

107TH CONGRESS
2D SESSION

S. 1105

AMENDMENT

In the House of Representatives, U. S.,

September 24, 2002.

Resolved, That the bill from the Senate (S. 1105) entitled “An Act to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***TITLE I—GRAND TETON NA-***
2 ***TIONAL PARK LAND EX-***
3 ***CHANGE***

4 ***SEC. 101. DEFINITIONS.***

5 *As used in this title:*

6 (1) *FEDERAL LANDS.*—*The term “Federal lands”*
7 *means public lands as defined in section 103(e) of the*
8 *Federal Land Policy and Management Act of 1976*
9 *(43 U.S.C. 1702(e)).*

10 (2) *GOVERNOR.*—*The term “Governor” means*
11 *the Governor of the State of Wyoming.*

12 (3) *SECRETARY.*—*The term “Secretary” means*
13 *the Secretary of the Interior.*

1 (4) *STATE LANDS.*—*The term “State lands”*
 2 *means lands and interest in lands owned by the State*
 3 *of Wyoming within the boundaries of Grand Teton*
 4 *National Park as identified on a map titled “Private,*
 5 *State & County Inholdings Grand Teton National*
 6 *Park”, dated March 2001, and numbered GTNP/0001.*

7 ***SEC. 102. ACQUISITION OF STATE LANDS.***

8 (a) *AUTHORIZATION TO ACQUIRE LANDS.*—*The Sec-*
 9 *retary is authorized to acquire approximately 1,406 acres*
 10 *of State lands within the exterior boundaries of Grand*
 11 *Teton National Park, as generally depicted on the map ref-*
 12 *erenced in section 101(4), by any one or a combination of*
 13 *the following—*

14 (1) *donation;*

15 (2) *purchase with donated or appropriated*
 16 *funds; or*

17 (3) *exchange of Federal lands in the State of Wy-*
 18 *oming that are identified for disposal under approved*
 19 *land use plans in effect on the date of enactment of*
 20 *this Act under section 202 of the Federal Land Policy*
 21 *and Management Act of 1976 (43 U.S.C. 1712) that*
 22 *are of equal value to the State lands acquired in the*
 23 *exchange.*

24 (b) *IDENTIFICATION OF LANDS FOR EXCHANGE.*—*In*
 25 *the event that the Secretary or the Governor determines that*

1 *the Federal lands eligible for exchange under subsection*
 2 *(a)(3) are not sufficient or acceptable for the acquisition*
 3 *of all the State lands identified in section 101(4), the Sec-*
 4 *retary shall identify other Federal lands or interests therein*
 5 *in the State of Wyoming for possible exchange and shall*
 6 *identify such lands or interests together with their estimated*
 7 *value in a report to the Committee on Energy and Natural*
 8 *Resources of the United States Senate and the Committee*
 9 *on Resources of the House of Representatives. Such lands*
 10 *or interests shall not be available for exchange unless au-*
 11 *thorized by an Act of Congress enacted after the date of sub-*
 12 *mission of the report.*

13 **SEC. 103. VALUATION OF STATE AND FEDERAL INTERESTS.**

14 (a) *AGREEMENT ON APPRAISER.—If the Secretary and*
 15 *the Governor are unable to agree on the value of any Fed-*
 16 *eral lands eligible for exchange under section 102(a)(3) or*
 17 *State lands, then the Secretary and the Governor may select*
 18 *a qualified appraiser to conduct an appraisal of those*
 19 *lands. The purchase or exchange under section 102(a) shall*
 20 *be conducted based on the values determined by the ap-*
 21 *praisal.*

22 (b) *NO AGREEMENT ON APPRAISER.—If the Secretary*
 23 *and the Governor are unable to agree on the selection of*
 24 *a qualified appraiser under subsection (a), then the Sec-*
 25 *retary and the Governor shall each designate a qualified*

1 appraiser. The two designated appraisers shall select a
 2 qualified third appraiser to conduct the appraisal with the
 3 advice and assistance of the two designated appraisers. The
 4 purchase or exchange under section 102(a) shall be con-
 5 ducted based on the values determined by the appraisal.

6 (c) APPRAISAL COSTS.—The Secretary and the State
 7 of Wyoming shall each pay one-half of the appraisal costs
 8 under subsections (a) and (b).

9 **SEC. 104. ADMINISTRATION OF STATE LANDS ACQUIRED BY**
 10 **THE UNITED STATES.**

11 The State lands conveyed to the United States under
 12 section 102(a) shall become part of Grand Teton National
 13 Park. The Secretary shall manage such lands under the Act
 14 of August 25, 1916 (commonly known as the “National
 15 Park Service Organic Act”) and other laws, rules, and regu-
 16 lations applicable to Grand Teton National Park.

