

Calendar No. 72

104TH CONGRESS }
1st Session }

SENATE

{ REPORT
{ 104-50

MINOR BOUNDARY ADJUSTMENTS AND MISCELLANEOUS PARK AMENDMENTS ACT OF 1995

APRIL 18, 1995.—Ordered to be printed

Filed under authority of the order of the Senate of April 7 (legislative day, April 5), 1995

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 694]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 694) entitled the "Minor Boundary Adjustments and Miscellaneous Park Amendments Act of 1995," having considered the same, reports favorably thereon with an amendment and recommends that the Act, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Minor Boundary Adjustments and Miscellaneous Park Amendments Act of 1995".

TITLE I—MINOR BOUNDARY ADJUSTMENTS

SEC. 101. YUCCA HOUSE NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

(a) **IN GENERAL.**—The boundaries of Yucca House National Monument are revised to include the approximately 24.27 acres of land generally depicted on the map entitled "Boundary-Yucca House National Monument, Colorado", numbered 318/80,001-B, and dated February 1990.

(b) **MAP.**—The map referred to in subsection (a) shall be on file and available for public inspection in appropriate offices of the National Park Service of the Department of the Interior.

(c) **ACQUISITION.**—(1) Within the lands described in subsection (a), the Secretary of the Interior may acquire lands and interests in lands by donation.

(2) The Secretary of the Interior may pay administrative costs arising out of any donation described in paragraph (1) with appropriated funds.

SEC. 102. ZION NATIONAL PARK BOUNDARY ADJUSTMENT.

(a) **ACQUISITION AND BOUNDARY CHANGE.**—The Secretary of the Interior is authorized to acquire by exchange approximately 5.48 acres located in the SW $\frac{1}{4}$ of Section 28, Township 41 South, Range 10 West, Salt Lake Base and Meridian. In exchange therefor the Secretary is authorized to convey all right, title and interest of the United States in and to approximately 5.51 acres in Lot 2 of Section 5, Township 41 South, Range 11 West, both parcels of land being in Washington County, Utah. Upon completion of such exchange, the Secretary is authorized to revise the boundary of Zion National Park to add the 5.48 acres in Section 28 to the park and to exclude the 5.51 acres in Section 5 from the park. Land added to the park shall be administered as part of the park in accordance with the laws and regulations applicable thereto.

(b) **EXPIRATION.**—The authority granted by this section shall expire two years after the date of the enactment of this Act.

SEC. 103. PICTURED ROCKS NATIONAL LAKESHORE BOUNDARY ADJUSTMENT.

The boundary of Pictured Rocks National Lakeshore is hereby modified as depicted on a map entitled "Area Proposed for Addition to Pictured Rocks National Lakeshore", numbered 625-80,043A and dated July 1992.

SEC. 104. INDEPENDENCE NATIONAL HISTORICAL PARK BOUNDARY ADJUSTMENT.

The administrative boundary between Independence National Historical Park and the United States Customs House along the Moravian Street Walkway in Philadelphia, Pennsylvania, is hereby modified as generally depicted on the drawing entitled "Exhibit 1, Independence National Historical Park, Boundary Adjustment", and dated May 1987, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The Secretary of the Interior is authorized to accept and transfer jurisdiction over property in accord with such administrative boundary, as modified by this section.

SEC. 105. CRATERS OF THE MOON NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

(a) **BOUNDARY REVISION.**—The boundary of Craters of the Moon National Monument, Idaho, is revised to add approximately 210 acres and to delete approximately 315 acres as generally depicted on the map entitled "Craters of the Moon National Monument, Idaho, Proposed 1987 Boundary Adjustment", numbered 131-80,008, and dated October 1987, which map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(b) **ADMINISTRATION AND ACQUISITION.**—Federal lands and interests therein deleted from the boundary of the national monument by this section shall be administered by the Secretary of the Interior through the Bureau of Land Management in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and Federal lands and interests therein added to the national monument by this section shall be administered by the Secretary as part of the national monument, subject to the laws and regulations applicable thereto. The Secretary is authorized to acquire private lands and interests therein within the boundary of the national monument by donation, purchase with donated or appropriated funds, or exchange, and when acquired they shall be administered by the Secretary as part of the national monument, subject to the laws and regulations applicable thereto.

SEC. 106. HAGERMAN FOSSIL BEDS NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

Section 302 of the Arizona-Idaho Conservation Act of 1988 (102 Stat. 4576) is amended by adding the following new subsection:

"(d) To further the purposes of the monument, the Secretary is also authorized to acquire from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange not to exceed 65 acres outside the boundary depicted on the map referred to in section 301 and develop and operate thereon research, interpretive, and administrative facilities. Lands acquired and facilities developed pursuant to this subsection shall be administered by the Secretary as part of the monument. The boundary of the monument shall be modified to include the lands added under this subsection as a noncontiguous parcel."

SEC. 107. WUPATKI NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

The boundary of the Wupatki National Monument, Arizona, is hereby revised to include the lands and interests in lands within the area generally depicted as "Proposed Addition 168.89 Acres" on the map entitled "Boundary—Wupatki and Sunset Crater National Monuments, Arizona", numbered 322-80,021, and dated April 1989. The map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. Subject to valid existing rights, Federal lands, and interests therein within the area added to the monument by this section are hereby transferred without monetary consideration or reimbursement to

the administrative jurisdiction of the National Park Service, to be administered as part of the monument in accordance with the laws and regulations applicable thereto.

SEC. 108. NEW RIVER GORGE NATIONAL RIVER.

Section 1101 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-15) is amended by striking out "NERI-80,023, dated January 1987" and inserting "NERI-80,028, dated January 1993".

SEC. 109. GAULEY RIVER NATIONAL RECREATION AREA.

(a) Section 201(b) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww(b)) is amended by striking out "NRA-GR/20,000A and dated July 1987" and inserting "GARI-80,001 and dated January 1993".

(b) Section 205(c) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww-4(c)) is amended by adding the following at the end thereof: "If project construction is not commenced within the time required in such license, or if such license is surrendered at any time, such boundary modification shall cease to have any force and effect."

SEC. 110. BLUESTONE NATIONAL SCENIC RIVER.

Section 3(a)(65) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(65)) is amended by striking out "WSR-BLU/20,000, and dated January 1987" and inserting "BLUE-80,004, and dated January 1993".

TITLE II—MISCELLANEOUS SPECIFIC PARK AMENDMENTS

SEC. 201. ADVISORY COMMISSIONS.

(a) KALOKO-HONOKOHOU NATIONAL HISTORICAL PARK.—(1) This subsection may be cited as the "Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1995".

(2) Notwithstanding section 505(f)(7) of Public Law 95-625 (16 U.S.C. 396d(7)), the Na Hoa Pili O Kaloko-Honokohau, the Advisory Commission for Kaloko-Honokohau National Historical Park, is hereby re-established in accordance with section 505(f), as amended by paragraph (3) of this section.

