

106TH CONGRESS
2^D SESSION

H. R. 4020

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1 (legislative day, SEPTEMBER 22), 2000

Received

AN ACT

To authorize the addition of land to Sequoia National Park,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TABLE OF CONTENTS.**

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1 **TITLE I—ADDITION OF LAND TO**
2 **SEQUOIA NATIONAL PARK**

3 **SEC. 101. ADDITION TO SEQUOIA NATIONAL PARK.**

4 (a) IN GENERAL.—As soon as practicable after the
5 date of the enactment of this Act, the Secretary of the
6 Interior shall acquire by donation, purchase with donated
7 or appropriated funds, or exchange, all interest in and to

1 the land described in subsection (b) for addition to Se-
2 quoa National Park, California.

3 (b) LAND ACQUIRED.—The land referred to in sub-
4 section (a) is the land depicted on the map entitled
5 “Dillonwood”, numbered 102/80,044, and dated Sep-
6 tember 1999.

7 (c) ADDITION TO PARK.—Upon acquisition of the
8 land under subsection (a)—

9 (1) the Secretary of the Interior shall—

10 (A) modify the boundaries of Sequoia Na-
11 tional Park to include the land within the park;
12 and

13 (B) administer the land as part of Sequoia
14 National Park in accordance with all applicable
15 laws; and

16 (2) The Secretary of Agriculture shall modify
17 the boundaries of the Sequoia National Forest to ex-
18 clude the land from the forest boundaries.

19 **TITLE II—UPPER HOUSATONIC** 20 **NATIONAL HERITAGE AREA**

21 **SEC. 201. AUTHORIZATION OF STUDY.**

22 (a) IN GENERAL.—The Secretary of the Interior (in
23 this section referred to as the “Secretary”) shall conduct
24 a study of the Upper Housatonic National Heritage Area
25 (in this section referred to as the “Study Area”). The

1 study shall include analysis, documentation, and deter-
2 minations regarding whether the Study Area—

3 (1) has an assemblage of natural, historic, and
4 cultural resources that together represent distinctive
5 aspects of American heritage worthy of recognition,
6 conservation, interpretation, and continuing use, and
7 are best managed through partnerships among pub-
8 lic and private entities and by combining diverse and
9 sometimes noncontiguous resources and active com-
10 munities;

11 (2) reflects traditions, customs, beliefs and
12 folklife that are a valuable part of the national story;

13 (3) provides outstanding opportunities to con-
14 serve natural, historic, cultural, and/or scenic fea-
15 tures;

16 (4) provides outstanding recreational and edu-
17 cational opportunities;

18 (5) contains resources important to the identi-
19 fied theme or themes of the Study Area that retain
20 a degree of integrity capable of supporting interpre-
21 tation;

22 (6) includes residents, business interests, non-
23 profit organizations, and local and State govern-
24 ments who are involved in the planning, have devel-
25 oped a conceptual financial plan that outlines the

1 roles for all participants including the Federal Gov-
2 ernment, and have demonstrated support for the
3 concept of a national heritage area;

4 (7) has a potential management entity to work
5 in partnership with residents, business interests,
6 nonprofit organizations, and local and State Govern-
7 ments to develop a national heritage area consistent
8 with continued local and State economic activity;
9 and

10 (8) has a conceptual boundary map that is sup-
11 ported by the public.

12 (b) CONSULTATION.—In conducting the study, the
13 Secretary shall consult with the State historic preservation
14 officers, State historical societies and other appropriate
15 organizations.

16 **SEC. 202. BOUNDARIES OF THE STUDY AREA.**

17 The Study Area shall be comprised of—

18 (1) part of the Housatonic River’s watershed,
19 which extends 60 miles from Lanesboro, Massachu-
20 setts to Kent, Connecticut;

21 (2) the towns of Canaan, Cornwall, Kent, Nor-
22 folk, North Canaan, Salisbury, Sharon, and Warren
23 in Connecticut; and

24 (3) the towns of Alford, Dalton, Egremont,
25 Great Barrington, Hinsdale, Lanesboro, Lee, Lenox,

1 Monterey, Mount Washington, New Marlboro, Pitts-
2 field, Richmond, Sheffield, Stockbridge, Tyringham,
3 Washington, and West Stockbridge in Massachu-
4 setts.

5 **SEC. 203. REPORT.**

6 Not later than 3 fiscal years after the date on which
7 funds are first available for this title, the Secretary shall
8 submit to the Committee on Energy and Natural Re-
9 sources of the Senate and the Committee on Resources
10 of the House of Representatives a report on the findings,
11 conclusions, and recommendations of the study.

12 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated \$300,000 to
14 carry out the provisions of this title.

15 **TITLE III—WITHHOLDING OF**
16 **ROYALTY PAYMENTS UNDER**
17 **CERTAIN CIRCUMSTANCES**

18 **SEC. 301. ROYALTY PAYMENTS UNDER LEASES UNDER THE**

19 **OUTER CONTINENTAL SHELF LANDS ACT.**

20 (a) ROYALTY RELIEF.—

21 (1) IN GENERAL.—A State lessee may withhold
22 from payment any royalty due and owing to the
23 United States under any lease under the Outer Con-
24 tinental Shelf Lands Act (43 U.S.C. 1301 et seq.)
25 for offshore oil or gas production from a covered

1 lease tract if, on or before the date that the payment
2 is due and payable to the United States, the State
3 lessee makes a payment to the State of Louisiana of
4 44 cents for every \$1 of royalty withheld.

5 (2) TREATMENT OF WITHHELD AMOUNTS.—
6 Any royalty withheld by a State lessee in accordance
7 with this section shall be treated as paid for pur-
8 poses of satisfaction of the royalty obligations of the
9 State lessee to the United States.

10 (3) CERTIFICATION OF WITHHELD AMOUNTS.—
11 The Secretary of the Treasury shall—

12 (A) determine the amount of royalty with-
13 held under this section; and

14 (B) promptly publish a certification when
15 the total amount of royalty withheld under this
16 section is equal to the sum of—

17 (i) \$18,115,147; plus

18 (ii) simple annual interest on the dif-
19 ference, on January 1 of each year, be-
20 tween the amount referred to in clause (i)
21 and the total amount of royalty withheld
22 under this section, determined at 8 percent
23 per year for the period beginning March
24 21, 1989, and ending on the date on which
25 the amount of royalty withheld under this

1 section is equal to the amount referred to
2 in clause (i).

3 (b) PERIOD OF ROYALTY RELIEF.—Subsection (a)
4 shall apply to royalty amounts that are due and payable
5 in the period beginning on October 1, 2001, and ending
6 on the date on which the Secretary publishes a certifi-
7 cation under subsection (a)(3)(B).

8 (c) DEFINITIONS.—As used in this section:

9 (1) COVERED LEASE TRACT.—The term “cov-
10 ered lease tract” means a leased tract (or portion of
11 a leased tract)—

12 (A) lying seaward of the zone defined and
13 governed by section 8(g) of the Outer Conti-
14 nental Shelf Lands Act (43 U.S.C. 1337(g)); or

15 (B) lying within such zone but to which
16 such section does not apply.

17 (2) STATE LESSEE.—The term “State lessee”
18 means a person (including a successor or assign of
19 a person), that, on the date of the enactment of the
20 Oil Pollution Act of 1990 (Public Law 101–380; Au-
21 gust 18, 1990), held lease rights in the State of
22 Louisiana offshore leases SL10087, SL10088, and
23 SL10187, but did not hold lease rights in Federal
24 offshore lease OCS–G–5669.

1 **TITLE IV—INCLUSION OF CAT IS-**
2 **LAND IN GULF ISLANDS NA-**
3 **TIONAL SEASHORE**

4 **SEC. 401. BOUNDARY ADJUSTMENT TO INCLUDE CAT IS-**
5 **LAND.**

6 (a) IN GENERAL.—The first section of Public Law
7 91–660 (16 U.S.C. 459h) is amended—

8 (1) in the first sentence, by striking “That, in”
9 and inserting the following:

10 **“SECTION 1. GULF ISLANDS NATIONAL SEASHORE.**

11 “(a) ESTABLISHMENT.—In”; and

12 (2) in the second sentence—

13 (A) by redesignating paragraphs (1)
14 through (6) as subparagraphs (A) through (F),
15 respectively, and indenting appropriately;

16 (B) by striking “The seashore shall com-
17 prise” and inserting the following:

18 “(b) COMPOSITION.—

19 “(1) IN GENERAL.—The seashore shall com-
20 prise the areas described in paragraphs (2) and (3).

