

**Calendar No. 645**110TH CONGRESS  
2D SESSION**S. 1365****[Report No. 110-293]**

To amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

MAY 10, 2007

Mr. KERRY (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 10, 2008

Reported by Mr. BINGAMAN, with an amendment

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

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**A BILL**

To amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands 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,*

1 **SECTION 1. COOPERATIVE AGREEMENTS FOR BOSTON**  
 2 **HARBOR ISLANDS NATIONAL RECREATION**  
 3 **AREA.**

4 Section 1029(d) of the Omnibus Parks and Public  
 5 Lands Management Act of 1996 (16 U.S.C. 460kkk(d))  
 6 is amended by striking paragraph (3) and inserting the  
 7 following:

8 ~~“(3) COOPERATIVE AGREEMENTS.—~~

9 ~~“(A) IN GENERAL.—~~Subject to subpara-  
 10 graph (C), the Secretary may consult and enter  
 11 into ~~1~~ or more cooperative agreements with an  
 12 eligible entity described in subparagraph (B) to  
 13 acquire from and provide to the eligible entity  
 14 goods and services for—

15 ~~“(i) the cooperative management of~~  
 16 ~~land within the recreation area;~~

17 ~~“(ii) the construction of recreation~~  
 18 ~~area facilities; or~~

19 ~~“(iii) any other purpose that is con-~~  
 20 ~~sistent with the purposes described in sub-~~  
 21 ~~section (a).~~

22 ~~“(B) ELIGIBLE ENTITIES.—~~For purposes  
 23 of this subparagraph, an eligible entity is—

24 ~~“(i) the Commonwealth of Massachu-~~  
 25 ~~setts;~~

1           “(ii) a political subdivision of the  
2           Commonwealth of Massachusetts; or

3           “(iii) any partnership entity specified  
4           in subsection (e)(2).

5           “(C) CONDITIONS.—A cooperative agree-  
6           ment shall only be entered into under subpara-  
7           graph (A) if the Secretary determines that—

8                   “(i) appropriations for carrying out  
9                   the purposes of the cooperative agreement  
10                  are available; and

11                   “(ii) the cooperative agreement is in  
12                  the best interests of the United States.”.

13   **SECTION 1. COOPERATIVE AGREEMENTS FOR BOSTON HAR-**  
14           **BOR ISLANDS NATIONAL RECREATION AREA.**

15           *Section 1029(d) of the Omnibus Parks and Public*  
16   *Lands Management Act of 1996 (16 U.S.C. 460kkk(d)) is*  
17   *amended by striking paragraph (3) and inserting the fol-*  
18   *lowing:*

19           “(3) AGREEMENTS.—

20                   “(A) DEFINITION OF ELIGIBLE ENTITY.—*In*  
21                   *this paragraph, the term ‘eligible entity’*  
22                   *means—*

23                           “(i) *the Commonwealth of Massachu-*  
24                           *setts;*

1           “(ii) a political subdivision of the  
2           Commonwealth of Massachusetts; or

3           “(iii) any other entity that is a mem-  
4           ber of the Boston Harbor Islands Partner-  
5           ship described in subsection (e)(2).

6           “(B) *AUTHORITY OF SECRETARY.*—Subject  
7           to subparagraph (C), the Secretary may consult  
8           with an eligible entity on, and enter into with  
9           the eligible entity—

10           “(i) a cooperative management agree-  
11           ment to acquire from, and provide to, the  
12           eligible entity goods and services for the co-  
13           operative management of land within the  
14           recreation area; and

15           “(ii) notwithstanding section 6305 of  
16           title 31, United States Code, a cooperative  
17           agreement for the construction of recreation  
18           area facilities on land owned by an eligible  
19           entity for purposes consistent with the man-  
20           agement plan under subsection (f).

21           “(C) *CONDITIONS.*—The Secretary may  
22           enter into an agreement with an eligible entity  
23           under subparagraph (B) only if the Secretary  
24           determines that—

1                   “(i) appropriations for carrying out  
2                   the purposes of the agreement are available;  
3                   and

4                   “(ii) the agreement is in the best inter-  
5                   ests of the United States.”.

6 **SEC. 2. TECHNICAL AMENDMENTS.**

7           (a) *MEMBERSHIP.*—Section 1029(e)(2)(B) of the Om-  
8           nibus Parks and Public Lands Management Act of 1996  
9           (16 U.S.C. 460kkk(e)(2)(B)) is amended by striking “Coast  
10           Guard” and inserting “Coast Guard.”.

11           (b) *DONATIONS.*—Section 1029(e)(11) of the Omnibus  
12           Parks and Public Lands Management Act of 1996 (16  
13           U.S.C. 460kkk(e)(11)) is amended by striking “Notwith-  
14           standing” and inserting “Notwithstanding”.

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110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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