Committee; Executive Order 12905 (Office of the United States Trade Representative).

**Sec. 2.** Notwithstanding the provisions of any other Executive Order, the functions of the President under the Federal Advisory Committee Act that are applicable to the committees listed in section 1 of this order shall be performed by the head of the department or agency designated after each committee, in accordance with the guidelines and procedures established by the Administrator of General Services.

**Sec. 3.** The following Executive Orders, or sections thereof, which established committees that have terminated and whose work is completed, are revoked:

(a) Sections 3 and 4 of Executive Order 13134 pertaining to the establishment and administration of the Advisory Committee on Biobased



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Products and Bioenergy, superseded by the Biomass Research and Development Technical Advisory Committee established pursuant to section 306 of the Biomass Research and Development Act of 2000 (Title III of Public Law 106–224);

(b) Executive Order 13080, establishing the American Heritage Rivers Initiative Advisory Committee;

(c) Executive Order 13090, as amended by Executive Order 13136, establishing the President's Commission on the Celebration of Women in American History;

(d) Executive Order 13168, establishing the President's Commission on Improving Economic Opportunity in Communities Dependent on Tobacco Production While Protecting Public Health; and

(e) Executive Order 13075, establishing the Special Oversight Board for Department of Defense Investigations of Gulf War Chemical and Biological Incidents.

**Sec. 4.** Sections 1 through 4 of Executive Order 13138 are superseded.

**Sec. 5.** This order shall be effective September 30, 2001.

George W. Bush

THE WHITE HOUSE,  
*September 28, 2001.*

**No. 13258**

February 26, 2002, 67 F.R. 9385

**Amending Executive Order 12866  
on Regulatory Planning and Review**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered that Executive Order 12866, of September 30, 1993, is amended as follows:

**Section 1.** Section (2)(b) is amended by striking “, the Vice President, and other regulatory policy advisors” and inserting in lieu thereof “and regulatory policy advisors”.

**Sec. 2.** Section (2)(c) is amended by:

- (a) striking in the heading the words “The Vice President” and inserting in lieu thereof “Assistance”;
- (b) striking the sentence that begins “The Vice President is”;
- (c) striking “In fulfilling their responsibilities” and inserting in lieu thereof “In fulfilling his responsibilities”; and
- (d) striking “and the Vice President” both times it appears.

**Sec. 3.** Section 3(a) is amended by:

- (a) striking “and Vice President”;
- (b) striking “the Assistant to the President for Science and Technology” and inserting in lieu thereof “the Director of the Office of Science and Technology Policy”;
- (c) striking “the Assistant to the President for Intergovernmental Affairs” and inserting in lieu thereof “the Deputy Assistant to the President and Director for Intergovernmental Affairs”;
- (d) striking “the Deputy Assistant to the President and Director of the White House Office of Environmental Policy” and inserting in lieu thereof “the Chairman of the Council on Environmental Quality and Director of the Office of Environmental Quality”; and
- (e) striking “and (12)” and inserting in lieu thereof “(12) the Assistant to the President for Homeland Security; and (13)”.

**Sec. 4.** Section 4(a) is amended by striking “the Vice President shall convene” and inserting in lieu thereof “the Director shall convene”.

**Sec. 5.** Section 4(c)(3) is amended by striking “, the Advisors, and the Vice President” and inserting in lieu thereof “and the Advisors”.

**Sec. 6.** Section 4(c)(4) is amended by striking “, the Advisors, and the Vice President” and inserting in lieu thereof “and the Advisors”.

**Sec. 7.** Section 4(c)(5) is amended by striking “, the Advisors, and the Vice President” and inserting in lieu thereof “and the Advisors”.

**Sec. 8.** Section 4(c)(6) is amended by striking “Vice President, with the Advisors’ assistance,” and inserting in lieu thereof “Director”.

**Sec. 9.** Section 4(d) is amended by:

- (a) striking “, the Advisors, and the Vice President” and inserting in lieu thereof “and the Advisors”; and
- (b) striking “periodically advise the Vice President” and inserting in lieu thereof “periodically advise the Director”.

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**Sec. 10.** Section 5(c) is amended by striking “Vice President” and inserting in lieu thereof “Director”.

**Sec. 11.** Section 6(b)(4)(C)(i) is amended by striking “Vice Presidential and”.

**Sec. 12.** Section 7 is amended by:

(a) striking “resolved by the President, or by the Vice President acting at the request of the President” and inserting in lieu thereof “resolved by the President, with the assistance of the Chief of Staff to the President (“Chief of Staff”);

(b) striking “Vice Presidential and Presidential consideration” and inserting in lieu thereof “Presidential consideration”;

(c) striking “recommendations developed by the Vice President” and inserting in lieu thereof “recommendations developed by the Chief of Staff”;

(d) striking “Vice Presidential and Presidential review period” and inserting in lieu thereof “Presidential review period”;

(e) striking “or to the staff of the Vice President” and inserting in lieu thereof “or to the staff of the Chief of Staff”;

(f) striking “the President, or the Vice President acting at the request of the President, shall notify” and insert in lieu thereof “the President, or the Chief of Staff acting at the request of the President, shall notify”.