21 “(2) AREAS INCLUDED IN BOUNDARY PLAN
22 NUMBERED NS-GI-7100J.—The areas described in
23 this paragraph are”: and

24 (C) by adding at the end the following:

1 “(3) CAT ISLAND.—The area described in this
2 paragraph is the parcel consisting of approximately
3 2,000 acres of land on Cat Island, Mississippi, as
4 generally depicted on the map entitled ‘Boundary
5 Map, Gulf Islands National Seashore, Cat Island,
6 Mississippi’, numbered 635/80085, and dated No-
7 vember 9, 1999 (referred to in this Act as the ‘Cat
8 Island Map’).

9 “(4) AVAILABILITY OF MAP.—The Cat Island
10 Map shall be on file and available for public inspec-
11 tion in the appropriate offices of the National Park
12 Service.”.

13 (b) ACQUISITION AUTHORITY.—Section 2 of Public
14 Law 91–660 (16 U.S.C. 459h–1) is amended—

15 (1) in the first sentence of subsection (a), by
16 striking “lands,” and inserting “submerged land,
17 land,”; and

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

19 “(e) ACQUISITION AUTHORITY.—

20 “(1) IN GENERAL.—The Secretary may acquire,
21 from a willing seller only—

22 “(A) all land comprising the parcel de-
23 scribed in subsection (b)(3) that is above the
24 mean line of ordinary high tide, lying and being

1 situated in Harrison County, Mississippi, con-
2 sisting of—

3 “(i) Sections 25 and 26, Township 9
4 South, Range 12 West;

5 “(ii) Sections 22, 27, 28, 29, 30, 31,
6 32, 33, and 34, Township 9 South, Range
7 11 West; and

8 “(iii) Section 4, Township 10 South,
9 Range 11 West;

10 “(B) an easement over the approximately
11 150-acre parcel depicted as the ‘Boddie Family
12 Tract’ on the Cat Island Map for the purpose
13 of implementing an agreement with the owners
14 of the parcel concerning the development and
15 use of the parcel; and

16 “(C)(i) land and interests in land on Cat
17 Island outside the 2,000-acre area depicted on
18 the Cat Island Map; and

19 “(ii) submerged land that lies within 1
20 mile seaward of Cat Island (referred to in this
21 Act as the ‘buffer zone’), except that submerged
22 land owned by the State of Mississippi (or a
23 subdivision of the State) may be acquired only
24 by donation.

25 “(2) ADMINISTRATION.—

1 “(A) IN GENERAL.—Land and interests in
2 land acquired under this subsection shall be ad-
3 ministered by the Secretary, acting through the
4 Director of the National Park Service.

5 “(B) BUFFER ZONE.—Nothing in this Act
6 or any other provision of law shall require the
7 State of Mississippi to convey to the Secretary
8 any right, title, or interest in or to the buffer
9 zone as a condition for the establishment of the
10 buffer zone.

11 “(3) MODIFICATION OF BOUNDARY.—The
12 boundary of the seashore shall be modified to reflect
13 the acquisition of land under this subsection.”.

14 “(c) REGULATION OF FISHING.—Section 3 of Public
15 Law 91–660 (16 U.S.C. 459h–2) is amended—

16 (1) by inserting “(a) IN GENERAL.—” before
17 “The Secretary”; and

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

19 “(b) NO AUTHORITY TO REGULATE MARITIME AC-
20 TIVITIES.—Nothing in this Act or any other provision of
21 law shall affect any right of the State of Mississippi, or
22 give the Secretary any authority, to regulate maritime ac-
23 tivities, including nonseashore fishing activities (including
24 shrimping), in any area that, on the date of the enactment

1 of this subsection, is outside the designated boundary of
2 the seashore (including the buffer zone).”.

3 (d) AUTHORIZATION OF MANAGEMENT AGREE-
4 MENTS.—Section 5 of Public Law 91–660 (16 U.S.C.
5 459h–4) is amended—

6 (1) by inserting “(a) IN GENERAL.—” before
7 “Except”; and

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

9 “(b) AGREEMENTS.—

10 “(1) IN GENERAL.—The Secretary may enter
11 into agreements—

12 “(A) with the State of Mississippi for the
13 purposes of managing resources and providing
14 law enforcement assistance, subject to author-
15 ization by State law, and emergency services on
16 or within any land on Cat Island and any water
17 and submerged land within the buffer zone; and

18 “(B) with the owners of the approximately
19 150-acre parcel depicted as the ‘Boddie Family
20 Tract’ on the Cat Island Map concerning the
21 development and use of the land.

22 “(2) NO AUTHORITY TO ENFORCE CERTAIN
23 REGULATIONS.—Nothing in this subsection author-
24 izes the Secretary to enforce Federal regulations

1 outside the land area within the designated bound-
2 ary of the seashore.”.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
4 11 of Public Law 91–660 (16 U.S.C. 459h–10) is
5 amended—

6 (1) by inserting “(a) IN GENERAL.—” before
7 “There”; and

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

9 “(b) AUTHORIZATION FOR ACQUISITION OF LAND.—
10 In addition to the funds authorized by subsection (a),
11 there are authorized to be appropriated such sums as are
12 necessary to acquire land and submerged land on and ad-
13 jacent to Cat Island, Mississippi.”.

14 **TITLE V—WASHOE TRIBE LAND** 15 **CONVEYANCE**

16 **SEC. 501. WASHOE TRIBE LAND CONVEYANCE.**

17 (a) FINDINGS.—Congress finds that—

18 (1) the ancestral homeland of the Washoe Tribe
19 of Nevada and California (referred to in this section
20 as the “Tribe”) included an area of approximately
21 5,000 square miles in and around Lake Tahoe, Cali-
22 fornia and Nevada, and Lake Tahoe was the heart
23 of the territory;

24 (2) in 1997, Federal, State, and local govern-
25 ments, together with many private landholders, rec-

1 ognized the Washoe people as indigenous people of
2 Lake Tahoe Basin through a series of meetings con-
3 vened by those governments at two locations in Lake
4 Tahoe;

5 (3) the meetings were held to address protec-
6 tion of the extraordinary natural, recreational, and
7 ecological resources in the Lake Tahoe region;

8 (4) the resulting multiagency agreement in-
9 cludes objectives that support the traditional and
10 customary uses of Forest Service land by the Tribe;
11 and

12 (5) those objectives include the provision of ac-
13 cess by members of the Tribe to the shore of Lake
14 Tahoe in order to reestablish traditional and cus-
15 tomary cultural practices.

16 (b) PURPOSES.—The purposes of this title are—

17 (1) to implement the joint local, State, tribal,
18 and Federal objective of returning the Tribe to Lake
19 Tahoe; and

20 (2) to ensure that members of the Tribe have
21 the opportunity to engage in traditional and cus-
22 tomary cultural practices on the shore of Lake
23 Tahoe to meet the needs of spiritual renewal, land
24 stewardship, Washoe horticulture and ethnobotany,

1 subsistence gathering, traditional learning, and re-
2 unification of tribal and family bonds.

3 (c) CONVEYANCE.—Subject to valid existing rights
4 and subject to the easement reserved under subsection (d),
5 the Secretary of Agriculture shall convey to the Secretary
6 of the Interior, in trust for the Tribe, for no consideration,
7 all right, title, and interest in the parcel of land com-
8 prising approximately 24.3 acres, located within the Lake
9 Tahoe Basin Management Unit north of Skunk Harbor,
10 Nevada, and more particularly described as Mount Diablo
11 Meridian, T15N, R18E, section 27, lot 3.

12 (d) EASEMENT.—

13 (1) IN GENERAL.—The conveyance under sub-
14 section (c) shall be made subject to reservation to
15 the United States of a nonexclusive easement for
16 public and administrative access over Forest Devel-
17 opment Road #15N67 to National Forest System
18 land.

19 (2) ACCESS BY INDIVIDUALS WITH DISABIL-
20 ITIES.—The Secretary shall provide a reciprocal
21 easement to the Tribe permitting vehicular access to
22 the parcel over Forest Development Road #15N67
23 to—

24 (A) members of the Tribe for administra-
25 tive and safety purposes; and

1 (B) members of the Tribe who, due to age,
2 infirmity, or disability, would have difficulty ac-
3 cessing the conveyed parcel on foot.

