

Calendar No. 679

107TH CONGRESS
2^D SESSION**H. R. 3421**

 IN THE SENATE OF THE UNITED STATES

MAY 1, 2002

Received; read twice and referred to the Committee on Energy and Natural
Resources

OCTOBER 8, 2002

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide adequate school facilities within Yosemite
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. SHORT TITLE.**

4 This Act may be cited as the “Yosemite National
5 Park Education Improvement Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) **FINDINGS.**—Congress finds the following:

8 (1) The three elementary schools serving the
9 children of employees of Yosemite National Park are

1 served by the Bass Lake Joint Union Elementary
2 School District and the Mariposa Unified School
3 District.

4 (2) The schools are in remote mountainous
5 areas and long distances from other educational and
6 administrative facilities of the two local educational
7 agencies.

8 (3) Because of their remote locations and rel-
9 atively small number of students, schools serving the
10 children of employees of the Park provide fewer
11 services in more basic facilities than the educational
12 services and facilities provided to students that at-
13 tend other schools served by the two local edu-
14 cational agencies.

15 (4) Because of the long distances involved and
16 adverse weather and road conditions that occur dur-
17 ing much of the school year, it is impractical for the
18 children of employees of the Park who live within or
19 near the Park to attend other schools served by the
20 two local educational agencies.

21 (b) PURPOSE.—The purpose of this Act is to author-
22 ize the Secretary of the Interior to provide supplemental
23 funding and other services that are necessary to assist the
24 State of California or local educational agencies in Cali-

1 fornia in providing educational services for students at-
2 tending schools located within the Park.

3 **SEC. 3. PAYMENTS FOR EDUCATIONAL SERVICES.**

4 (a) **AUTHORITY TO PROVIDE FUNDS.**—For fiscal
5 years 2003 through 2007, the Secretary may provide
6 funds to the Bass Lake Joint Union Elementary School
7 District and the Mariposa Unified School District for edu-
8 cational services to students who are dependents of per-
9 sons engaged in the administration, operation, and main-
10 tenance of the Park or students who live at or near the
11 Park upon real property of the United States.

12 (b) **LIMITATION ON USE OF FUNDS.**—Payments
13 made by the Secretary under this section may not be used
14 for new construction, construction contracts, or major cap-
15 ital improvements, and may be used only to pay public
16 employees for services otherwise authorized by this Act.

17 (c) **LIMITATION ON AMOUNT OF FUNDS.**—Payments
18 made under this section shall not exceed the lesser of
19 \$750,000 in any fiscal year or the amount necessary to
20 provide students described in subsection (a) with edu-
21 cational services that are normally provided and generally
22 available to students who attend public schools elsewhere
23 in the State of California.

24 (d) **ADJUSTMENT OF PAYMENTS.**—Subject to sub-
25 section (c), the Secretary is authorized to adjust payments

1 made under this section if the State of California or the
2 appropriate local educational agencies do not continue to
3 provide funding for educational services at Park schools
4 at per student levels that are equivalent to or greater than
5 those provided in the fiscal year prior to the date of enact-
6 ment of this Act.

7 (e) SOURCE OF PAYMENTS.—

8 (1) AUTHORIZED SOURCES.—Except as pro-
9 vided in paragraph (2), in order to make payments
10 under this section, the Secretary may use funds
11 available to the National Park Service from appro-
12 priations, donations, or fees.

13 (2) EXCEPTIONS.—Funds from the following
14 sources may not be used to make payments under
15 this section:

16 (A) Fees authorized and collected under
17 the Land and Water Conservation Fund Act of
18 1965 (16 U.S.C. 4601–4 et seq.).

19 (B) The recreational fee demonstration
20 program under section 315 of the Department
21 of the Interior and Related Agencies Appropria-
22 tions Act, 1996 (as contained in section 101(e)
23 of Public Law 104–134; 16 U.S.C. 4601–6a
24 note).

1 (C) The national park passport program
2 established under section 602 of the National
3 Parks Omnibus Management Act of 1998 (16
4 U.S.C. 5992).

5 (D) Emergency appropriations for Yosemite
6 flood recovery.

7 (f) DEFINITIONS.—For the purposes of this Act, the
8 following definitions apply:

9 (1) LOCAL EDUCATIONAL AGENCIES.—The
10 term “local educational agencies” has the meaning
11 given that term in section 9101(26) of the Elementary
12 and Secondary Education Act of 1965.

13 (2) EDUCATIONAL SERVICES.—The term “educational
14 services” means services that may include
15 maintenance and minor upgrades of facilities and
16 transportation to and from school.

17 (3) PARK.—The term “Park” means Yosemite
18 National Park.