(3) Section 505(f)(7) of Public Law 95-625 (16 U.S.C. 396d(7)), is amended by striking "this Act" and inserting in lieu thereof, "the Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1995".

(b) WOMEN'S RIGHTS NATIONAL HISTORICAL PARK.—(1) This subsection may be cited as the "Women's Rights National Historical Park Advisory Commission Re-establishment Act of 1995".

(2) Notwithstanding section 1601(h)(5) of Public Law 96-607 (16 U.S.C. 4101(h)(5)), the advisory commission for "Women's Rights National Historical Park is hereby re-established in accordance with section 1601(h), as amended by paragraph (3) of this section.

Section 1601(h)(5) of Public Law 96-607 (16 U.S.C. 4101(c)(5)), is amended by striking "this section" and inserting in lieu thereof, "the Women's Rights National Historical Park Advisory Commission Re-establishment Act of 1995".

SEC. 202. AMENDMENT TO BOSTON NATIONAL HISTORIC PARK ACT.

Section 3(b) of the Boston National Historic Park Act of 1974 (16 U.S.C. 410z-1(b)) is amended by inserting "(1)" before the first sentence thereof and by adding the following at the end thereof:

"(2) The Secretary of the Interior is authorized to enter into a cooperative agreement with the Boston Public Library to provide for the distribution of informational and interpretive materials relating to the park and to the Freedom Trail."

SEC. 203. CUMBERLAND GAP NATIONAL HISTORICAL PARK.

(a) REMOVAL OF RESTRICTIONS.—The first section of the Act of June 11, 1940, entitled "An Act to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia" (54 Stat. 262; 16 U.S.C. 261 et seq.) is amended by striking out everything after the words "Cumberland Gap National Historical Park" and inserting a period.

(b) USE OF APPROPRIATED FUNDS.—Section 3 of such Act (16 U.S.C. 263) is amended by inserting "or with funds that may be from time to time appropriated for the purpose," after "funds,".

SEC. 204. WILLIAM O. DOUGLAS OUTDOOR CLASSROOM.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, is authorized to enter into cooperative agreements, as specified in subsection (b), relating to Santa Monica Mountains National Recreation Area

(hereafter in this Act referred to as the "recreation area") in accordance with this section.

(b) COOPERATIVE AGREEMENTS.—The cooperative agreements referred to in subsection (a) are as follows:

(1) A cooperative agreement with appropriate organizations or groups in order to promote education concerning the natural and cultural resources of the recreation area and lands adjacent thereto. Any agreement entered into pursuant to this paragraph—

(A) may provide for Federal matching grants of not more than 50 percent of the total of cost of providing a program of such education;

(B) shall provide for visits by students or other beneficiaries to federally owned lands within the recreation area;

(C) shall limit the responsibility of the Secretary to providing interpretation services concerning the natural and cultural resources of the recreation area; and

(D) shall provide that the non-Federal party shall be responsible for any cost of carrying out the agreement other than the cost of providing interpretation services under subparagraph (C).

(2) A cooperative agreement under which—

(A) the Secretary agrees to maintain the facilities at 2600 Franklin Canyon Drive in Beverly Hills, California, for a period of 8 fiscal years beginning with the first fiscal year for which funds are appropriated pursuant to this section, and to provide funding for programs of the William O. Douglas Outdoor Classroom or its successors in interest that utilize those facilities during such period; and in return—

(B) The William O. Douglas Outdoor Classroom, for itself and any successors in interest with respect to such facilities, agrees that at the end of the term of such agreement all right, title, and interest in and to such facilities will be donated to the United States for addition to and operation as a part of the recreation area.

(c) EXPENDITURE OF FUNDS.—Federal funds may be expended on non-Federal property located within the recreation area pursuant to the cooperative agreement described in subsection (b)(2).

(d) LIMITATIONS.—(1) The Secretary may not enter into the cooperative agreement described in subsection (b)(2) unless and until the Secretary determines that acquisition of the facilities described in such subsection would further the purposes of the recreation area.

(2) This section shall not be construed as authorizing an agreement by the Secretary for reimbursement of expenses incurred by the William O. Douglas Outdoor Classroom or any successor in interest that are not directly related to the use of such facilities for environmental education and interpretation of the resources and values of the recreation area and associated lands and resources.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the 8-year period beginning October 1, 1995, not to exceed \$2,000,000 to carry out this section.

SEC. 205. MISCELLANEOUS PROVISIONS.

(a) NEW RIVER CONFORMING AMENDMENTS.—Title XI of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m–15 et seq.) is amended by adding the following new section at the end thereof:

"SEC. 1117. APPLICABLE PROVISIONS OF OTHER LAW.

"(a) COOPERATIVE AGREEMENTS.—The provisions of section 202(e)(1) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww–1(e)(1)) shall apply to the New River Gorge National River in the same manner and to the same extent as such provisions apply to the Gauley River National Recreation Area.

"(b) REMNANT LANDS.—The provisions of the second sentence of section 203(a) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww–2(a)) shall apply to tracts of land partially within the boundaries of the New River Gorge National River in the same manner and to the same extent as such provisions apply to tracts of lands only partially within the Gauley River National Recreation Area."

(b) BLUESTONE RIVER CONFORMING AMENDMENTS.—Section 3(a)(65) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(65)) is amended by striking "leases" in the fifth sentence and inserting in lieu thereof "the lease" and in the seventh sentence by striking "such management may be continued pursuant to renewal of such lease agreement. If requested to do so by the State of West Virginia, the Secretary may terminate such leases and assume administrative authority over the areas concerned," and inserting in lieu thereof the following: "if the State of West Virginia

so requests, the Secretary shall renew such lease agreement with the same terms and conditions as contained in such lease agreement on the date of enactment of this paragraph under which such State management shall be continued pursuant to such renewal. If requested to do so by the State of West Virginia, or as provided in such lease agreement, the Secretary may terminate or modify the lease and assume administrative authority over all or part of the areas concerned.”.

SEC. 206. GAULEY ACCESS.

Section 202(e) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww-1(e)) is amended by adding the following new paragraph at the end thereof:

“(4) ACCESS TO RIVER.—Within 90 days after the date of enactment of this subsection, the Secretary shall submit a report to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate setting forth a plan to provide river access for noncommercial recreational users within the Gauley River National Recreation Area. The plan shall provide that such access shall utilize existing public roads and rights-of-way to the maximum extent feasible and shall be limited to providing access for such non-commercial users.”.

SEC. 207. VISITOR CENTER.