4 (e) USE OF LAND.—

5 (1) IN GENERAL.—In using the parcel conveyed
6 under subsection (c), the Tribe and members of the
7 Tribe—

8 (A) shall limit the use of the parcel to tra-
9 ditional and customary uses and stewardship
10 conservation of the Tribe and not permit any
11 commercial use (including commercial develop-
12 ment, residential development, gaming, sale of
13 timber, or mineral extraction); and

14 (B) shall comply with environmental re-
15 quirements that are no less protective than en-
16 vironmental requirements that apply under the
17 Regional Plan of the Tahoe Regional Planning
18 Agency.

19 (2) REVERSION.—If the Secretary of the Inte-
20 rior, after notice to the Tribe and an opportunity for
21 a hearing, based on monitoring of use of the parcel
22 by the Tribe, makes a finding that the Tribe has
23 used or permitted the use of the parcel in violation
24 of paragraph (1) and the Tribe fails to take correc-
25 tive or remedial action directed by the Secretary of

1 the Interior, title to the parcel shall revert to the
2 Secretary of Agriculture.

3 **TITLE VI—PECOS NATIONAL HIS-**
4 **TORICAL PARK LAND EX-**
5 **CHANGE**

6 **SEC. 601. SHORT TITLE.**

7 This title may be cited as the “Pecos National Histor-
8 ical Park Land Exchange Act of 2000”.

9 **SEC. 602. DEFINITIONS.**

10 As used in this title—

11 (1) the term “Secretaries” means the Secretary
12 of the Interior and the Secretary of Agriculture;

13 (2) the term “landowner” means Harold and
14 Elisabeth Zuschlag, owners of land within the Pecos
15 National Historical Park; and

16 (3) the term “map” means a map entitled
17 “Proposed Land Exchange for Pecos National His-
18 torical Park”, numbered 430/80,054, and dated No-
19 vember 19, 1999, revised September 18, 2000.

20 **SEC. 603. LAND EXCHANGE.**

21 (a) CONVEYANCE OF FEDERAL LAND AND INTER-
22 ESTS.—Upon the conveyance by the landowner to the Sec-
23 retary of the Interior of the lands identified in subsection
24 (b), the Secretary of Agriculture shall convey the following

1 lands and interests to the landowner, subject to the provi-
2 sions of this title:

3 (1) Approximately 160 acres of Federal lands
4 and interests therein within the Santa Fe National
5 Forest in the State of New Mexico, as generally de-
6 picted on the map; and

7 (2) The Secretary of the Interior shall convey
8 an easement for water pipelines to two existing well
9 sites, located within the Pecos National Historical
10 Park, as provided in this paragraph.

11 (A) The Secretary of the Interior shall de-
12 termine the appropriate route of the easement
13 through Pecos National Historical Park and
14 such route shall be a condition of the easement.
15 The Secretary of the Interior may add such ad-
16 ditional terms and conditions relating to the use
17 of the well and pipeline granted under this ease-
18 ment as he deems appropriate.

19 (B) The easement shall be established, op-
20 erated, and maintained in compliance with all
21 Federal laws.

22 (b) RECEIPT OF PRIVATE LANDS.—The lands to be
23 conveyed by the landowner to the Secretary of the Interior
24 comprise approximately 154 acres within the Pecos Na-
25 tional Historical Park as generally depicted on the map.

1 (c) CONDITION OF EXCHANGE.—The Secretary of
2 Agriculture shall convey the lands and interests identified
3 in subsection (a) only if the landowner conveys a deed of
4 title to the United States, that is acceptable to and ap-
5 proved by the Secretary of the Interior.

6 (d) TERMS AND CONDITIONS.—

7 (1) IN GENERAL.—Except as otherwise pro-
8 vided in this title, the exchange of lands and inter-
9 ests pursuant to this title shall be in accordance
10 with the provisions of section 206 of the Federal
11 Land Policy and Management Act of 1976 (43
12 U.S.C. 1716) and other applicable laws including the
13 National Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.).

15 (2) VALUATION AND APPRAISALS.—The values
16 of the lands and interests to be exchanged pursuant
17 to this title shall be equal, as determined by apprais-
18 als using nationally recognized appraisal standards
19 including the Uniform Appraisal Standards for Fed-
20 eral Land Acquisition. The Secretaries shall obtain
21 the appraisals and insure they are conducted in ac-
22 cordance with the Uniform Appraisal Standards for
23 Federal Land Acquisition. The appraisals shall be
24 paid for in accordance with the exchange agreement
25 between the Secretaries and the landowner.

1 (3) COMPLETION OF THE EXCHANGE.—The ex-
2 change of lands and interests pursuant to this title
3 shall be completed not later than 180 days after the
4 requirements of the National Environmental Policy
5 Act of 1969 have been met and after the Secretary
6 of the Interior approves the appraisals. The Secre-
7 taries shall report to the Committee on Energy and
8 Natural Resources of the Senate and the Committee
9 on Resources of the House of Representatives upon
10 the successful completion of the exchange.

11 (4) ADDITIONAL TERMS AND CONDITIONS.—
12 The Secretaries may require such additional terms
13 and conditions in connection with the exchange of
14 lands and interests pursuant to this title as the Sec-
15 retaries consider appropriate to protect the interests
16 of the United States.

17 (5) EQUALIZATION OF VALUES.—

18 (A) The Secretary of Agriculture shall
19 equalize the values of Federal land conveyed
20 under subsection (a) and the land conveyed to
21 the Federal Government under subsection (b)—

22 (i) by the payment of cash to the Sec-
23 retary of Agriculture or the landowner, as
24 appropriate, except that notwithstanding
25 section 206(b) of the Federal Land Policy

1 and Management Act of 1976 (43 U.S.C.
2 1716(b)), the Secretary of Agriculture may
3 accept a cash equalization payment in ex-
4 cess of 25 percent of the value of the Fed-
5 eral land; or

6 (ii) if the value of the Federal land is
7 greater than the land conveyed to the Fed-
8 eral Government, by reducing the acreage
9 of the Federal land conveyed.

10 (B) DISPOSITION OF FUNDS.—Any funds
11 received by the Secretary of Agriculture as cash
12 equalization payment from the exchange under
13 this section shall be deposited into the fund es-
14 tablished by Public Law 90–171 (commonly
15 known as the Sisk Act; 16 U.S.C. 484a) and
16 shall be available for expenditure, without fur-
17 ther appropriation, for the acquisition of land
18 and interests in the land in the State of New
19 Mexico.

20 **SEC. 604. BOUNDARY ADJUSTMENT AND MAPS.**

21 (a) BOUNDARY ADJUSTMENT.—Upon acceptance of
22 title by the Secretary of the Interior of the lands and inter-
23 ests conveyed to the United States pursuant to section
24 603, the boundaries of the Pecos National Historical Park
25 shall be adjusted to encompass such lands. The Secretary

1 of the Interior shall administer such lands in accordance
2 with the provisions of law generally applicable to units of
3 the National Park System, including the Act of August
4 25, 1916 (16 U.S.C. 1, 2–4).

5 (b) MAPS.—The map shall be on file and available
6 for public inspection in the appropriate offices of the Sec-
7 retaries.

8 (c) SUBMISSION TO CONGRESS.—Not later than 180
9 days after completion of the exchange described in section
10 603, the Secretaries shall transmit the map accurately de-
11 picting the lands and interests conveyed to the Committee
12 on Energy and Natural Resources of the Senate and the
13 Committee on Resources of the House of Representatives.

14 **TITLE VII—CHESAPEAKE AND**
15 **OHIO CANAL NATIONAL HIS-**
16 **TORICAL PARK COMMISSION**

17 **SEC. 701. CHESAPEAKE AND OHIO CANAL NATIONAL HIS-**
18 **TORICAL PARK COMMISSION.**

19 Section 6(g) of the Chesapeake and Ohio Canal De-
20 velopment Act (16 U.S.C. 410y–4(g)) is amended by strik-
21 ing “thirty” and inserting “40”.

1 **TITLE VIII—EDUCATION LAND**
2 **GRANTS**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the “Education Land Grant
5 Act”.