19 (4) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 **SECTION 1. SHORT TITLE.**

22 *This Act may be cited as the “Yosemite National Park*
23 *Education Improvement Act”.*

24 **SEC. 2. FINDINGS AND PURPOSE.**

25 (a) FINDINGS.—*Congress finds the following:*

1 (1) *The three elementary schools serving the chil-*
2 *dren of employees of Yosemite National Park are*
3 *served by the Bass Lake Joint Union Elementary*
4 *School District and Mariposa Unified School District.*

5 (2) *The schools are in remote mountainous areas*
6 *and long distances from other educational and ad-*
7 *ministrative facilities of the two local educational*
8 *agencies.*

9 (3) *Because of their remote locations and rel-*
10 *atively small number of students, schools serving the*
11 *children of employees of the Park provide fewer serv-*
12 *ices in more basic facilities than the educational serv-*
13 *ices and facilities provided to student that attend*
14 *other schools served by the two local educational agen-*
15 *cies.*

16 (4) *Because of the long distances involved and*
17 *adverse weather and road conditions that occur dur-*
18 *ing much of the school year, it is impractical for the*
19 *children of employees of the Park who live within or*
20 *near the Park to attend other schools served by the*
21 *two local educational agencies.*

22 (b) *PURPOSE.*—*The purpose of this Act is to authorize*
23 *the Secretary of the Interior to provide supplemental fund-*
24 *ing and other services that are necessary to assist the State*
25 *of California or local educational agencies in California in*

1 *providing educational services for students attending*
2 *schools located within the Park.*

3 **SEC. 3. PAYMENTS FOR EDUCATIONAL SERVICES.**

4 (a) *AUTHORITY TO PROVIDE FUNDS.—For fiscal years*
5 *2003 through 2007, the Secretary may provide funds to the*
6 *Bass Lake Joint Union Elementary School District and the*
7 *Mariposa Unified School District for educational services*
8 *to students who are dependents of persons engaged in the*
9 *administration, operation, and maintenance of the Park or*
10 *students who live at or near the Park upon real property*
11 *of the United States.*

12 (b) *LIMITATIONS ON USE OF FUNDS.—Payments made*
13 *by the Secretary under this section may not be used for*
14 *new construction, construction contracts, or major capital*
15 *improvements, and may be used only to pay public employ-*
16 *ees for services otherwise authorized by this Act.*

17 (c) *LIMITATIONS ON AMOUNT OF FUNDS.—Payments*
18 *made under this section shall not exceed the lesser of*
19 *\$400,000 in any fiscal year or the amount necessary to pro-*
20 *vide students described in subsection (a) with educational*
21 *services that are normally provided and generally available*
22 *to students who attend public schools elsewhere in the State*
23 *of California.*

24 (d) *LIMITATION ON FUNDING SOURCES.—*

1 (1) *EXCEPTIONS.*—*Funds from the following*
2 *sources may not be used to make payments under this*
3 *section:*

4 (A) *Fees authorized and collected under the*
5 *Land and Water Conservation Fund Act of 1956*
6 *(16 U.S.C., 460l–4 et seq.).*

7 (B) *The recreational fee demonstration pro-*
8 *gram under section 315 of the Department of the*
9 *Interior and Related Agencies Appropriations*
10 *Act, 1996 (as contained in section 101(c) of Pub-*
11 *lic Law 104–134; 16 U.S.C. 4601–6a note).*

12 (C) *The national park passport program es-*
13 *tablished under section 602 of the National*
14 *Parks Omnibus Management Act of 1998 (16*
15 *U.S.C. 5992).*

16 (D) *Emergency appropriations for Yosemite*
17 *flood recovery.*

18 (E) *Funds appropriated for the Operation*
19 *of the National Park Service (ONPS Funds).*

20 (e) *DEFINITIONS.*—*For the purposes of this Act, the*
21 *following definitions apply:*

22 (1) *LOCAL EDUCATIONAL AGENCIES.*—*The term*
23 *“local educational agencies” has the meaning given*
24 *that term in section 9109(26) of the Elementary and*
25 *Secondary Education Act of 1965.*

1 (2) *EDUCATIONAL SERVICES.*—*The term “edu-*
 2 *catinal services” means services that may include*
 3 *maintenance and minor upgrades of facilities and*
 4 *transportation to and from school.*

5 (3) *PARK.*—*The term “Park” means Yosemite*
 6 *National Park.*

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

9 **SEC. 4. AUTHORIZATION FOR PARK FACILITIES TO BE LO-**
 10 **CATED OUTSIDE THE BOUNDARIES OF YO-**
 11 **SEMITE NATIONAL PARK.**

12 *Section 814(c) of the Omnibus Parks and Public*
 13 *Lands Management Act of 1966 (16 U.S.C. 346e) is amend-*
 14 *ed—*

15 (1) *in the first sentence—*

16 (A) *by inserting “and Yosemite National*
 17 *Park” after “Zion National Park”; and*

18 (B) *by inserting “transportation systems*
 19 *and” before “the establishment of”; and*

20 (2) *by striking “park” each place it appears and*
 21 *inserting “parks”.*

22 **SEC. 5. ADVISORY COMMISSIONS.**

23 (a) *GOLDEN GATE NATIONAL RECREATION AREA AD-*
 24 *VISORY COMMISSION.*—*Section 5 of Public Law 92–589 (16*
 25 *U.S.C. 460bb–4) is amended—*

1 (1) *in subsection (b)—*

2 (A) *by striking “(b) The Commission” and*
3 *inserting the following:*

4 “(b) *MEMBERSHIP.—*

5 “(1) *IN GENERAL.—The Commission”;*

6 (B) *by striking “Provided, That the” and*
7 *all that follows through the period;*

8 (2) *in subsection (g), by striking “thirty” and*
9 *inserting “40”.*

10 (b) *MANZANAR NATIONAL HISTORIC SITE ADVISORY*
11 *COMMISSION.—Section 105(h) of Public Law 102–248 (16*
12 *U.S.C. 461 note) is amended by striking “10 years after*
13 *the date of enactment of this title” and inserting “on De-*
14 *cember 31, 2012”.*

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Yosemite National Park, and for other purposes.

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