The Secretary of the Interior is authorized to construct a visitor center and such other related facilities as may be deemed necessary to facilitate visitor understanding and enjoyment of the New River Gorge National River and the Gauley River National Recreation Area in the vicinity of the confluence of the New and Gauley River. Such center and related facilities are authorized to be constructed at a site outside of the boundary of the New River Gorge National River or the Gauley River National Recreation Area unless a suitable site is available within the boundaries of either unit.

SEC. 208. EXTENSION.

For a 5-year period following the date of enactment of this Act, the provisions of the Wild and Scenic Rivers Act applicable to river segments designated for study for potential addition to the wild and scenic rivers system under section 5(b) of that Act shall apply to those segments of the Bluestone and Meadow Rivers which were found eligible in the studies completed by the National Park Service in August 1983 but which were not designated by the West Virginia National Interest River Conservation Act of 1987 as part of the Bluestone National Scenic River or as part of the Gauley River National Recreation Area, as the case may be.

SEC. 209. BLUESTONE RIVER PUBLIC ACCESS.

Section 3(a)(65) of the Wild and Scenic Rivers Act (16 U.S.C. 1271 and following) is amended by adding the following at the end thereof: “In order to provide reasonable public access and vehicle parking for public use and enjoyment of the river designated by this paragraph, consistent with the preservation and enhancement of the natural and scenic values of such river, the Secretary may, with the consent of the owner thereof, negotiate a memorandum of understanding or cooperative agreement, or acquire such lands or interests in such lands, or both, as may be necessary to allow public access to the Bluestone River and to provide, outside the boundary of the scenic river, parking and related facilities in the vicinity of the area known as Eads Mill.”.

TITLE III—GENERAL AUTHORIZATIONS AND REPEALERS

SEC. 301. LIMITATION ON PARK BUILDINGS.

The 10th undesignated paragraph (relating to a limitation on the expenditure of funds for park buildings) under the heading “MISCELLANEOUS OBJECTS, DEPARTMENT OF THE INTERIOR”, which appears under the heading “UNDER THE DEPARTMENT OF THE INTERIOR”, as contained in the first section of the Act of August 24, 1912 (37 Stat. 460), as amended (16 U.S.C. 451), is hereby repealed.

SEC. 302. APPROPRIATIONS FOR TRANSPORTATION OF CHILDREN.

The first section of the Act of August 7, 1946 (16 U.S.C. 17j-2), is amended by adding at the end the following:

“(j) Provide transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service.”.

SEC. 303. FEDERAL BURROS AND HORSES.

Section 9 of the Act of December 15, 1971 (16 U.S.C. 1338a), is amended by adding at the end thereof the following: "Nothing in this Act shall be deemed to limit the authority of the Secretary in the management of units of the National Park System, and the Secretary may, without regard either to the provisions of this Act, or section 47(a) of title 18, United States Code, use motor vehicles, fixed-wing aircraft and helicopters, or contract for such use, in furtherance of the management of the National Park System, and the provisions of section 47(a) of title 18, United States Code, shall not be applicable to such use."

SEC. 304. AUTHORITIES OF THE SECRETARY OF THE INTERIOR RELATING TO MUSEUMS.

(a) FUNCTIONS.—The Act entitled "An Act to increase the public benefits from the National Park System by facilitating the management of museum properties relating thereto, and for other purposes" approved July 1, 1955 (16 U.S.C. 18f), is amended—

- (1) in paragraph (b) of the first section, by striking out "from such donations and bequests of money"; and
- (2) by adding at the end thereof the following:

"SEC. 2. ADDITIONAL FUNCTIONS.

"(a) In addition to the functions specified in the first section of this Act, the Secretary of the Interior may perform the following functions in such manner as he shall consider to be in the public interest:

"(1) Transfer museum objects and museum collections that the Secretary determines are no longer needed for museum purposes to qualified Federal agencies that have programs to preserve and interpret cultural or natural heritage, and accept the transfer of museum objects and museum collections for the purposes of this Act from any other Federal money, without reimbursement. The head of any other Federal agency may transfer, without reimbursement, museum objects and museum collections directly to the administrative jurisdiction of the Secretary of the Interior for the purposes of this Act.

"(2) Convey museum objects and museum collections that the Secretary determines are no longer for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary deems necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and to on-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection.

"(3) Destroy or cause to be destroyed museum objects and museum collections that the Secretary determines to have no scientific, cultural, historical, educational, esthetic, or monetary value.

"(b) The Secretary shall ensure that museum objects and museum collections are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (a), the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under this section."

(b) APPLICATION AND DEFINITIONS.—The Act entitled "An Act to increase the public benefits from the National Park System by facilitating the management of museum properties relating thereto, and for other purposes" approved July 1, 1955 (16 U.S.C. 18f), as amended by subsection (a), is further amended by adding the following:

"SEC. 3. APPLICATION AND DEFINITIONS.

"(a) APPLICATION.—Authorities in this Act shall be available to the Secretary of the Interior with regard to museum objects and museum collections that were under the administrative jurisdiction of the Secretary for purposes of the National Park System before the date of enactment of this section as well as those museum objects and museum collections that may be acquired on or after such date.

"(b) DEFINITIONS.—For the purposes of this Act, the terms "museum objects" and "museum collections" means objects that are eligible to be or are made part of a museum, library, or archive collection through a formal procedure, such as accessioning. Such objects are usually movable and include but are not limited to prehistoric and historic artifacts, works of art, books, documents, photographs, and natural history specimens."

SEC. 305. VOLUNTEERS IN THE PARKS INCREASE.

Section 4 of the Volunteers in the Parks Act of 1969 (16 U.S.C. 18j) is amended by striking out "\$1,000,000" and inserting in lieu thereof "\$1,750,000".

SEC. 306. COOPERATIVE AGREEMENTS FOR RESEARCH PURPOSES.

Section 3 of the Act entitled "An Act to improve the administration of the National Park System by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes" approved August 18, 1970 (16 U.S.C. 1a-2), is amended—

(1) in paragraph (i), by striking out the period at the end thereof and inserting in lieu thereof "; and"; and

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

"(j) enter into cooperative agreements with public or private educational institutions, States, and their political subdivisions, or private conservation organizations for the purpose of developing adequate, coordinated, cooperative research and training programs concerning the resources of the National Park System, and, pursuant to such agreements, to accept from and make available to the cooperator such technical and support staff, financial assistance for mutually agreed upon research projects, supplies and equipment, facilities, and administrative services relating to cooperative research units as the Secretary deems appropriate; except that this paragraph shall not waive any requirements for research projects that are subject to the Federal procurement regulations."

SEC. 307. CARL GARNER FEDERAL LANDS CLEANUP DAY.

The Federal Lands Cleanup Act of 1985 (Public Law 99-402; 36 U.S.C. 169i-169i-1) is amended by striking the terms "Federal Lands Cleanup Day" or "Federal Lands National Cleanup Day" each place they occur and inserting in lieu thereof, "Carl Garner Federal Lands Cleanup Day".