6 **SEC. 802. CONVEYANCE OF NATIONAL FOREST SYSTEM**
7 **LANDS FOR EDUCATIONAL PURPOSES.**

8 (a) **AUTHORITY TO CONVEY.**—Upon written applica-
9 tion, the Secretary of Agriculture may convey National
10 Forest System lands to a public school district for use for
11 educational purposes if the Secretary determines that—

12 (1) the public school district seeking the convey-
13 ance will use the conveyed land for a public or pub-
14 licly funded elementary or secondary school, to pro-
15 vide grounds or facilities related to such a school, or
16 for both purposes;

17 (2) the conveyance will serve the public interest;

18 (3) the land to be conveyed is not otherwise
19 needed for the purposes of the National Forest Sys-
20 tem;

21 (4) the total acreage to be conveyed does not
22 exceed the amount reasonably necessary for the pro-
23 posed use;

24 (5) the land is to be used for an established or
25 proposed project that is described in detail in the ap-

1 plication to the Secretary, and the conveyance would
2 serve public objectives (either locally or at large)
3 that outweigh the objectives and values which would
4 be served by maintaining such land in Federal own-
5 ership;

6 (6) the applicant is financially and otherwise
7 capable of implementing the proposed project;

8 (7) the land to be conveyed has been identified
9 for disposal in an applicable land and resource man-
10 agement plan under the Forest and Rangeland Re-
11 newable Resources Planning Act of 1974 (16 U.S.C.
12 1600 et seq.); and

13 (8) an opportunity for public participation in a
14 disposal under this section has been provided, in-
15 cluding at least one public hearing or meeting, to
16 provide for public comments.

17 (b) **ACREAGE LIMITATION.**—A conveyance under this
18 section may not exceed 80 acres. However, this limitation
19 shall not be construed to preclude an entity from submit-
20 ting a subsequent application under this section for an ad-
21 ditional land conveyance if the entity can demonstrate to
22 the Secretary a need for additional land.

23 (c) **COSTS AND MINERAL RIGHTS.**—(1) A conveyance
24 under this section shall be for a nominal cost. The convey-

1 ance may not include the transfer of mineral or water
2 rights.

3 (2) If necessary, the exact acreage and legal descrip-
4 tion of the real property conveyed under this title shall
5 be determined by a survey satisfactory to the Secretary
6 and the applicant. The cost of the survey shall be borne
7 by the applicant.

8 (d) REVIEW OF APPLICATIONS.—When the Secretary
9 receives an application under this section, the Secretary
10 shall—

11 (1) before the end of the 14-day period begin-
12 ning on the date of the receipt of the application,
13 provide notice of that receipt to the applicant; and

14 (2) before the end of the 120-day period begin-
15 ning on that date—

16 (A) make a final determination whether or
17 not to convey land pursuant to the application,
18 and notify the applicant of that determination;
19 or

20 (B) submit written notice to the applicant
21 containing the reasons why a final determina-
22 tion has not been made.

23 (e) REVERSIONARY INTEREST.—If, at any time after
24 lands are conveyed pursuant to this section, the entity to
25 whom the lands were conveyed attempts to transfer title

1 to or control over the lands to another or the lands are
2 devoted to a use other than the use for which the lands
3 were conveyed, title to the lands shall revert to the United
4 States.

5 **TITLE IX—GAYLORD NELSON**
6 **APOSTLE ISLANDS STEWARD-**
7 **SHIP**

8 **SEC. 901. SHORT TITLE.**

9 This title may be cited as the “Gaylord Nelson Apos-
10 tle Islands Stewardship Act of 2000”.

11 **SEC. 902. GAYLORD NELSON APOSTLE ISLANDS.**

12 (a) DECLARATIONS.—Congress declares that—

13 (1) the Apostle Islands National Lakeshore is a
14 national and a Wisconsin treasure;

15 (2) the State of Wisconsin is particularly in-
16 debted to former Senator Gaylord Nelson for his
17 leadership in the creation of the Lakeshore;

18 (3) after more than 28 years of enjoyment,
19 some issues critical to maintaining the overall eco-
20 logical, recreational, and cultural vision of the Lake-
21 shore need additional attention;

22 (4) the general management planning process
23 for the Lakeshore has identified a need for a formal
24 wilderness study;

1 (5) all land within the Lakeshore that might be
2 suitable for designation as wilderness are zoned and
3 managed to protect wilderness characteristics pend-
4 ing completion of such a study;

5 (6) several historic lighthouses within the Lake-
6 shore are in danger of structural damage due to se-
7 vere erosion;

8 (7) the Secretary of the Interior has been un-
9 able to take full advantage of cooperative agree-
10 ments with Federal, State, local, and tribal govern-
11 mental agencies, institutions of higher education,
12 and other nonprofit organizations that could assist
13 the National Park Service by contributing to the
14 management of the Lakeshore;

15 (8) because of competing needs in other units
16 of the National Park System, the standard author-
17 izing and budgetary process has not resulted in up-
18 dated legislative authority and necessary funding for
19 improvements to the Lakeshore; and

20 (9) the need for improvements to the Lakeshore
21 and completion of a wilderness study should be ac-
22 corded a high priority among National Park Service
23 activities.

24 (b) DEFINITIONS.—In this section:

1 (1) LAKESHORE.—The term “Lakeshore”
2 means the Apostle Islands National Lakeshore.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior, acting through the Di-
5 rector of the National Park Service.

6 (c) WILDERNESS STUDY.—In fulfillment of the re-
7 sponsibilities of the Secretary under the Wilderness Act
8 (16 U.S.C. 1131 et seq.) and of applicable agency policy,
9 the Secretary shall evaluate areas of land within the Lake-
10 shore for inclusion in the National Wilderness System.

11 (d) APOSTLE ISLANDS LIGHTHOUSES.—The Sec-
12 retary shall undertake appropriate action (including pro-
13 tection of the bluff toe beneath the lighthouses, stabiliza-
14 tion of the bank face, and dewatering of the area imme-
15 diately shoreward of the bluffs) to protect the lighthouse
16 structures at Raspberry Lighthouse and Outer Island
17 Lighthouse on the Lakeshore.

18 (e) COOPERATIVE AGREEMENTS.—Section 6 of Pub-
19 lic Law 91-424 (16 U.S.C. 460w-5) is amended—

20 (1) by striking “SEC. 6. The lakeshore” and in-
21 sserting the following:

22 **“SEC. 6. MANAGEMENT.**

23 “(a) IN GENERAL.—The lakeshore”; and

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

1 “(b) COOPERATIVE AGREEMENTS.—The Secretary
2 may enter into a cooperative agreement with a Federal,
3 State, tribal, or local government agency or a nonprofit
4 private entity if the Secretary determines that a coopera-
5 tive agreement would be beneficial in carrying out section
6 7.”.

7 (f) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated—

9 (1) \$200,000 to carry out subsection (c); and

10 (2) \$3,900,000 to carry out subsection (d).

11 **TITLE X—PEOPLING OF**
12 **AMERICA THEME STUDY**

13 **SEC. 1001. SHORT TITLE.**

14 This title may be cited as the “Peopling of America
15 Theme Study Act”.

16 **SEC. 1002. FINDINGS AND PURPOSES.**

17 (a) FINDINGS.—Congress finds that—

18 (1) an important facet of the history of the
19 United States is the story of how the United States
20 was populated;

21 (2) the migration, immigration, and settlement
22 of the population of the United States—

23 (A) is broadly termed the “peopling of
24 America”; and

25 (B) is characterized by—

1 (i) the movement of groups of people
2 across external and internal boundaries of
3 the United States and territories of the
4 United States; and

5 (ii) the interactions of those groups
6 with each other and with other popu-
7 lations;

8 (3) each of those groups has made unique, im-
9 portant contributions to American history, culture,
10 art, and life;

11 (4) the spiritual, intellectual, cultural, political,
12 and economic vitality of the United States is a result
13 of the pluralism and diversity of the American popu-
14 lation;

15 (5) the success of the United States in embrac-
16 ing and accommodating diversity has strengthened
17 the national fabric and unified the United States in
18 its values, institutions, experiences, goals, and ac-
19 complishments;

20 (6)(A) the National Park Service’s official the-
21 matic framework, revised in 1996, responds to the
22 requirement of section 1209 of the Civil War Sites
23 Study Act of 1990 (16 U.S.C. 1a–5 note; Public
24 Law 101–628), that “the Secretary shall ensure that
25 the full diversity of American history and prehistory

1 are represented” in the identification and interpreta-
2 tion of historic properties by the National Park
3 Service; and

4 (B) the thematic framework recognizes that
5 “people are the primary agents of change” and es-
6 tablishes the theme of human population movement
7 and change—or “peopling places”—as a primary
8 thematic category for interpretation and preserva-
9 tion; and

10 (7) although there are approximately 70,000
11 listings on the National Register of Historic Places,
12 sites associated with the exploration and settlement
13 of the United States by a broad range of cultures
14 are not well represented.

15 (b) PURPOSES.—The purposes of this title are—

16 (1) to foster a much-needed understanding of
17 the diversity and contribution of the breadth of
18 groups who have peopled the United States; and

19 (2) to strengthen the ability of the National
20 Park Service to include groups and events otherwise
21 not recognized in the peopling of the United States.