**Sec. 13.** Section 7 is also amended in the first paragraph by inserting the designation “(a)” after the words “Resolution of Conflicts.”, and by designating the following three paragraphs as “(b)”, “(c)”, and “(d)” in order.

**Sec. 14.** Section 8 is amended by striking “Vice President” both times it appears and inserting in lieu thereof “Director”.

George W. Bush

THE WHITE HOUSE,  
*February 26, 2002.*

**No. 13272**

August 13, 2002, 67 F.R. 53461

**Proper Consideration of Small Entities  
in Agency Rulemaking**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. *General Requirements.*** Each agency shall establish procedures and policies to promote compliance with the Regulatory Flexibility Act, as amended (5 U.S.C. 601 et seq.) (the “Act”). Agencies shall thoroughly review draft rules to assess and take appropriate account of the potential impact on small businesses, small governmental jurisdictions, and small organizations, as provided by the Act. The Chief Counsel for Advocacy of the Small Business Administration (Advocacy) shall remain available to advise agencies in performing that review consistent with the provisions of the Act.

**Sec. 2. *Responsibilities of Advocacy.*** Consistent with the requirements of the Act, other applicable law, and Executive Order 12866 of September 30, 1993, as amended, Advocacy:

(a) shall notify agency heads from time to time of the requirements of the Act, including by issuing notifications with respect to the basic requirements of the Act within 90 days of the date of this order;

(b) shall provide training to agencies on compliance with the Act; and

(c) may provide comment on draft rules to the agency that has proposed or intends to propose the rules and to the Office of Information and Regulatory Affairs of the Office of Management and Budget (OIRA).

**Sec. 3. *Responsibilities of Federal Agencies.*** Consistent with the requirements of the Act and applicable law, agencies shall:

(a) Within 180 days of the date of this order, issue written procedures and policies, consistent with the Act, to ensure that the potential impacts of agencies’ draft rules on small businesses, small governmental jurisdictions, and small organizations are properly considered during the rulemaking process. Agency heads shall submit, no later than 90 days from the date of this order, their written procedures and policies to Advocacy for comment. Prior to issuing final procedures and policies, agencies shall consider any such comments received within 60 days from the date of the submission of the agencies’ procedures and policies to Advocacy. Except to the extent otherwise specifically provided by statute or Executive Order, agencies shall make the final procedures and policies available to the public through the Internet or other easily accessible means;

(b) Notify Advocacy of any draft rules that may have a significant economic impact on a substantial number of small entities under the Act. Such notifications shall be made (i) when the agency submits a draft rule to OIRA under Executive Order 12866 if that order requires such submission, or (ii) if no submission to OIRA is so required, at a reasonable time prior to publication of the rule by the agency; and

(c) Give every appropriate consideration to any comments provided by Advocacy regarding a draft rule. Consistent with applicable law and appropriate protection of executive deliberations and legal privileges, an agency shall include, in any explanation or discussion accompanying publication in the **Federal Register** of a final rule, the agency’s response to any written comments submitted by Advocacy

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on the proposed rule that preceded the final rule; provided, however, that such inclusion is not required if the head of the agency certifies that the public interest is not served thereby.

Agencies and Advocacy may, to the extent permitted by law, engage in an exchange of data and research, as appropriate, to foster the purposes of the Act.

**Sec. 4. *Definitions.*** Terms defined in section 601 of title 5, United States Code, including the term “agency,” shall have the same meaning in this order.

**Sec. 5. *Preservation of Authority.*** Nothing in this order shall be construed to impair or affect the authority of the Administrator of the Small Business Administration to supervise the Small Business Administration as provided in the first sentence of section 2(b)(1) of Public Law 85–09536 (15 U.S.C. 633(b)(1)).

**Sec. 6. *Reporting.*** For the purpose of promoting compliance with this order, Advocacy shall submit a report not less than annually to the Director of the Office of Management and Budget on the extent of compliance with this order by agencies.

**Sec. 7. *Confidentiality.*** Consistent with existing law, Advocacy may publicly disclose information that it receives from the agencies in the course of carrying out this order only to the extent that such information already has been lawfully and publicly disclosed by OIRA or the relevant rulemaking agency.

**Sec. 8. *Judicial Review.*** This order is intended only to improve the internal management of the Federal Government. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

George W. Bush

THE WHITE HOUSE,  
August 13, 2002.