SEC. 308. CORINTH INTERPRETIVE CENTER.

(a) **SHORT TITLE.**—This section may be cited as the "Corinth, Mississippi, Battlefield Act of 1995".

(b) **FINDINGS.**—The Congress finds that—

(1) the 14 sites located in the vicinity of Corinth, Mississippi, that were designated as a National Historic Landmark by the Secretary of the Interior in 1991 represent nationally significant events in the Siege and Battle of Corinth during the Civil War; and

(2) the National Historic Landmark sites should be preserved and interpreted for the benefit, inspiration, and education of the people of the United States.

(c) **PURPOSE.**—It is the purpose of this section to provide for the interpretation of the Siege and Battle of Corinth and other Civil War actions in the region and to ensure public understanding of the significance of the Corinth Campaign in the Civil War relative to the Western theater of operations, in cooperation with State or local governmental entities and private organizations and individuals.

(d) **ACQUISITION OF PROPERTY.**—

(1) **IN GENERAL.**—The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange, such lands or interests therein in the vicinity of the Corinth battlefield in the State of Mississippi, as the Secretary determines necessary for the construction of an interpretive center to commemorate and interpret the 1862 Civil War Siege and Battle of Corinth: *Provided*, That such lands or interests therein shall only be acquired with the consent of the owner thereof.

(2) Lands and interests therein owned by the State of Mississippi or a political subdivision thereof may be acquired only by donation.

(e) **CONSTRUCTION OF CENTER.**—The Secretary is authorized to construct, operate, and maintain on the property acquired under subsection (d) a center for the interpretation of the Siege and Battle of Corinth and associated historical events. The center shall include interpretive exhibits and such other features as may be necessary for public appreciation and understanding of the Siege and Battle of Corinth.

(f) **MARKING.**—The Secretary may mark sites associated with the Siege and Battle of Corinth National Historic Landmark, as designated on May 6, 1991, if such sites are determined by the Secretary to be protected by State or local government agencies.

(g) **ADMINISTRATION.**—The lands and interests in lands acquired, and the facilities constructed and maintained pursuant to this section shall be administered by the Secretary as a part of Shiloh National Military Park, subject to the appropriate laws and regulations applicable to the park, the Act of August 25, 1916 (39 Stat. 535,

chapter 408; 16 U.S.C. 1 et seq.), and the Act of August of 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(h) IN GENERAL.—(1) Subject to paragraph (2), there are authorized to be appropriated such sums as are necessary to carry out this section

(2) CONSTRUCTION.—Of the amounts made available to carry out this section, not more than \$6,000,000 may be used to carry out subsection (e).

PURPOSE OF THE MEASURE

The purpose of H.R. 694 is to make minor boundary adjustments to, and provide for the conservation, management, or study of units of the National Park System, and to make other miscellaneous changes involving programs and functions of the National Park Service.

BACKGROUND AND NEED

H.R. 694 is a collection of minor boundary adjustments and miscellaneous program changes and authorizations applicable to the National Park System. The bill is made up of non-controversial boundary adjustments and authorities proposed by the National Park Service to address individual park needs and missions. Some of the provisions have been included in annual appropriations Acts. All of the provisions of H.R. 694 were included in legislation reported by the Committee on Energy and Natural Resources during the 103rd Congress, some of which were subsequently passed by the Senate.

LEGISLATIVE HISTORY

H.R. 694 was introduced in the House of Representatives on January 26, 1995. The House Subcommittee on National Parks, Forests and Lands held a hearing on H.R. 694 on February 2. The Committee ordered the bill favorably reported, as amended, on February 15. The measure passed the House on March 14, 1995.

The measures contained in H.R. 694, as amended, were included in one of two comprehensive bills on parks, rivers, trails, and historic sites considered by the Committee during the 103rd Congress. H.R. 1305 passed the House of Representatives on July 19, 1993, and was favorably reported by the Committee on April 5, 1994. The Senate passed H.R. 1305 on May 3, 1994. The House passed the Senate-passed bill with an amendment on August 16, 1994, although no further action was taken in the Senate. H.R. 3252 passed the House on November 23, 1993. The Subcommittee on Public Lands, National Parks and Forests held a hearing on H.R. 3252 on May 19, 1994. At the business meeting on September 21, 1994, the Committee ordered H.R. 3252 to be favorably reported, although no further action was taken prior to the sine die adjournment of the 103rd Congress.

At the business meeting on March 29, 1995, the Committee on Energy and Natural Resources ordered H.R. 694 favorably reported, as amended.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on March 29, 1995, by a unanimous vote of a quorum

present, recommends that the Senate pass H.R. 694, if amended as described herein.

The roll call vote on reporting the measure was 20 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Murkowski	
Mr. Hatfield ¹	
Mr. Domenici	
Mr. Nickles ¹	
Mr. Craig	
Mr. Campbell ¹	
Mr. Thomas ¹	
Mr. Kyl ¹	
Mr. Grams	
Mr. Jeffords ¹	
Mr. Burns ¹	
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman	
Mr. Akaka	
Mr. Wellstone ¹	
Mr. Heflin ¹	
Mr. Dorgan	

¹ Indicates voted by proxy.

COMMITTEE AMENDMENT

During the consideration of H.R. 694, the Committee adopted an amendment in the nature of a substitute. H.R. 694 incorporates several minor park boundary and management provisions. All of the provisions included in the amendment were favorably reported by the Committee during the 103rd Congress in either of two miscellaneous park authorities measures, H.R. 1305 or H.R. 3252. The amendment makes several technical, clarifying, and conforming changes to reflect changes made by the Committee during the last Congress, and to combine the provisions from those two bills.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill the "Minor Boundary Adjustments and Miscellaneous Park Amendments Act of 1995".

TITLE I—MINOR BOUNDARY ADJUSTMENTS

Section 101 authorizes the National Park Service to accept a donation of approximately 24.27 acres at Yucca House National Monument in Colorado. The land contains a portion of the ruins that the Yucca House National Monument was originally established to protect and would provide a location for a visitor center and administrative facilities away from the ruins.

Section 102 authorizes a boundary change in Zion National Park located in Utah. The park would relinquish approximately 5½ acres of land currently used by an adjacent ranch in exchange for

an area similar in size located near the park's Watchman Campground.

Section 103 would modify the boundary of Pictured Rocks National Lakeshore to include land in Grand Marais, Michigan, currently owned by the U.S. Coast Guard, but used by the National Park Service as a visitor center and administrative headquarters. The Park Service has been using the area since 1983, under a lease agreement with the Coast Guard, while awaiting the completion of similar facilities on NPS land. Due to the recent deactivation of the Coast Guard station at the site, the Coast Guard wishes to transfer the land to the NPS without monetary reimbursement. The Pictured Rocks Enabling Act of October 15, 1966, already authorizes acquisition by transfer from other Federal agencies.

