

Calendar No. 95109TH CONGRESS
1ST SESSION**S. 136****[Report No. 109-63]**

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.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 28, 2005

Reported by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

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.

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.**

4 The table of contents of this Act is as follows:

Sec. 1. Table of contents.

TITLE I—YOSEMITE NATIONAL PARK AUTHORIZED PAYMENTS

Sec. 102. Payments for educational services.

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

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.

5 **TITLE I—YOSEMITE NATIONAL**
6 **PARK AUTHORIZED PAYMENTS**

7 **SEC. 101. PAYMENTS FOR EDUCATIONAL SERVICES.**

8 (a) IN GENERAL.—(1) For fiscal years 2006 through
9 2009, the Secretary of the Interior may provide funds to
10 the Bass Lake Joint Union Elementary School District
11 and the Mariposa Unified School District in the State of
12 California for educational services to students—

13 (A) who are dependents of persons engaged in
14 the administration, operation, and maintenance of
15 Yosemite National Park; or

16 (B) who live within or near the park upon real
17 property owned by the United States.

1 (2) The Secretary's authority to make payments
2 under this section shall terminate if the State of California
3 or local education agencies do not continue to provide
4 funding to the schools referred to in subsection (a) at per
5 student levels that are no less than the amount provided
6 in fiscal year 2005.

7 (b) LIMITATION ON USE OF FUNDS.—Payments
8 made under this section shall only be used to pay public
9 employees for educational services provided in accordance
10 with subsection (a). Payments may not be used for con-
11 struction, construction contracts, or major capital im-
12 provements.

13 (c) LIMITATION ON AMOUNT OF FUNDS.—Payments
14 made under this section shall not exceed the lesser of—

15 (1) \$400,000 in any fiscal year; or

16 (2) the amount necessary to provide students
17 described in subsection (a) with educational services
18 that are normally provided and generally available to
19 students who attend public schools elsewhere in the
20 State of California.

21 (d) SOURCE OF PAYMENTS.—(1) Except as otherwise
22 provided in this subsection, the Secretary may use funds
23 available to the National Park Service from appropria-
24 tions, donations, or fees.

1 (2) Funds from the following sources shall not be
2 used to make payments under this section:

3 ~~(A) Any law authorizing the collection or ex-~~
4 ~~penditure of entrance or use fees at units of the Na-~~
5 ~~tional Park System, including the Land and Water~~
6 ~~Conservation Fund Act of 1965 (16 U.S.C. 4601-4~~
7 ~~et seq.); the recreational fee demonstration program~~
8 ~~established under section 315 of the Department of~~
9 ~~the Interior and Related Agencies Appropriations~~
10 ~~Act, 1996 (16 U.S.C. 4601-6a note); and the Na-~~
11 ~~tional Park Passport Program established under sec-~~
12 ~~tion 602 of the National Parks Omnibus Manage-~~
13 ~~ment Act of 1998 (16 U.S.C. 5992).~~

14 ~~(B) Emergency appropriations for flood recov-~~
15 ~~ery at Yosemite National Park.~~

16 *(A) Any law authorizing the collection or ex-*
17 *penditure of entrance or use fees at units of the Na-*
18 *tional Park System, including—*

19 *(i) the Land and Water Conservation Fund*
20 *Act of 1965 (16 U.S.C. 4601-4 et seq.); and*

21 *(ii) the Federal Lands Recreation Enhance-*
22 *ment Act (16 U.S.C. 6801 et seq.).*

23 *(B) Any unexpended receipts collected through—*

24 *(i) the recreational fee demonstration pro-*
25 *gram established under section 315 of the De-*

1 *partment of the Interior and Related Agencies*
2 *Appropriations Act, 1996 (16 U.S.C. 460l–6a*
3 *note; Public Law 104–134); or*

4 *(ii) the national park passport program es-*
5 *tablished under section 602 of the National*
6 *Parks Omnibus Management Act of 1998 (16*
7 *U.S.C. 5992).*

8 *(C) Emergency appropriations for flood recovery*
9 *at Yosemite National Park.*

10 (3)(A) The Secretary may use an authorized funding
11 source to make payments under this section only if the
12 funding available to Yosemite National Park from such
13 source (after subtracting any payments to the school dis-
14 tricts authorized under this section) is greater than or
15 equal to the amount made available to the park for the
16 prior fiscal year, or in fiscal year 2005, whichever is great-
17 er.

18 (B) It is the sense of Congress that any payments
19 made under this section should not result in a reduction
20 of funds to Yosemite National Park from any specific
21 funding source, and that with respect to appropriated
22 funds, funding levels should reflect annual increases in the
23 park’s operating base funds that are generally made to
24 units of the National Park System.

1 **SEC. 102. AUTHORIZATION FOR PARK FACILITIES TO BE**
2 **LOCATED OUTSIDE THE BOUNDARIES OF YO-**
3 **SEMITE NATIONAL PARK.**

4 (a) **FUNDING AUTHORITY FOR TRANSPORTATION**
5 **SYSTEMS AND EXTERNAL FACILITIES.**—Section 814(c) of
6 the Omnibus Parks and Public Lands Management Act
7 of 1996 (16 U.S.C. 346e) is amended—

8 (1) in the heading by inserting “**AND YOSEM-**
9 **ITE NATIONAL PARK**” after “**ZION NATIONAL**
10 **PARK**”;

11 (2) in the first sentence—

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

14 (B) by inserting “for transportation sys-
15 tems or” after “appropriated funds”; and

16 (3) in the second sentence by striking “facili-
17 ties” and inserting “systems or facilities”.

18 (b) **CLARIFYING AMENDMENT FOR TRANSPORTATION**
19 **FEE AUTHORITY.**—Section 501 of the National Parks
20 Omnibus Management Act of 1998 (16 U.S.C. 5981) is
21 amended in the first sentence by striking “service con-
22 tract” and inserting “service contract, cooperative agree-
23 ment, or other contractual arrangement”.

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
 7 Tierra Golden Gate National Recreation Area Boundary
 8 Adjustment Act”.

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

11 ~~(a)~~ Section 2(a) of Public Law 92–589 (16 U.S.C.
 12 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 Asses-
 25 sor of Marin County, California, 119–040–04,

1 119-040-05, 119-040-18, 166-202-03, 166-
2 010-06, 166-010-07, 166-010-24, 166-010-
3 25, 119-240-19, 166-010-10, 166-010-22,
4 119-240-03, 119-240-51, 119-240-52, 119-
5 240-54, 166-010-12, 166-010-13, and 119-
6 235-10.

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

12 “(C) Lands acquired under the Golden
13 Gate National Recreation Area Addition Act of
14 1992 (16 U.S.C. 460bb-1 note; Public Law
15 102-299).

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

20 “(E) Lands generally depicted on the map
21 entitled ‘Rancho Corral de Tierra Additions to
22 the Golden Gate National Recreation Area’,
23 numbered NPS-80,079E, and dated March
24 2004.

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

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