22 **SEC. 1003. DEFINITIONS.**

23 In this title:

24 (1) SECRETARY.—The term “Secretary” means
25 the Secretary of the Interior.

1 (2) **THEME STUDY.**—The term “theme study”
2 means the national historic landmark theme study
3 required under section 1004.

4 (3) **PEOPLING OF AMERICA.**—The term “peo-
5 pling of America” means the migration to and with-
6 in, and the settlement of, the United States.

7 **SEC. 1004. THEME STUDY.**

8 (a) **IN GENERAL.**—The Secretary shall prepare and
9 submit to Congress a national historic landmark theme
10 study on the peopling of America.

11 (b) **PURPOSE.**—The purpose of the theme study shall
12 be to identify regions, areas, trails, districts, communities,
13 sites, buildings, structures, objects, organizations, soci-
14 eties, and cultures that—

15 (1) best illustrate and commemorate key events
16 or decisions affecting the peopling of America; and

17 (2) can provide a basis for the preservation and
18 interpretation of the peopling of America that has
19 shaped the culture and society of the United States.

20 (c) **IDENTIFICATION AND DESIGNATION OF POTEN-**
21 **TIAL NEW NATIONAL HISTORIC LANDMARKS.**—

22 (1) **IN GENERAL.**—The theme study shall iden-
23 tify and recommend for designation new national
24 historic landmarks.

1 (2) LIST OF APPROPRIATE SITES.—The theme
2 study shall—

3 (A) include a list in order of importance or
4 merit of the most appropriate sites for national
5 historic landmark designation; and

6 (B) encourage the nomination of other
7 properties to the National Register of Historic
8 Places.

9 (3) DESIGNATION.—On the basis of the theme
10 study, the Secretary shall designate new national
11 historic landmarks.

12 (d) NATIONAL PARK SYSTEM.—

13 (1) IDENTIFICATION OF SITES WITHIN CUR-
14 RENT UNITS.—The theme study shall identify appro-
15 priate sites within units of the National Park Sys-
16 tem at which the peopling of America may be inter-
17 preted.

18 (2) IDENTIFICATION OF NEW SITES.—On the
19 basis of the theme study, the Secretary shall rec-
20 ommend to Congress sites for which studies for po-
21 tential inclusion in the National Park System should
22 be authorized.

23 (e) CONTINUING AUTHORITY.—After the date of sub-
24 mission to Congress of the theme study, the Secretary

1 shall, on a continuing basis, as appropriate to interpret
2 the peopling of America—

3 (1) evaluate, identify, and designate new na-
4 tional historic landmarks; and

5 (2) evaluate, identify, and recommend to Con-
6 gress sites for which studies for potential inclusion
7 in the National Park System should be authorized.

8 (f) PUBLIC EDUCATION AND RESEARCH.—

9 (1) LINKAGES.—

10 (A) ESTABLISHMENT.—On the basis of the
11 theme study, the Secretary may identify appro-
12 priate means for establishing linkages—

13 (i) between—

14 (I) regions, areas, trails, dis-
15 tricts, communities, sites, buildings,
16 structures, objects, organizations, so-
17 cieties, and cultures identified under
18 subsections (b) and (d); and

19 (II) groups of people; and

20 (ii) between—

21 (I) regions, areas, districts, com-
22 munities, sites, buildings, structures,
23 objects, organizations, societies, and
24 cultures identified under subsection
25 (b); and

1 (II) units of the National Park
2 System identified under subsection
3 (d).

4 (B) PURPOSE.—The purpose of the link-
5 ages shall be to maximize opportunities for pub-
6 lic education and scholarly research on the peo-
7 pling of America.

8 (2) COOPERATIVE ARRANGEMENTS.—On the
9 basis of the theme study, the Secretary shall, subject
10 to the availability of funds, enter into cooperative ar-
11 rangements with State and local governments, edu-
12 cational institutions, local historical organizations,
13 communities, and other appropriate entities to pre-
14 serve and interpret key sites in the peopling of
15 America.

16 (3) EDUCATIONAL INITIATIVES.—

17 (A) IN GENERAL.—The documentation in
18 the theme study shall be used for broad edu-
19 cational initiatives such as—

20 (i) popular publications;

21 (ii) curriculum material such as the
22 Teaching with Historic Places program;

23 (iii) heritage tourism products such as
24 the National Register of Historic Places
25 Travel Itineraries program; and

1 (iv) oral history and ethnographic pro-
2 grams.

3 (B) COOPERATIVE PROGRAMS.—On the
4 basis of the theme study, the Secretary shall
5 implement cooperative programs to encourage
6 the preservation and interpretation of the peo-
7 pling of America.

8 **SEC. 1005. COOPERATIVE AGREEMENTS.**

9 The Secretary may enter into cooperative agreements
10 with educational institutions, professional associations, or
11 other entities knowledgeable about the peopling of
12 America—

13 (1) to prepare the theme study;

14 (2) to ensure that the theme study is prepared
15 in accordance with generally accepted scholarly
16 standards; and

17 (3) to promote cooperative arrangements and
18 programs relating to the peopling of America.

19 **SEC. 1006. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated such sums
21 as are necessary to carry out this title.

22 **TITLE XI—NATCHEZ TRACE**
23 **PARKWAY**

24 **SEC. 1101. DEFINITIONS.**

25 In this title:

1 (d) ADMINISTRATION.—Land acquired under this
2 section shall be administered by the Secretary as part of
3 the Parkway.

4 **SEC. 1103. AUTHORIZATION OF LEASING.**

5 The Secretary, acting through the Superintendent of
6 the Parkway, may lease land within the boundary of the
7 Parkway to the city of Natchez, Mississippi, for any pur-
8 pose compatible with the Parkway.

9 **SEC. 1104. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums
11 as are necessary to carry out this title.

12 **TITLE XII—FORT MATANZAS NA-**
13 **TIONAL MONUMENT BOUND-**
14 **ARY ADJUSTMENT**

15 **SEC. 1201. DEFINITIONS.**

16 In this title:

17 (1) MAP.—The term “Map” means the map en-
18 titled “Fort Matanzas National Monument”, num-
19 bered 347/80,004 and dated February, 1991.

20 (2) MONUMENT.—The term “Monument”
21 means the Fort Matanzas National Monument in
22 Florida.

23 (3) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 **SEC. 1202. REVISION OF BOUNDARY.**

2 (a) IN GENERAL.—The boundary of the Monument
3 is revised to include an area totaling approximately 70
4 acres, as generally depicted on the Map.

5 (b) AVAILABILITY OF MAP.—The Map shall be on file
6 and available for public inspection in the office of the Di-
7 rector of the National Park Service.

8 **SEC. 1203. ACQUISITION OF ADDITIONAL LAND.**

9 The Secretary may acquire any land, water, or inter-
10 ests in land that are located within the revised boundary
11 of the Monument by—

12 (1) donation;

13 (2) purchase with donated or appropriated
14 funds;

15 (3) transfer from any other Federal agency; or

16 (4) exchange.

17 **SEC. 1204. ADMINISTRATION.**

18 Subject to applicable laws, all land and interests in
19 land held by the United States that are included in the
20 revised boundary under section 1202 shall be administered
21 by the Secretary as part of the Monument.

22 **SEC. 1205. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated such sums
24 as are necessary to carry out this title.

1 **TITLE XIII—LAND ACQUISITION**

2 **SEC. 1301. ACQUISITION OF CERTAIN PROPERTY IN WASH-** 3 **INGTON COUNTY, UTAH.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, effective 30 days after the date of the enact-
6 ment of this title, all right, title, and interest in and to,
7 and the right to immediate possession of, the 1,516 acres
8 of real property owned by the Environmental Land Tech-
9 nology, Ltd. (ELT) within the Red Cliffs Reserve in
10 Washington County, Utah, and the 34 acres of real prop-
11 erty owned by ELT which is adjacent to the land within
12 the Reserve but is landlocked as a result of the creation
13 of the Reserve, is hereby vested in the United States.