Section 104 authorizes a property exchange between the General Services Administration (GSA) and the NPS at the Customs House and Independence National Historical Park in Philadelphia. The Customs House, which is under the jurisdiction of the GSA, lies adjacent to Independence National Historical Park. In the 1980's a scenic walkway was constructed between the park and a nearby parking garage using a portion of GSA property. In return, a segment of the park was added to the Customs House parking lot. The GSA entered into the agreement with the NPS with the understanding that a formal land exchange would be carried out at a later date. Section 104 would formalize this existing arrangement.

Section 105 would adjust the boundaries of Craters of the Moon National Monument in Idaho. In exchange for 315 acres of Monument land, which would be transferred to the Bureau of Land Management, the Park Service would acquire 210 acres of land more closely associated with the hydrologic and topographic features of the monument. This adjustment would protect the Little Cottonwood Creek watershed, thereby preserving the monument's surface spring potable water supply. The transfer would also simplify grazing management for grazing permit holders by alleviating cattle trespassing problems.

Section 106 modifies the boundaries of Hagerman Fossil Beds National Monument in Idaho in order to include land to be used for a visitor center/research facility site. The NPS has concluded that the most suitable location for the visitor/research center would be on lands located outside the current boundaries of the park, so a boundary modification is needed in order to proceed with the center.

Section 107 would transfer 169 acres of land from the Bureau of Land Management to the National Park Service in order to increase protection of the Wupatki National Monument in Arizona and to help conserve important wildlife habitat and other cultural resources.

Section 108 amends section 1101 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-15) to add 8,819 acres to the New River Gorge National River.

Section 109(a) amends section 201(b) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww(b)) to add 327 acres to the Gauley River National Recreation Area.

Subsection (b) amends section 205(c) of the West Virginia National Interest River Conservation Act to terminate a modification to the boundary of the Gauley River National Recreation Area if the construction of the project, for which the boundary modification was made, does not commence within the time required by the license or if the license is surrendered.

Section 110 amends section 3(a)(65) of the Wild and Scenic Rivers Act to add 3,060 acres to the Bluestone National Scenic River.

TITLE II—MISCELLANEOUS SPECIFIC PARK AMENDMENTS

Section 201(a) entitled the “Na Hoa Pili Kaloko-Honokohau Reestablishment Act of 1995,” would extend the advisory commission for the Kaloko-Honokohau National Historical Park in Hawaii from 10 to 25 years.

Section 201(b) would extend the Advisory Commission for the Women’s Rights National Historical Park in New York from 10 to 25 years.

Section 202 authorizes a cooperative agreement between the National Park Service and the Boston Public Library for the distribution of informational and interpretive materials relating to the park and to the Freedom Trail.

Section 203 amends the Act that established the Cumberland Gap National Historical Park to allow the use of appropriated funds for land acquisition.

Section 204(a) authorizes the Secretary to enter into cooperative agreements identified in subsection (b) relating to the Santa Monica Mountains National Recreation Area.

Subsection (b)(1) states that the Secretary may enter into a cooperative agreement with appropriate organizations or groups to promote education concerning the natural and cultural resources of the recreation area and adjacent lands. The subsection states that these agreements may include Federal matching funds of not more than 50 percent.

Subsection (b)(2) authorizes the Secretary to enter into a cooperative agreement where the Secretary agrees to maintain the facilities listed for eight fiscal years and provide funding for the William O. Douglas Outdoor Classroom or its successors. In return, at the end of the term, all right, title, and interest in and to such facilities will be donated to the United States for addition to the recreation area. The subsection also states that the Secretary may not enter into such an agreement until the Secretary determines that the acquisition of these facilities would further the purposes of the recreation area. Finally, the subsection authorizes a total of \$2 million to carry out this section over an 8 year period.

Section 205 contains miscellaneous provisions. Subsection (a) amends Title XI of the National Parks and Recreation Act to authorize a cooperative agreement between the Secretary and the State of West Virginia regarding the maintenance and improvement of roads within the New River Gorge National River and to authorize the acquisition of certain lands within that unit.

Subsection (b) conforms provisions of existing law relevant to the segment of the Bluestone River designated as a component of the National Wild and Scenic Rivers System related to the renewal of an existing lease under which the State of West Virginia manages

certain wildlife activities on nationally-owned lands within the segment.

Section 206 requires the Secretary to submit a report to Congress within 90 days setting forth a plan to provide public access for non-commercial users within the Gauley River National Recreation Area.

Section 207 authorizes a visitor center and other related facilities to be constructed for the New River Gorge National River and Gauley River National Recreation area. The section authorizes construction outside the boundary of these areas unless a suitable site is available within the boundaries of either unit.

Section 208 extends for 5 years after the date of enactment the applicability of provisions of the Wild and Scenic Rivers Act applicable to river segments designated for study under section 5(a) to certain segments of the Bluestone and Meadow Rivers. Section 208 applies to segments of these rivers that were found eligible for inclusion in 1983, but were not designated as part of the Bluestone National Scenic River or the Gauley River National Recreation Area.

Section 209 amends existing provisions of law applicable to the segment of the Bluestone River included within the National Wild and Scenic Rivers System so as to authorize negotiation of a memorandum of understanding between the Secretary and the owner of lands in the vicinity of the Eads Mill area, or the acquisition of such lands or interests therein, in order to allow public access and vehicle access to the river.

TITLE III—GENERAL AUTHORIZATIONS AND REPEALERS

Section 301 would repeal a sentence in the 1912 Appropriation Act for the Department of the Interior which requires Congressional approval for building construction expenditures in excess of \$3,000 in a national park unit.

Section 302 would authorize appropriations for the transportation of children to and from nearby communities and units of the National Park System in connection with organized recreation and interpretive programs and other educational activities. Similar language has been included in annual appropriation Acts.

Section 303 amends the Wild Horse and Burro Act to clarify that the Act does not limit the Secretary's authority to use aircraft to remove feral burros and horses from units of the National Park System.

Section 304 amends the Museum Properties Act of July 1, 1955, by allowing the Park Service to dispose of unneeded museum properties under appropriate circumstances. The disposal authority would apply to museum objects which are lacking in national significance, unrelated to the NPS mission or which have deteriorated beyond use.

Section 305 increases the authorization for the Volunteers in the Parks Program from \$1,000,000 to \$1,750,000.

Section 306 clarifies the Park Service's authority to establish Cooperative Park Study Units (CPSUs) with institutions of higher learning of mutually beneficial research on park resources and use. The Park Service has established CPSUs at 24 institutions across

the country to assist the NPS in conducting research appropriate for resource management needs.

