

Calendar No. 478

108TH CONGRESS
2D SESSION**H. R. 620****[Report No. 108-255]**

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2003

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

APRIL 26, 2004

Reported by Mr. DOMENICI, with an amendment and an amendment to the
title

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

AN ACT

To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park.

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. FINDINGS AND PURPOSE.**

4 (a) ~~FINDINGS.~~—Congress finds the following:

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

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

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

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

23 (b) PURPOSE.—The purpose of this Act is to author-
24 ize the Secretary of the Interior to provide supplemental
25 funding and other services that are necessary to assist the

1 State of California or local educational agencies in Cali-
2 fornia in providing educational services for students at-
3 tending schools located within the Park.

4 **SEC. 2. PAYMENTS FOR EDUCATIONAL SERVICES.**

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

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

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

1 (d) ~~ADJUSTMENT OF PAYMENTS.~~—Subject to sub-
2 section (e), the Secretary is authorized to adjust payments
3 made under this section if the State of California or the
4 appropriate local education agencies do not continue to
5 provide funding for educational services at Park schools
6 at per student levels that are equal to or greater than
7 those provided in the fiscal year immediately prior to the
8 date of the enactment of this section.

9 (e) ~~SOURCE OF PAYMENTS.~~—

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

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

18 (A) Fees authorized and collected under
19 the Land and Water Conservation Fund Act of
20 1965 (16 U.S.C. 4601–4 et seq.).

21 (B) The recreational fee demonstration
22 program under section 315 of the Department
23 of the Interior and Related Agencies Appropria-
24 tions Act, 1996 (as contained in section 101(e)

1 of Public Law 104-134; 16 U.S.C. 4601-6a
2 note).

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

7 (D) Emergency appropriations for Yosemite
8 ite flood recovery.

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

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

15 (2) EDUCATIONAL SERVICES.—The term “edu-
16 cational services” means services that may include
17 maintenance and minor upgrades of facilities and
18 transportation to and from school.

19 (3) PARK.—The term “Park” means Yosemite
20 National Park.

21 (4) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

1 **SEC. 3. AUTHORIZATION FOR PARK FACILITIES TO BE LO-**
 2 **CATED OUTSIDE THE BOUNDARIES OF YO-**
 3 **SEMITE NATIONAL PARK.**

4 Section 814(e) of the Omnibus Parks and Public
 5 Lands Management Act of 1996 (16 U.S.C. 346e) is
 6 amended—

7 (1) in the first sentence—

8 (A) by inserting “and Yosemite National
 9 Park” after “Zion National Park”; and

10 (B) by inserting “transportation systems
 11 and” before “the establishment of”; and

12 (2) by striking “park” each place it appears
 13 and inserting “parks”.

14 **SECTION 1. TABLE OF CONTENTS.**

15 *The table of contents of this Act is as follows:*

Sec. 1. Table of contents.

TITLE I—FUNDING FOR YOSEMITE NATIONAL PARK SCHOOLS

Sec. 101. Short title.

Sec. 102. Payments for educational services.

*Sec. 103. Authorization for park facilities to be located outside the boundaries of
 Yosemite National Park; fees.*

*TITLE II—RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL
 RECREATION AREA BOUNDARY ADJUSTMENT*

Sec. 201. Short title.

Sec. 202. Golden Gate National Recreation Area, California.

Sec. 203. Manzanar National Historic Site Advisory Commission.

1 **TITLE I—FUNDING FOR YOSEM-**
2 **ITE NATIONAL PARK**
3 **SCHOOLS**

4 **SEC. 101. SHORT TITLE.**

5 *This title may be cited as the “Yosemite National Park*
6 *School Funding Act”.*

7 **SEC. 102. PAYMENTS FOR EDUCATIONAL SERVICES.**

8 *(a) AUTHORITY TO PROVIDE FUNDS.—For fiscal years*
9 *2004 through 2008, the Secretary may provide funds to the*
10 *Bass Lake Joint Union Elementary School District and the*
11 *Mariposa Unified School District for educational services*
12 *to students who are dependents of persons engaged in the*
13 *administration, operation, and maintenance of the Park or*
14 *students who live at or near the Park upon real property*
15 *of the United States.*