14 (b) COMPENSATION FOR PROPERTY.—Subject to sec-
15 tion 309(f) of the Omnibus Parks and Public Lands Man-
16 agement Act of 1996 (Public Law 104–333), the United
17 States shall pay just compensation to the owner of any
18 real property taken pursuant to this section, determined
19 as of the date of the enactment of this title. An initial
20 payment of \$15,000,000 shall be made to the owner of
21 such real property not later than 30 days after the date
22 of taking. The full faith and credit of the United States
23 is hereby pledged to the payment of any judgment entered
24 against the United States with respect to the taking of
25 such property. Payment shall be in the amount of—

1 (1) the appraised value of such real property as
2 agreed to by the land owner and the United States,
3 plus interest from the date of the enactment of this
4 title; or

5 (2) the valuation of such real property awarded
6 by judgment, plus interest from the date of the en-
7 actment of this title, reasonable costs and expenses
8 of holding such property from February 1990 to the
9 date of final payment, including damages, if any,
10 and reasonable costs and attorneys fees, as deter-
11 mined by the court. Payment shall be made from the
12 permanent judgment appropriation established pur-
13 suant to section 1304 of title 31, United States
14 Code, or from another appropriate Federal Govern-
15 ment fund.

16 Interest under this subsection shall be compounded in the
17 same manner as provided for in section 1(b)(2)(B) of the
18 Act of April 17, 1954, (Chapter 153; 16 U.S.C.
19 429b(b)(2)(B)) except that the reference in that provision
20 to “the date of the enactment of the Manassas National
21 Battlefield Park Amendments of 1988” shall be deemed
22 to be a reference to the date of the enactment of this title.

23 (c) DETERMINATION BY COURT IN LIEU OF NEGO-
24 TIATED SETTLEMENT.—In the absence of a negotiated
25 settlement, or an action by the owner, the Secretary of

1 the Interior shall initiate within 90 days after the date
2 of the enactment of this section a proceeding in the United
3 States Federal District Court for the District of Utah,
4 seeking a determination, subject to section 309(f) of the
5 Omnibus Parks and Public Lands Management Act of
6 1996 (Public Law 104–333), of the value of the real prop-
7 erty, reasonable costs and expenses of holding such prop-
8 erty from February 1990 to the date of final payment,
9 including damages, if any, and reasonable costs and attor-
10 neys fees.

11 **TITLE XIV—SAINT CROIX ISLAND** 12 **HERITAGE**

13 **SEC. 1401. SHORT TITLE.**

14 This title may be cited as the “Saint Croix Island
15 Heritage Act”.

16 **SEC. 1402. FINDINGS AND PURPOSES.**

17 (a) FINDINGS.—Congress finds that—

18 (1) Saint Croix Island is located in the Saint
19 Croix River, a river that is the boundary between
20 the State of Maine and Canada;

21 (2) the Island is the only international historic
22 site in the National Park System;

23 (3) in 1604, French nobleman Pierre Dugua
24 Sieur de Mons, accompanied by a courageous group
25 of adventurers that included Samuel Champlain,

1 landed on the Island and began the construction of
2 a settlement;

3 (4) the French settlement on the Island in
4 1604 and 1605 was the initial site of the first per-
5 manent settlement in the New World, predating the
6 English settlement of 1607 at Jamestown, Virginia;

7 (5) many people view the expedition that settled
8 on the Island in 1604 as the beginning of the Aca-
9 dian culture in North America;

10 (6) in October, 1998, the National Park Service
11 completed a general management plan to manage
12 and interpret the Saint Croix Island International
13 Historic Site;

14 (7) the plan addresses a variety of management
15 alternatives, and concludes that the best manage-
16 ment strategy entails developing an interpretive trail
17 and ranger station at Red Beach, Maine, and a re-
18 gional heritage center in downtown Calais, Maine, in
19 cooperation with Federal, State, and local agencies;

20 (8) a 1982 memorandum of understanding,
21 signed by the Department of the Interior and the
22 Canadian Department for the Environment, outlines
23 a cooperative program to commemorate the inter-
24 national heritage of the Saint Croix Island site and

1 specifically to prepare for the 400th anniversary of
2 the settlement in 2004; and

3 (9) only 4 years remain before the 400th anni-
4 versary of the settlement at Saint Croix Island, an
5 occasion that should be appropriately commemo-
6 rated.

7 (b) PURPOSE.—The purpose of this title is to direct
8 the Secretary of the Interior to take all necessary and ap-
9 propriate steps to work with Federal, State, and local
10 agencies, historical societies, and nonprofit organizations
11 to facilitate the development of a regional heritage center
12 in downtown Calais, Maine before the 400th anniversary
13 of the settlement of Saint Croix Island.

14 **SEC. 1403. DEFINITIONS.**

15 In this title:

16 (1) ISLAND.—The term “Island” means Saint
17 Croix Island, located in the Saint Croix River, be-
18 tween Canada and the State of Maine.

19 (2) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior, acting through the Di-
21 rector of the National Park Service.

22 **SEC. 1404. SAINT CROIX ISLAND REGIONAL HERITAGE CEN-**
23 **TER.**

24 (a) IN GENERAL.—The Secretary shall provide as-
25 sistance in planning, constructing, and operating a re-

1 gional heritage center in downtown Calais, Maine, to fa-
2 cilitate the management and interpretation of the Saint
3 Croix Island International Historic Site.

4 (b) COOPERATIVE AGREEMENTS.—To carry out sub-
5 section (a), in administering the Saint Croix Island Inter-
6 national Historic Site, the Secretary may enter into coop-
7 erative agreements under appropriate terms and condi-
8 tions with other Federal agencies, State and local agencies
9 and nonprofit organizations—

10 (1) to provide exhibits, interpretive services (in-
11 cluding employing individuals to provide such serv-
12 ices), and technical assistance;

13 (2) to conduct activities that facilitate the dis-
14 semination of information relating to the Saint Croix
15 Island International Historic Site;

16 (3) to provide financial assistance for the con-
17 struction of the regional heritage center in exchange
18 for space in the center that is sufficient to interpret
19 the Saint Croix Island International Historic Site;
20 and

21 (4) to assist with the operation and mainte-
22 nance of the regional heritage center.

23 **SEC. 1405. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) DESIGN AND CONSTRUCTION.—

1 (1) IN GENERAL.—There is authorized to be
2 appropriated to carry out this title (including the de-
3 sign and construction of the regional heritage cen-
4 ter) \$2,000,000.

5 (2) EXPENDITURE.—Paragraph (1) authorizes
6 funds to be appropriated on the condition that any
7 expenditure of those funds shall be matched on a
8 dollar-for-dollar basis by funds from non-Federal
9 sources.

10 (b) OPERATION AND MAINTENANCE.—There are au-
11 thorized to be appropriated such sums as are necessary
12 to maintain and operate interpretive exhibits in the re-
13 gional heritage center.

14 **TITLE XV—HOOSIER AUTO-**
15 **MOBILE & TRUCK NATIONAL**
16 **HERITAGE TRAIL AREA**

17 **SEC. 1501. SHORT TITLE.**

18 This title may be cited as the “Hoosier Automobile
19 & Truck National Heritage Trail Area Act of 2000”.

20 **SEC. 1502. FINDINGS AND PURPOSES.**

21 (a) FINDINGS.—The Congress finds as follows:

22 (1) The industrial, cultural, and natural herit-
23 age legacies of Indiana’s automobile and truck in-
24 dustry are nationally significant.

1 (2) The design and manufacture of the auto-
2 mobile and truck within the State of Indiana helped
3 establish and expand the United States industrial
4 power.

5 (3) The industrial strength of automobile and
6 truck manufacturing was vital to defending freedom
7 and democracy in two world wars and played a de-
8 fining role in American victories.

9 (4) The economic strength of our Nation is con-
10 nected integrally to the vitality of the automobile
11 and truck industry, which employs millions of work-
12 ers and upon which one out of seven United States
13 jobs depends.

14 (5) The industrial and cultural heritage of the
15 automobile and truck industry in Indiana includes
16 the social history and living cultural traditions of
17 several generations.

18 (6) The United Auto Workers and other unions
19 played a significant role in the history and progress
20 of the labor movement and the automobile and truck
21 industry.

22 (7) The Department of the Interior is respon-
23 sible for protecting and interpreting the Nation's
24 cultural and historic resources, and there are signifi-
25 cant examples of these resources within Indiana to

1 merit the involvement of the Federal Government to
2 develop programs and projects in cooperation with
3 the Hoosier Automobile & Truck National Heritage
4 Trail Area Partnership, Inc., (an Indiana not-for-
5 profit corporation), the State of Indiana, and other
6 local and governmental bodies, to adequately con-
7 serve, protect, and interpret this heritage for the
8 educational and recreational benefit of this and fu-
9 ture generations of Americans.

10 (8) The Hoosier Automobile & Truck National
11 Heritage Trail Area Partnership, Inc., would be an
12 appropriate entity to oversee the development of the
13 Hoosier Automobile & Truck National Heritage
14 Trail Area.