Section 307 amends the Federal Lands Cleanup Act of 1985 to redesignate Federal Lands Cleanup Day as "Carl Garner Federal Lands Cleanup Day". Mr. Garner is the resident engineer with the Army Corps of Engineers at Greers Ferry Lake in Arkansas. Since 1970, he has organized a group of volunteers to have an annual cleanup day at the lake. The project became popular enough that it was expanded to other Corps-operated lakes in Arkansas, along with other Federal and State lands in the State, and is now known as the "Great Arkansas Cleanup."

Section 308(a) entitles the section the "Corinth, Mississippi, Battlefield Act of 1995".

Subsection (b) contains Congressional findings relating to the Civil War siege and battle of Corinth, Mississippi.

Subsection (c) states that the purpose of the Act is to provide a center for the interpretation of the siege and battle of Corinth and other Civil War actions in the region.

Subsection (d) authorizes the Secretary of the Interior to acquire, on a willing-seller basis, lands and interests therein necessary for the construction of the interpretive center.

Subsection (e) authorizes the Secretary to construct, operate, and maintain the interpretive center on the property referred to in subsection (d).

Subsection (f) authorizes the Secretary to mark sites associated with the Siege and Battle of Corinth National Historic Landmark.

Subsection (g) provides that the interpretive center is to be administered as part of Shiloh National Military Park.

Subsection (h) authorizes the appropriation of such sums as may be necessary to carry out the Act, but limits funding for land acquisition to no more than \$6 million.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it be printed in the Congressional Record for the advise of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 694. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 694, as ordered reported.

EXECUTIVE COMMUNICATIONS

On March 24, 1995, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendation on H.R. 694. These reports had not been received at the time the report on H.R. 694 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 694, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**SECTION 302 OF THE ARIZONA-IDAHO CONSERVATION
ACT OF 1988**

ACQUISITION OF LANDS

SEC. 302. (a) * * *

* * * * *

(d) To further the purposes of the monument, the Secretary is authorized to acquire by donation or, from willing sellers only, by purchase with donated or appropriated funds or by exchange not more than 65 acres outside the boundary depicted on the map referred to in section 301 and to develop and operate, on such acres, research, information, interpretive, and administrative facilities. Lands acquired and facilities developed under this subsection shall be administered by the Secretary as part of the monument. The boundary of the monument shall be modified to include the lands added under this subsection as a noncontiguous parcel.

NATIONAL PARKS AND RECREATION ACT OF 1978

* * * * *

TITLE XI—NEW RIVER GORGE NATIONAL RIVER

SEC. 1101. For the purpose of conserving and interpreting outstanding natural, scenic, and historic values and objects in and around the New River Gorge and preserving as a free-flowing stream an important segment of the New River in West Virginia for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall establish and administer the New River Gorge National River. The Secretary shall administer, protect, and develop the national river in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the preservation and management of natural

resources may be utilized to the extent he finds such authority will further the purposes of this title. The boundaries of the national river shall be as generally depicted on the drawing entitled "Proposed New River Gorge National River" numbered [NERI-80,023, dated January 1987] *NERI-80,028, dated January 1993*, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

* * * * *

SEC. 1117. APPLICABLE PROVISIONS OF OTHER LAW.

(a) *COOPERATIVE AGREEMENTS.*—The provisions of section 202(e)(1) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww-1(e)(1)) shall apply to the New River Gorge National River in the same manner and to the same extent as such provisions apply to the Gauley River National Recreation Area.

(b) *REMNANT LANDS.*—The provisions of the second sentence of section 203(a) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 469ww-2(2)) shall apply to tracts of land partially within the boundaries of the New River Gorge National River in the same manner and to the same extent as such provisions apply to tracts of land only partially within the Gauley River National Recreational Area.

* * * * *

WEST VIRGINIA NATIONAL INTEREST RIVER CONSERVATION ACT OF
1987

* * * * *

TITLE II—GAULEY RIVER NATIONAL RECREATIONAL AREA

SEC. 201. ESTABLISHMENT.

(a) *IN GENERAL.*—In order to protect and preserve the scenic, recreational, geological, and fish and wildlife resources of the Gauley River and its tributary, the Meadow River, there is hereby established the Gauley River National Recreational Area (hereinafter in this Act referred to as the "recreation area").

(b) *AREA INCLUDED.*—The recreation area shall consist of the land, waters, and interests therein generally depicted on the boundary map entitled "Gauley River National Recreational Area", numbered [NRA-GR/20,000A dated July 1987] *GARI-80,001 and dated January 1993* and on the boundary map depicting the Meadow River, numbered WSR—MEA/20,000A and dated July 1988. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

* * * * *

SEC. 202. ADMINISTRATION.

(a) * * *

* * * * *

(e) *RECREATIONAL ACCESS.*—

(1) * * *

* * * * *

(4) ACCESS TO RIVER.—Within 90 days after the date of enactment of this subsection, the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate setting forth a plan to provide river access for noncommercial recreational users within the Gauley River National Recreation Area. The plan shall provide that such access shall utilize existing public roads and rights-of-way to the maximum extent feasible and shall be limited to providing access for such noncommercial users.

* * * * *

SEC. 205. SPECIAL CONDITIONS.

(a) * * *

* * * * *

(c) NEW PROJECT PERMITS.—The terms and conditions referred to in this section shall be included in any license, permit, or exemption issued for any such new project. Any such new project shall be subject to all provisions of this Act, including section 202(d), except that during the four-year period after the enactment of this Act, nothing in this Act shall prohibit the licensing of a project adjacent to Summersville Dam as proposed by the city of Summersville, or by any competing project applicant with a permit or license application on file as of August 8, 1988, if such project complies with this section. If such project is licensed within such four-year period, the Secretary shall modify the boundary map referred to in section 201 to relocate the upstream boundary of the recreation area along a line perpendicular to the river crossing the point five hundred and fifty feet downstream of the existing valve house and one thousand two hundred feet (measured along the river bank) upstream of United States Geological Survey Gauge Numbered 03189600, except in making the modification the Secretary shall maintain within the boundary of the recreation area those lands identified in the boundary map referred to in section 201 which are not necessary to the operation of such project. If project construction is not commenced within the time required in such license, or if such license is surrendered at any time, such boundary modification shall cease to have any force and effect.

* * * * *

SECTION 3 OF THE WILD AND SCENIC RIVERS ACT

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) CLEARWATER, MIDDLE FORK, IDAHO.—The Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station;

and the Selway River from Lowell upstream to its origin; to be administered by the Secretary of Agriculture.