16 *(b) LIMITATION ON USE OF FUNDS.—Payments made*
17 *by the Secretary under this section may not be used for*
18 *new construction, construction contracts, or major capital*
19 *improvements, and may be used only to pay public employ-*
20 *ees for services otherwise authorized by this title.*

21 *(c) LIMITATION ON AMOUNT OF FUNDS.—Payments*
22 *made under this section shall not exceed the lesser of*
23 *\$400,000 in any fiscal year or the amount necessary to pro-*
24 *vide students described in subsection (a) with educational*
25 *services that are normally provided and generally available*

1 *to students who attend public schools elsewhere in the State*
2 *of California.*

3 (d) *ADJUSTMENT OF PAYMENTS.*—Subject to sub-
4 *section (c), the Secretary is authorized to adjust payments*
5 *made under this section if the State of California or the*
6 *appropriate local education agencies do not continue to pro-*
7 *vide funding for educational services at Park schools at per*
8 *student levels that are equal to or greater than those pro-*
9 *vided in the fiscal year immediately prior to the date of*
10 *the enactment of this Act.*

11 (e) *SOURCE OF PAYMENTS.*—

12 (1) *AUTHORIZED SOURCES.*—Except as other-
13 *wise provided in this subsection, the Secretary may*
14 *use funds available to the National Park Service from*
15 *appropriations, donations, or fees.*

16 (2) *EXCEPTIONS.*—Funds from the following
17 *sources shall not be used to make payments under this*
18 *section:*

19 (A) *Any law authorizing the collection or*
20 *expenditure of entrance or use fees at units of the*
21 *National Park System, including—*

22 (i) *the Land and Water Conservation*
23 *Fund Act of 1965 (16 U.S.C. 460l–4 et*
24 *seq.);*

1 (ii) *the recreational fee demonstration*
2 *program established under section 315 of*
3 *the Department of the Interior and Related*
4 *Agencies Appropriations Act, 1996 (16*
5 *U.S.C. 460l–6a note); or*

6 (iii) *the National Park Passport Pro-*
7 *gram established under section 602 of the*
8 *National Parks Omnibus Management Act*
9 *of 1998 (16 U.S.C. 5992).*

10 (B) *Emergency appropriations for flood re-*
11 *covery at Yosemite National Park.*

12 (f) *DEFINITIONS.—For the purposes of this title, the*
13 *following definitions apply:*

14 (1) *LOCAL EDUCATIONAL AGENCIES.—The term*
15 *“local educational agencies” has the meaning given*
16 *that term in section 9101(26) of the Elementary and*
17 *Secondary Education Act of 1965 (20 U.S.C.*
18 *7801(26)).*

19 (2) *EDUCATIONAL SERVICES.—The term “edu-*
20 *cational services” means services that may include*
21 *maintenance and minor upgrades of facilities and*
22 *transportation to and from school.*

23 (3) *PARK.—The term “Park” means Yosemite*
24 *National Park.*

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

3 **SEC. 103. AUTHORIZATION FOR PARK FACILITIES TO BE LO-**
4 **CATED OUTSIDE THE BOUNDARIES OF YO-**
5 **SEMITE NATIONAL PARK; FEES.**

6 (a) *AUTHORIZATION FOR PARK FACILITIES TO BE LO-*
7 *CATED OUTSIDE THE BOUNDARIES OF YOSEMITE NA-*
8 *TIONAL PARK*.—Section 814(c) of the Omnibus Parks and
9 *Public Lands Management Act of 1996 (16 U.S.C. 346e)*
10 *is amended—*

11 (1) *in the first sentence—*

12 (A) *by inserting “and Yosemite National*
13 *Park” after “Zion National Park”; and*

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

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

18 (b) *FEES*.—Section 501 of the National Parks Omni-
19 *bus Management Act of 1998 (16 U.S.C. 5981) is amended*
20 *in the first sentence by inserting “, cooperative agreement,*
21 *or other contractual agreement” after “contract”.*