17 **SEC. 105. AUTHORIZATION FOR APPROPRIATIONS.**

18 There are authorized to be appropriated such sums as
 19 may be necessary for the purposes of this title.

20 **TITLE II—JAMES V. HANSEN**
 21 **SHOSHONE NATIONAL TRAIL**

22 **SEC. 201. SHOSHONE NATIONAL TRAIL.**

23 (a) DEFINITIONS.—For the purposes of this section, the
 24 following definitions shall apply:

1 (1) *APPROPRIATE SECRETARY.*—*The term “ap-*
2 *propriate Secretary” means—*

3 (A) *the Secretary of Agriculture when refer-*
4 *ring to land under the jurisdiction of that Sec-*
5 *retary; and*

6 (B) *the Secretary of the Interior when refer-*
7 *ring to any land except that under the jurisdic-*
8 *tion of the Secretary of Agriculture.*

9 (2) *MAP.*—*The term “Map” means the map enti-*
10 *tled “James V. Hansen Shoshone National Trail” and*
11 *dated April 5, 2002.*

12 (3) *TRAIL.*—*The term “Trail” means the system*
13 *of trails designated in subsection (b) as the James V.*
14 *Hansen Shoshone National Trail.*

15 (b) *DESIGNATION.*—*The trails that are open to motor-*
16 *ized use pursuant to applicable Federal and State law and*
17 *are depicted on the Map as the Shoshone National Trail*
18 *are hereby designated as the “James V. Hansen Shoshone*
19 *National Trail”.*

20 (c) *MANAGEMENT.*—

21 (1) *IN GENERAL.*—*Except as otherwise provided*
22 *in this title, the appropriate Secretary shall manage*
23 *the Trail consistent with the requirements of a na-*
24 *tional recreation trail in accordance with—*

1 (A) *the National Trails System Act (16*
 2 *U.S.C. 1241 et seq.)*; and

3 (B) *other applicable laws and regulations*
 4 *for trails on Federal lands.*

5 (2) *COOPERATION; AGREEMENTS.*—*The Secretary*
 6 *of the Interior and the Secretary of Agriculture shall*
 7 *cooperate with the State of Utah Department of Nat-*
 8 *ural Resources and appropriate county governments*
 9 *in managing the Trail. The appropriate Secretary*
 10 *shall make every reasonable effort to enter into coop-*
 11 *erative agreements with the State of Utah Depart-*
 12 *ment of Natural Resources and appropriate county*
 13 *governments (separately, collectively, or in an any*
 14 *combination, as agreed by the parties) for manage-*
 15 *ment of the Trail.*

16 (3) *PRIMARY PURPOSE.*—*The primary purpose*
 17 *of this title is to provide recreational trail opportuni-*
 18 *ties for motorized vehicle use on the Trail. The Trail*
 19 *shall be managed in a manner that is consistent with*
 20 *this purpose, ensures user safety, and minimizes user*
 21 *conflicts.*

22 (4) *ADDITION OF TRAILS.*—

23 (A) *IN GENERAL.*—*The appropriate Sec-*
 24 *retary may add trails to the Trail in accordance*
 25 *with the National Trails System Act and this*

1 *title. The Secretary shall consider the Trail a*
 2 *national recreation trail for the purpose of mak-*
 3 *ing such additions.*

4 *(B) REQUIREMENT FOR ADDITION OF*
 5 *TRAILS ON NON-FEDERAL LAND.—If a trail to be*
 6 *added to the Trail is located on non-Federal*
 7 *land, the appropriate Secretary may add the*
 8 *trail only if the owner of the land upon which*
 9 *the trail is located has—*

10 *(i) consented to the addition of the*
 11 *trail to the Trail; and*

12 *(ii) entered into an agreement with the*
 13 *appropriate Secretary for management of*
 14 *the additional trail in a manner that is*
 15 *consistent with this title.*

16 *(5) NOTICE OF OPEN ROUTES.—The Secretary of*
 17 *the Interior and the Secretary of Agriculture shall en-*
 18 *sure that the public is adequately informed regarding*
 19 *the routes open for the Trail, including by appro-*
 20 *priate signage along the Trail.*

21 *(d) NO EFFECT ON NON-FEDERAL LAND AND INTER-*
 22 *ESTS IN LAND.—Nothing in this section shall be construed*
 23 *to affect ownership, management, or other rights related to*
 24 *any non-Federal land or interests in land, except as pro-*

1 *vided in an agreement related to that land entered into by*
 2 *the landowner under subsection (c)(4)(B)(ii).*

3 *(e) ACQUISITION OF LAND AND INTERESTS IN LAND.—*
 4 *The appropriate Secretary may acquire land and interests*
 5 *in land for the purposes of the Trail only from willing own-*
 6 *ers.*

7 *(f) MAP ON FILE; UPDATED.—The Map shall be—*

8 *(1) kept on file at the appropriate offices of the*
 9 *Secretary of the Interior and the Secretary of Agri-*
 10 *culture; and*

11 *(2) updated by the appropriate Secretary when-*
 12 *ever trails are added to the Trail.*

13 **SEC. 202. AUTHORIZATION OF APPROPRIATIONS.**

14 *There are authorized to be appropriated such sums as*
 15 *are necessary to carry out this title.*