* * * * *

(65) BLUESTONE, WEST VIRGINIA.—The segment in Mercer and Summers Counties, West Virginia, from a point approximately two miles upstream of the Summer and Mercer County line down to the maximum summer pool elevation (one thousand four hundred and ten feet above mean sea level) of Bluestone Lake as depicted on the boundary map entitled “Bluestone Wild and Scenic River”, numbered [WSR-BLU/20,000, and dated January 1987] *BLUE-80,004, and dated January 1993*; to be administered by the Secretary of the Interior as a scenic river. In carrying out the requirements of subsection (b) of this section, the Secretary shall consult with State and local governments and the interested public. The Secretary shall not be required to establish detailed boundaries of the river as provided under subsection (b) of this section. Nothing in this Act shall preclude the improvement of any existing road or right-of-way within the boundaries of the segment designated under this paragraph. Jurisdiction over all lands and improvements on such lands owned by the United States within the boundaries of the segment designated under this paragraph is hereby transferred without reimbursement to the administrative jurisdiction on the Secretary of the Interior, subject to [leases] *the lease* in effect on the date of enactment of this paragraph (or renewed thereafter) between the United States and the State of West Virginia with respect to the Bluestone State Park and the Bluestone Public Hunting and Fishing Area. Nothing in this Act shall affect the management by the State of hunting and fishing within the segment designated under this paragraph. Nothing in this Act shall affect or impair the management by the State of West Virginia of other wildlife activities in the Bluestone Public Hunting and Fishing Area to the extent permitted in the lease agreement as in effect on the enactment of this paragraph, and [such management may be continued pursuant to renewal of such lease agreement. If requested to do so by the State of West Virginia, the Secretary may terminate such leases and assume administrative authority over the areas concerned.] *if the State of West Virginia so requests, the Secretary shall renew such lease agreement with the same terms and conditions as contained in such lease agreement on the date of enactment of this paragraph under which such State the date of enactment of this paragraph under which such State management shall be continued pursuant to such renewal. If requested to do so by the State of West Virginia, or as provided in such lease agreement, the Secretary may terminate or modify the lease and assume administrative authority over all or part of the area concerned.* Nothing in the designation of the segment referred to in this paragraph shall affect or impair the management of the Bluestone project or the authority of any department, agency, or instrumentality of the United States to carry out the project purposes of that project as of the date of enactment of this paragraph. Nothing in this Act shall be construed to affect the continuation of stud-

ies relating to such project which were commenced before the enactment of this paragraph. *In order to provide reasonable public access and vehicle parking for public use and enjoyment of the river designated by this paragraph, consistent with the preservation and enhancement of the natural and scenic values of such river, the Secretary may, with the consent of the owner thereof, negotiate a memorandum of understanding or cooperative agreement, or acquire such lands or interests in such lands, or both, as may be necessary to allow public access to the Bluestone River and to provide, outside the boundary of the scenic river, parking and related facilities in the vicinity of the area known as Eads Mill.*

* * * * *

SECTION 505 OF THE NATIONAL PARKS AND RECREATION ACT OF 1978

KALOKO-HONOKOHAU NATIONAL HISTORIC PARK

SEC. 505. (a) * * *

* * * * *

(f)(1) * * *

* * * * *

(7) The Advisory Commission shall terminate ten years after the date of enactment of **[this Act.]** *the Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1995.*

* * * * *

SECTION 1601 OF THE ACT OF DECEMBER 28, 1980

AN ACT To provide, with respect to the national park system: for the establishment of new units; for adjustments in boundaries; for increases in appropriation authorizations for land acquisition and developments; and for other purposes

* * * * *

WOMEN'S RIGHTS NATIONAL HISTORICAL PARK

SEC. 1601. (a) * * *

* * * * *

(h)(1) * * *

(5) The Commission shall terminate ten years from the effective date of **[this section]** *the Women's Rights National Historical Park Advisory Commission Re-establishment Act of 1995.*

* * * * *

SECTION 3 OF THE BOSTON NATIONAL HISTORICAL PARK ACT OF 1974

* * * * *

SEC. 3. (a) * * *

(b)(1) In furtherance of the general purposes of this Act as prescribed in section 2, the Secretary is authorized to enter into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts, or any private organization to mark, interpret, restore, and/or provide technical assistance for the preservation and interpretation of any properties listed in section 2, or portions thereof, which, in his opinion, would best be preserved in private, municipal, or State ownership, in connection with the Boston National Historical Park. Such agreements shall contain, but shall not be limited to, provisions that the Secretary, through the National Park Service, shall have right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors, through such properties and interpreting them to the public, that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements, except that no limitation or control of any kind over the use of any such properties customarily used for church purposes shall be imposed by any agreement. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, and maintenance of such historic properties.

(2) *The Secretary of the Interior is authorized to enter into a cooperative agreement with the Boston Public Library to provide for the distribution of informational and interpretive materials relating to the park and to the Freedom Trail.*

* * * * *

ACT OF JUNE 11, 1940

AN ACT To provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to such lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Hartlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as many be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Cumberland Gap National Historical Park[; *Provided, That the United States shall not purchase by appropriation of public moneys and lands within the aforesaid areas.*].*

* * * * *

SEC. 3. That the Secretary of the Interior be, and he is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said historical park as determined and fixed hereunder, and donations

of funds for the purchase and maintenance thereof: *Provided*, That he may acquire on behalf of the United States out of any donated funds, or with funds that may be from time to time appropriated for the purpose, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within said historical park as may be necessary for the completion thereof. The title to any lands or interests in lands to be acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior.

SECTION 1 OF THE ACT OF AUGUST 24, 1912

AN ACT Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, 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 be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and thirteen, namely:

* * * * *

UNDER THE DEPARTMENT OF THE INTERIOR

* * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF THE INTERIOR

[No expenditure for construction of administration or other buildings cost in case of any building exceeding \$3,000 shall hereafter be made in any national park except under express authority of Congress: *Provided*, That this shall not apply to buildings now in the process of actual construction.]

* * * * *

SECTION 1 OF THE ACT OF AUGUST 7, 1946

AN ACT To provide basic authority for the performance of certain functions and activities of the National Park Service

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for the National Park Service are authorized for—

(a) * * *

* * * * *

(j) *Provide transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service.*

SECTION 9 OF THE ACT OF DECEMBER 15, 1971

AN ACT To require the protection, management, and control of wild free-roaming horses and burros on public lands

* * * * *

SEC. 9. In administering this Act, the Secretary may use or contract for the use of helicopters or; for the purpose of transporting captured animals, motor vehicles. Such use shall be undertaken only after a public hearing and under the direct supervision of the Secretary or of a duly authorized official or employee of the Department. The provisions of subsection (a) of the Act of September 8, 1959 (73 Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall in accordance with the humane procedures prescribed by the Secretary. *Nothing in this Act shall be deemed to limit the authority of the Secretary in the management of units of the National Park System, and the Secretary may, without regard either to the provisions of this Act, or section 47(a) of title 18, United States Code, use motor vehicles, fixed-wing aircraft and helicopters, or contract for such use, in furtherance of the management of the National Park System, and the provisions of section 47(a) of title 18, United States Code, shall be applicable to such use.*

ACT OF JULY 1, 1955

AN ACT To increase the public benefits from the National Park System, by facilitating the management of museum properties relating thereto, 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 purpose of this Act shall be to increase the public benefits from museums established within the Individual areas administrated by the Secretary of the Interior through the National Park Service as a means of informing the public concerning the areas and preserving valuable objects and relics relating thereto. The Secretary of the Interior, notwithstanding other provisions or limitations of law, may perform the following functions in such a manner as he shall consider to be in the public interest:

(a) * * *

(b) Purchase [from such donations and bequests of money] museum objects, museum collections; and other personal properties at prices he considers to be reasonable;

* * * * *

SEC. 2. ADDITIONAL FUNCTIONS.