1 **TITLE II—RANCHO CORRAL DE**
 2 **TIERRA GOLDEN GATE NA-**
 3 **TIONAL RECREATION AREA**
 4 **BOUNDARY ADJUSTMENT**

5 **SEC. 201. SHORT TITLE.**

6 *This title may be cited as the “Rancho Corral de Tier-*
 7 *ra Golden Gate National Recreation Area Boundary Ad-*
 8 *justment Act”.*

9 **SEC. 202. GOLDEN GATE NATIONAL RECREATION AREA,**
 10 **CALIFORNIA.**

11 *(a) BOUNDARY ADJUSTMENT.—Section 2(a) of Public*
 12 *Law 92–589 (16 U.S.C. 460bb–1(a)) is amended—*

13 *(1) by striking “The recreation area shall com-*
 14 *prise” and inserting the following:*

15 *“(1) INITIAL LANDS.—The recreation area shall*
 16 *comprise”; and*

17 *(2) by striking “The following additional lands*
 18 *are also” and all that follows through the period at*
 19 *the end of the subsection and inserting the following*
 20 *new paragraphs:*

21 *“(2) ADDITIONAL LANDS.—In addition to the*
 22 *lands described in paragraph (1), the recreation area*
 23 *shall include the following:*

24 *“(A) The parcels numbered by the Assessor*
 25 *of Marin County, California, 119–040–04, 119–*

1 040-05, 119-040-18, 166-202-03, 166-010-06,
2 166-010-07, 166-010-24, 166-010-25, 119-
3 240-19, 166-010-10, 166-010-22, 119-240-03,
4 119-240-51, 119-240-52, 119-240-54, 166-
5 010-12, 166-010-13, and 119-235-10.

6 “(B) *Lands and waters in San Mateo*
7 *County generally depicted on the map entitled*
8 *‘Sweeney Ridge Addition, Golden Gate National*
9 *Recreation Area’, numbered NRA GG-80,000-A,*
10 *and dated May 1980.*

11 “(C) *Lands acquired under the Golden Gate*
12 *National Recreation Area Addition Act of 1992*
13 *(16 U.S.C. 460bb-1 note; Public Law 102-299).*

14 “(D) *Lands generally depicted on the map*
15 *entitled ‘Additions to Golden Gate National*
16 *Recreation Area’, numbered NPS-80-076, and*
17 *dated July 2000/PWR-PLRPC.*

18 “(E) *Lands generally depicted on the map*
19 *entitled ‘Rancho Corral de Tierra Additions to*
20 *the Golden Gate National Recreation Area’,*
21 *numbered NPS-80,079E, and dated March 2004.*

22 “(3) *ACQUISITION LIMITATION.—The Secretary*
23 *may acquire land described in paragraph (2)(E) only*
24 *from a willing seller.”.*

1 **(b) ADVISORY COMMISSION.**—*Section 5 of Public Law*
 2 *92–589 (16 U.S.C. 460bb–4) is amended—*

3 *(1) by striking subsection (b) and inserting the*
 4 *following new subsection:*

5 **“(b) MEMBERSHIP.**—*The Commission shall be com-*
 6 *posed of 18 members appointed by the Secretary for terms*
 7 *of five years each. In appointing such members, the Sec-*
 8 *retary shall ensure that the interests of local, historic rec-*
 9 *reational users of the recreation area are represented.”; and*

10 *(2) in subsection (g), by striking “cease to exist*
 11 *thirty years after the enactment of this Act” and in-*
 12 *serting “terminate on December 31, 2014”.*

13 **SEC. 203. MANZANAR NATIONAL HISTORIC SITE ADVISORY**
 14 **COMMISSION.**

15 *Section 105(h) of Public Law 102–248 (16 U.S.C. 461*
 16 *note) is amended by striking “10 years after the date of*
 17 *enactment of this title” and inserting “on December 31,*
 18 *2013”.*

Amend the title so as to read: “An Act to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and for other purposes.”.

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[Report No. 108-255]

AN ACT

To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park.

APRIL 26, 2004

Reported with an amendment and an amendment to the
title