16 **TITLE III—MCLOUGHLIN HOUSE**
 17 **PRESERVATION**

18 **SEC. 301. DEFINITIONS.**

19 *For the purposes of this title, the following definitions*
 20 *shall apply:*

21 *(1) ASSOCIATION.—The term “Association”*
 22 *means the McLoughlin Memorial Association, an or-*
 23 *ganization described in section 501(c)(3) of the Inter-*
 24 *nal Revenue Code of 1986 and exempt from taxation*
 25 *under section 501(a) of such Code.*

1 (2) *CITY*.—*The term “City” means Oregon City,*
 2 *Oregon.*

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

5 **SEC. 302. FINDINGS.**

6 *Congress finds the following:*

7 (1) *On June 27, 1941, Acting Assistant Sec-*
 8 *retary of the Interior W.C. Mendenhall, under the au-*
 9 *thority granted the Secretary under section 2 of the*
 10 *Historic Sites, Buildings and Antiquities Act (16*
 11 *U.S.C. 461 et seq.), established the McLoughlin Home*
 12 *National Historic Site located in the City.*

13 (2) *Since January 16, 1945, the site has been*
 14 *known as McLoughlin House National Historic Site.*

15 (3) *The McLoughlin House National Historic*
 16 *Site includes both the McLoughlin House and Barclay*
 17 *House, which are owned and managed by the Associa-*
 18 *tion.*

19 (4) *The McLoughlin House National Historic*
 20 *Site is located in a Charter Park on Oregon City*
 21 *Block 40, which is owned by the City.*

22 (5) *A cooperative agreement was made in 1941*
 23 *among the Association, the City, and the United*
 24 *States, providing for the preservation and use of the*
 25 *McLoughlin House as a national historic site.*

1 (6) *The Association has had an exemplary and*
 2 *longstanding role in the stewardship of the McLough-*
 3 *lin House National Historic Site but is unable to con-*
 4 *tinue that role.*

5 (7) *The McLoughlin House National Historic*
 6 *Site has a direct relationship with Fort Vancouver*
 7 *National Historic Site due to Dr. John McLoughlin's*
 8 *importance as the Chief Factor of the Hudson Bay*
 9 *Company's Fort Vancouver, the headquarters for the*
 10 *Hudson Bay Company's Columbia Department, and*
 11 *his subsequent role in the early history of the settle-*
 12 *ment of the Oregon Territory to the extent that he is*
 13 *known as the "Father of Oregon".*

14 (8) *The McLoughlin House National Historic*
 15 *Site has been an affiliated area of the National Park*
 16 *System and is worthy of recognition as part of the*
 17 *Fort Vancouver National Historic Site.*

18 **SEC. 303. BOUNDARY OF FORT VANCOUVER NATIONAL HIS-**
 19 **TORIC SITE.**

20 *In recognition of the Secretary's role and responsibil-*
 21 *ities since June 27, 1941, and in order to preserve the*
 22 *McLoughlin House National Historic Site, the Secretary is*
 23 *authorized to acquire the McLoughlin House, consisting of*
 24 *approximately 1 acre, as generally depicted on the map en-*
 25 *titled "McLoughlin National Historic Site", numbered 007/*

1 80,000, and dated 12/01/01, as an addition to the Fort Van-
 2 couver National Historic Site. The map shall be on file and
 3 available for inspection in the appropriate offices of the Na-
 4 tional Park Service, Department of the Interior.

5 **SEC. 304. ACQUISITION AND ADMINISTRATION.**

6 (a) *ACQUISITION.*—The Secretary is authorized to ac-
 7 quire the McLoughlin House from willing owners only, by
 8 donation, purchase with donated or appropriated funds, or
 9 exchange, except that lands or interests in lands owned by
 10 the City may be acquired by donation only.

11 (b) *ADMINISTRATION.*—The Secretary shall administer
 12 the McLoughlin House as an addition to Fort Vancouver
 13 National Historic Site in accordance with the provisions
 14 of law generally applicable to units of the National Park
 15 System.

16 **TTLE IV—PRESIDENTIAL**
 17 **HISTORIC SITE STUDY**

18 **SEC. 401. PRESIDENTIAL HISTORIC SITE STUDY.**

19 (a) *STUDY AND REPORT.*—Not later than 2 years after
 20 the date funds are made available, the Secretary of the Inte-
 21 rior shall—

22 (1) carry out a study on the suitability and fea-
 23 sibility of designating the William Jefferson Clinton
 24 birthplace home located in Hope, Arkansas, as a na-
 25 tional historic site; and

1 (2) *submit to the Committee on Resources of the*
2 *House of Representatives and the Committee on En-*
3 *ergy and Natural Resources of the Senate a report de-*
4 *scribing the findings, conclusions, and recommenda-*
5 *tions of the study.*

6 (b) *REQUIREMENTS FOR STUDY.—Except with regard*
7 *to deadline for completion provided in subsection (a), the*
8 *study under subsection (a) shall be conducted in accordance*
9 *with section 8(c) Public Law 91–383 (16 U.S.C. 1a–5(c)).*

Attest:

Clerk.