(a) In addition to the functions specified in the first section of this Act, the Secretary of the Interior may perform the following functions in such manner as he shall consider to be in the public interest:

(1) Transfer museum objects and museum collections that the Secretary determines are no longer needed for museum purposes to qualified Federal agencies that have programs to preserve and interpret cultural or natural heritage, and accept the transfer of museum objects and museum collections for the purposes of this Act from any other Federal agency, without reimburse-

ment. The head of any other Federal agency may transfer, without reimbursement, museum objects and museum collections directly to the administrative jurisdiction of the Secretary of the Interior for the purposes of this Act.

(2) Convey museum objects and museum collections that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary deems necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and to on-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection.

(3) Destroy or cause to be destroyed museum objects and museum collections that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

(b) The Secretary shall ensure that museum objects and museum collections are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (a), the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under this section.

SEC. 3. APPLICATION AND DEFINITIONS.

(a) APPLICATION.—Authorities in this Act shall be available to the Secretary of the Interior with regard to museum objects and museum collections that were under the administrative jurisdiction of the Secretary for purposes of the National Park System before the date of enactment of this section as well as those museum objects and museum collections that may be acquired on or after such date.

(b) DEFINITIONS.—For the purposes of this Act, the terms “museum objects” and “museum collections” means objects that are eligible to be or are made part of a museum, library, or achieve collection through a formal procedure, such as accessioning. Such objects are usually movable and include but are not limited to prehistoric and historic artifacts, works of art, books, documents, photographs, and natural history specimens.

SECTION 4 OF THE VOLUNTEERS IN THE PARKS ACT OF 1969

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than **[\$1,000,000]** *\$1,750,000* shall be appropriated in any one year.

SECTION 3 OF THE ACT OF AUGUST 18, 1970

AN ACT To improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes

* * * * *

SEC. 3. In order to facilitate the administration of the national park system, the Secretary of the Interior is authorized, under such terms and conditions as he may deem advisable, to carry out the following activities:

(a) * * *

* * * * *

(i) provide meals and lodging, as the Secretary deems appropriate, for members of the United States Park Police and other employees of the National Park Service, as he may designate, serving temporarily on extended special duty in areas of the National Park System, and for this purpose he is authorized to use funds appropriated for the expenses of the Department of the Interior [.]; and

(j) enter into cooperative agreements with public or private educational institutions, States, and their political subdivisions, or private conservation organizations for the purpose of developing adequate, coordinated, cooperative research and training programs concerning the resources of the National Park System, and, pursuant to such agreements, to accept from and make available to the cooperator such technical and support staff, financial assistance for mutually agreed upon research projects, supplies and equipment, facilities, and administrative services relating to cooperative research units as the Secretary deems appropriate; except that this paragraph shall not waive any requirements for research projects that are subject to the Federal procurement regulations.

TITLE 36—PATRIOTIC SOCIETIES AND OBSERVANCES

[36 U.S.C. 169i–169i–1]

* * * * *

FEDERAL LANDS CLEANUP ACT OF 1985

§ 169i. Federal Lands Cleanup Day; designation, observation, etc.

The first Saturday after Labor Day of each year is designated as “[Federal Lands Cleanup Day] *Carl Garner Federal Lands Cleanup Day*”. The President shall issue a proclamation calling upon the people of the United States to observe [Federal Lands Cleanup Day] *Carl Garner Federal Lands Cleanup Day* with appropriate ceremonies, programs, and activities: *Provided, however,* That the activities associated with [Federal Lands Cleanup Day] *Carl Garner Federal Lands Cleanup Day* may be undertaken in individual States on a day other than the first Saturday after Labor Day if the affected Federal land managers determine that because of climatological or other factors, an alternative date is more appropriate.

§ 169i-1. Federal participation in [Federal Lands Cleanup Day] *Carl Garner Federal Lands Cleanup Day*

(a) FEDERAL LAND MANAGEMENT AGENCIES; DUTIES; DEFINITION.—(1) In order to observe [Federal Lands Cleanup Day] *Carl Garner Federal Land Cleanup Day* at the Federal level, each Federal land management agency shall organize, coordinate, and par-

ticipate with citizen volunteers and State and local agencies in cleaning and providing for the maintenance of Federal public lands, recreation areas, and waterways within the jurisdiction of such agency.

(2) For purposes of this Act, the term "Federal land management agency" shall include—

- (A) the Forest Service of the Department of Agriculture;
- (B) the Bureau of Land Management of the Department of the Interior;
- (C) the National Park Service of the Department of the Interior;
- (D) the Fish and Wildlife Service of the Department of the Interior;
- (E) the Bureau of Reclamation of the Department of the Interior; and
- (F) the Army Corps of Engineers.

(b) OBJECTIVES; COOPERATION WITH STATE, COUNTY, AND LOCAL AGENCIES.—Each Federal land management agency shall plan for and carry out activities on **【Federal Lands National Cleanup Day】** *Carl Garner Federal Lands Cleanup Day* which—

- (1) encourage continuing public and private sector cooperation in preserving the beauty and safety of areas within the jurisdiction of such agency;
- (2) increase citizens' sense of ownership and community pride in such areas;
- (3) reduce litter on Federal lands, along trails and waterways, and within such areas; and
- (4) maintain and improve trails, recreation areas, waterways and facilities.

Such activities shall be held in cooperation with appropriate State, county, and local government agencies.

(c) REPORT TO CONGRESS.—(1) Within ninety days following the first **【Federal Lands Cleanup Day】** *Carl Garner Federal Lands Cleanup Day* occurring after August 27, 1986, each Federal land management agency shall provide a summary report to Congress briefly outlining the types of activities undertaken; the sites involved; the nature and extent of the volunteer involvement; the cost savings realized from the program and the overall success of such agency in observing **【Federal Lands Cleanup Day】** *Carl Garner Federal Lands Cleanup Day*.

(2) Such reporting requirements shall remain in effect for two years after the submission of the first report.