15 (9) Multiple museums of regional, national, and
16 international stature are located within the Hoosier
17 Automobile & Truck National Heritage Trail Area
18 as follows:

19 (A) Auburn Cord Duesenberg Museum at
20 Auburn, Indiana.

21 (B) National Automotive and Truck Mu-
22 seum of the United States at Auburn, Indiana.

23 (C) S. Ray Miller Museum at Elkhart, In-
24 diana.

1 (D) RV/MH Hall of Fame, Museum, and
2 Library at Elkhart, Indiana.

3 (E) Studebaker National Museum at South
4 Bend, Indiana.

5 (F) Door Prairie Museum at LaPorte, In-
6 diana.

7 (G) Indianapolis Motor Speedway Museum
8 at Indianapolis, Indiana.

9 (10) Auburn, Indiana, because it is located on
10 Interstate Highway 69, is the home of the Auburn
11 Cord Duesenberg Museum, the National Automotive
12 and Truck Museum of the United States, and the
13 Kruse Auction Park, designates itself as the “Col-
14 lector Car Capital of the World”, and is adjacent to
15 the Michigan Automobile National Heritage Area, is
16 the appropriate focal point for the Hoosier Auto-
17 mobile & Truck National Heritage Trail Area.

18 (11) The natural, cultural, historic, and scenic
19 resources of the Hoosier Automobile & Truck Na-
20 tional Heritage Trail Area have combined to form a
21 cohesive, nationally distinctive landscape arising
22 from patterns of human activity, shaped by geog-
23 raphy which has resulted in the Hoosier National
24 Automobile & Truck National Trail Area being rep-
25 resentative of the national experience through the

1 physical features that remain, the traditions which
2 have evolved within them, and the continued use of
3 the Hoosier National Automobile & Truck National
4 Trail Area by people whose traditions and activities
5 have helped to shape such landscape.

6 (b) PURPOSE.—The purpose of this title is to estab-
7 lish the Hoosier Automobile & Truck National Heritage
8 Trail Area to—

9 (1) foster a close working relationship with all
10 levels of government, the private sector, and the
11 local communities in Indiana and empower commu-
12 nities in Indiana to conserve their automotive and
13 truck heritage while strengthening future economic
14 opportunities; and

15 (2) conserve, interpret, and develop the histor-
16 ical, cultural, natural, and recreational resources re-
17 lated to the industrial and cultural heritage of the
18 Hoosier Automobile & Truck National Heritage
19 Trail Area.

20 **SEC. 1503. DEFINITIONS.**

21 For purposes of this title:

22 (1) BOARD.—The term “Board” means the
23 Board of Directors of the Partnership.

24 (2) HERITAGE AREA.—The term “Heritage
25 Area” means the Hoosier Automobile & Truck Na-

1 tional Heritage Trail Area established by section
2 1504.

3 (3) PARTNERSHIP.—The term “Partnership”
4 means the Hoosier Automobile & Truck National
5 Heritage Trail Area, Incorporated (a nonprofit cor-
6 poration established under the laws of the State of
7 Indiana).

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 1504. AUTOMOBILE NATIONAL HERITAGE AREA.**

11 (a) ESTABLISHMENT.—There is established in the
12 State of Indiana the Hoosier Automobile & Truck Na-
13 tional Heritage Trail Area.

14 (b) BOUNDARIES.—

15 (1) IN GENERAL.—Subject to paragraph (2),
16 the boundaries of the Heritage Area shall include
17 lands in the following counties in the State of Indi-
18 ana: Lake, Porter, LaPorte, Starke, Elkhart, Kos-
19 ciusko, LaGrange, Steuben, Noble, DeKalb, Whitley,
20 Allen, Huntington, Wells, Adams, Jay, Clinton, Tip-
21 ton, Madison, Delaware, Randolph, Hamilton,
22 Henry, Wayne, Marion, Hancock, Morgan, Johnson,
23 Shelby, Rush, Fayette, Union, Brown, Bartholomew,
24 Decatur, Franklin, Jackson, Jennings, Ripley, Dear-
25 born, Washington, Scott, Jefferson, Ohio, Switzer-

1 land, Clark, Floyd, Harrison, Crawford, Dubois,
2 Perry, Spencer, Sullivan, Greene, Monroe, Knox,
3 Daviess, Martin, Lawrence, Orange, Gibson, Pike,
4 Posey, Vanderburgh, and Warrick.

5 (2) SPECIFIC BOUNDARIES.—The specific
6 boundaries of the Heritage Area shall be those speci-
7 fied in the management plan approved under section
8 1506.

9 (3) MAP.—The Secretary shall prepare a map
10 of the Heritage Area which shall be on file and
11 available for public inspection in the office of the Di-
12 rector of the National Park Service.

13 (4) CONSENT OF LOCAL GOVERNMENTS.—The
14 Partnership shall provide to the government of each
15 city, village, and township that has jurisdiction over
16 property proposed to be included in the Heritage
17 Area written notice of that proposal.

18 (5) CONDITIONS FOR INCLUSION OF PROPERTY
19 IN HERITAGE AREA.—Property may not be included
20 in the Heritage Area if—

21 (A) the Partnership fails to give notice of
22 the inclusion in accordance with paragraph (4);

23 (B) any local government to which the no-
24 tice is required to be provided objects to the in-
25 clusion, in writing to the Partnership, by not

1 later than the end of the period provided pursu-
2 ant to subparagraph (C); or

3 (C) fails to provide a period of at least 60
4 days for objection under subparagraph (B).

5 (6) ADMINISTRATION.—The Heritage Area
6 shall be administered in accordance with this title.

7 (7) ADDITIONS AND DELETIONS OF LANDS.—
8 The Secretary may add or remove lands to or from
9 the Heritage Area in response to a request from the
10 Partnership.

11 **SEC. 1505. DESIGNATION OF PARTNERSHIP AS MANAGE-**
12 **MENT ENTITY.**

13 (a) IN GENERAL.—The Partnership shall be the
14 management entity for the Heritage Area.

15 (b) FEDERAL FUNDING.—

16 (1) AUTHORIZATION TO RECEIVE FUNDS.—The
17 Partnership may receive amounts appropriated to
18 carry out this title.

19 (2) DISQUALIFICATION.—If a management plan
20 for the Area is not submitted to the Secretary as re-
21 quired under section 1506 within the time specified
22 in that section, the Partnership shall cease to be au-
23 thorized to receive Federal funding under this title
24 until such a plan is submitted to the Secretary.

1 (c) AUTHORITIES OF PARTNERSHIP.—The Partner-
2 ship may, for purposes of preparing and implementing the
3 management plan for the Heritage Area, use Federal
4 funds made available under this title—

5 (1) to make grants and loans to the State of
6 Indiana, its political subdivisions, nonprofit organi-
7 zations, and other persons;

8 (2) to enter into cooperative agreements with or
9 provide technical assistance to Federal agencies, the
10 State of Indiana, its political subdivisions, nonprofit
11 organizations, and other persons;

12 (3) to hire and compensate staff;

13 (4) to obtain money from any source under any
14 program or law requiring the recipient of such
15 money to make a contribution in order to receive
16 such money; and

17 (5) to contract for goods and services.

18 (d) PROHIBITION OF ACQUISITION OF REAL PROP-
19 erty.—The Partnership may not use Federal funds re-
20 ceived under this title to acquire real property or any in-
21 terest in real property.

22 **SEC. 1506. MANAGEMENT DUTIES OF THE HOOSIER AUTO-**
23 **MOBILE & TRUCK NATIONAL HERITAGE**
24 **TRAIL AREA PARTNERSHIP.**

25 (a) HERITAGE AREA MANAGEMENT PLAN.—

1 (1) SUBMISSION FOR REVIEW BY SECRETARY.—
2 The Board of Directors of the Partnership shall,
3 within 3 years after the date of the enactment of
4 this title, develop and submit for review to the Sec-
5 retary a management plan for the Heritage Area.

6 (2) PLAN REQUIREMENTS, GENERALLY.—A
7 management plan submitted under this section
8 shall—

9 (A) present comprehensive recommenda-
10 tions for the conservation, funding, manage-
11 ment, and development of the Heritage Area;

12 (B) be prepared with public participation;

13 (C) take into consideration existing Fed-
14 eral, State, county, and local plans and involve
15 residents, public agencies, and private organiza-
16 tions in the Heritage Area;

17 (D) include a description of actions that
18 units of government and private organizations
19 are recommended to take to protect the re-
20 sources of the Heritage Area; and

21 (E) specify existing and potential sources
22 of Federal and non-Federal funding for the
23 conservation, management, and development of
24 the Heritage Area.

1 (3) ADDITIONAL PLAN REQUIREMENTS.—The
2 management plan shall also include the following, as
3 appropriate:

4 (A) An inventory of resources contained in
5 the Heritage Area, including a list of property
6 in the Heritage Area that should be conserved,
7 restored, managed, developed, or maintained be-
8 cause of the natural, cultural, or historic sig-
9 nificance of the property as it relates to the
10 themes of the Heritage Area. The inventory
11 may not include any property that is privately
12 owned unless the owner of the property con-
13 sents in writing to that inclusion.

14 (B) A recommendation of policies for re-
15 source management that consider and detail the
16 application of appropriate land and water man-
17 agement techniques, including (but not limited
18 to) the development of intergovernmental coop-
19 erative agreements to manage the historical,
20 cultural, and natural resources and recreational
21 opportunities of the Heritage Area in a manner
22 consistent with the support of appropriate and
23 compatible economic viability.

24 (C) A program for implementation of the
25 management plan, including plans for restora-

1 tion and construction and a description of any
2 commitments that have been made by persons
3 interested in management of the Heritage Area.

4 (D) An analysis of means by which Fed-
5 eral, State, and local programs may best be co-
6 ordinated to promote the purposes of this title.

7 (E) An interpretive plan for the Heritage
8 Area.

9 (4) APPROVAL AND DISAPPROVAL OF THE MAN-
10 AGEMENT PLAN.—

11 (A) IN GENERAL.—Not later than 60 days
12 after submission of the Heritage Area manage-
13 ment plan by the Board, the Secretary shall ap-
14 prove or disapprove the plan. If the Secretary
15 has taken no action after 60 days, the plan
16 shall be considered approved.

17 (B) DISAPPROVAL AND REVISIONS.—If the
18 Secretary disapproves the management plan,
19 the Secretary shall advise the Board, in writing,
20 of the reasons for the disapproval and shall
21 make recommendations for revision of the plan.
22 The Secretary shall approve or disapprove pro-
23 posed revisions to the plan not later than 60
24 days after receipt of such revisions from the
25 Board. If the Secretary has taken no action for

1 60 days after receipt, the plan and revisions
2 shall be considered approved.

3 (b) PRIORITIES.—The Partnership shall give priority
4 to the implementation of actions, goals, and policies set
5 forth in the management plan for the Heritage Area,
6 including—

7 (1) assisting units of government, regional plan-
8 ning organizations, and nonprofit organizations—

9 (A) in conserving the Heritage Area;

10 (B) in establishing and maintaining inter-
11 pretive exhibits in the Heritage Area;

12 (C) in developing recreational opportunities
13 in the Heritage Area;

14 (D) in increasing public awareness of and
15 appreciation for the natural, historical, and cul-
16 tural resources of the Heritage Area;

17 (E) in the restoration of historic buildings
18 that are located within the boundaries of the
19 Heritage Area and related to the theme of the
20 Heritage Area; and

21 (F) in ensuring that clear, consistent, and
22 environmentally appropriate signs identifying
23 access points and sites of interest are put in
24 place throughout the Heritage Area; and

1 (2) consistent with the goals of the manage-
2 ment plan, encouraging economic viability in the af-
3 fected communities by appropriate means.

4 (c) CONSIDERATION OF INTERESTS OF LOCAL
5 GROUPS.—The Partnership shall, in preparing and imple-
6 menting the management plan for the Heritage Area, con-
7 sider the interest of diverse units of government, busi-
8 nesses, private property owners, and nonprofit groups
9 within the Heritage Area.

10 (d) PUBLIC MEETINGS.—The Partnership shall con-
11 duct public meetings at least annually regarding the im-
12 plementation of the Heritage Area management plan.

13 (e) ANNUAL REPORTS.—The Partnership shall, for
14 any fiscal year in which it receives Federal funds under
15 this title or in which a loan made by the Partnership with
16 Federal funds under section 1505(c)(1) is outstanding,
17 submit an annual report to the Secretary setting forth its
18 accomplishments, its expenses and income, and the enti-
19 ties to which it made any loans and grants during the year
20 for which the report is made.

21 (f) COOPERATION WITH AUDITS.—The Partnership
22 shall, for any fiscal year in which it receives Federal funds
23 under this title or in which a loan made by the Partnership
24 with Federal funds under section 1505(c)(1) is out-
25 standing, make available for audit by the Congress, the

1 Secretary, and appropriate units of government all records
2 and other information pertaining to the expenditure of
3 such funds and any matching funds, and require, for all
4 agreements authorizing expenditure of Federal funds by
5 other organizations, that the receiving organizations make
6 available for such audit all records and other information
7 pertaining to the expenditure of such funds.

8 (g) DELEGATION.—The Partnership may delegate
9 the responsibilities and actions under this section for each
10 corridor identified in section 1504(b)(1). All delegated ac-
11 tions are subject to review and approval by the Partner-
12 ship.

13 **SEC. 1507. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**
14 **CIES.**

15 (a) TECHNICAL ASSISTANCE AND GRANTS.—

16 (1) IN GENERAL.—The Secretary may provide
17 technical assistance and, subject to the availability
18 of appropriations, grants to units of government,
19 nonprofit organizations, and other persons upon re-
20 quest of the Partnership, and to the Partnership, re-
21 garding the management plan and its implementa-
22 tion.

23 (2) PROHIBITION OF CERTAIN REQUIRE-
24 MENTS.—The Secretary may not, as a condition of
25 the award of technical assistance or grants under

1 this section, require any recipient of such technical
2 assistance or a grant to enact or modify land use re-
3 strictions.

4 (3) DETERMINATIONS REGARDING ASSIST-
5 ANCE.—The Secretary shall decide if a person shall
6 be awarded technical assistance or grants and the
7 amount of that assistance. Such decisions shall be
8 based on the relative degree to which the Heritage
9 Area effectively fulfills the objectives contained in
10 the Heritage Area management plan and achieves
11 the purposes of this title. Such decisions shall give
12 consideration to projects which provide a greater le-
13 verage of Federal funds.

14 (b) PROVISION OF INFORMATION.—In cooperation
15 with other Federal agencies, the Secretary shall provide
16 the general public with information regarding the location
17 and character of the Heritage Area.

18 (c) OTHER ASSISTANCE.—The Secretary may enter
19 into cooperative agreements with public and private orga-
20 nizations for the purposes of implementing this subsection.

21 (d) DUTIES OF OTHER FEDERAL AGENCIES.—Any
22 Federal entity conducting any activity directly affecting
23 the Heritage Area shall consider the potential effect of the
24 activity on the Heritage Area management plan and shall
25 consult with the Partnership with respect to the activity

1 to minimize the adverse effects of the activity on the Her-
2 itage Area.

3 **SEC. 1508. LACK OF EFFECT ON LAND USE REGULATION**
4 **AND PRIVATE PROPERTY.**

5 (a) LACK OF EFFECT ON AUTHORITY OF LOCAL
6 GOVERNMENT.—Nothing in this title shall be construed
7 to modify, enlarge, or diminish any authority of Federal,
8 State, or local governments to regulate any use of land
9 under any other law or regulation.

10 (b) LACK OF ZONING OR LAND USE POWERS.—
11 Nothing in this title shall be construed to grant powers
12 of zoning or land use control to the Partnership.

13 (c) LOCAL AUTHORITY AND PRIVATE PROPERTY
14 NOT AFFECTED.—Nothing in this title shall be construed
15 to affect or to authorize the Partnership to interfere
16 with—

17 (1) the rights of any person with respect to pri-
18 vate property; or

19 (2) any local zoning ordinance or land use plan
20 of the State of Indiana or a political subdivision
21 thereof.

22 **SEC. 1509. SUNSET.**

23 The Secretary may not make any grant or provide
24 any assistance under this title after September 30, 2015.

1 **SEC. 1510. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There is authorized to be appro-
3 priated under this title not more than \$1,000,000 for any
4 fiscal year. Not more than a total of \$10,000,000 may
5 be appropriated for the Heritage Area under this title.

6 (b) 50 PERCENT MATCH.—Federal funding provided
7 under this title, after the designation of the Heritage
8 Area, may not exceed 50 percent of the total cost of any
9 activity carried out with Federal funds.

Passed the House of Representatives October 31,
2000.

Attest:

JEFF TRANDAHL,

Clerk.