

**Calendar No. 425**110TH CONGRESS  
1ST SESSION**S. 2180**

To authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

OCTOBER 17, 2007

Mr. BINGAMAN introduced the following bill; which was read the first time

OCTOBER 18, 2007

Read the second time and placed on the calendar

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**A BILL**

To authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003, 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. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Natural Resource Projects and Programs Authorization  
4 Act of 2007”.

5 (b) TABLE OF CONTENTS.—The table of contents of  
6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BUREAU OF LAND MANAGEMENT

Subtitle A—Prehistoric Trackways National Monument

Sec. 101. Findings.  
Sec. 102. Definitions.  
Sec. 103. Establishment.  
Sec. 104. Administration.  
Sec. 105. Authorization of appropriations.

Subtitle B—Fort Stanton-Snowy River Cave National Conservation Area

Sec. 111. Definitions.  
Sec. 112. Establishment of Fort Stanton-Snowy River Cave National Conserva-  
tion Area.  
Sec. 113. Management of the Conservation Area.  
Sec. 114. Authorization of appropriations.

Subtitle C—Paleontological Resources Preservation

Sec. 121. Definitions.  
Sec. 122. Management.  
Sec. 123. Public awareness and education program.  
Sec. 124. Collection of paleontological resources.  
Sec. 125. Curation of resources.  
Sec. 126. Prohibited acts; criminal penalties.  
Sec. 127. Civil penalties.  
Sec. 128. Rewards and forfeiture.  
Sec. 129. Confidentiality.  
Sec. 130. Regulations.  
Sec. 131. Savings provisions.  
Sec. 132. Authorization of appropriations.

Subtitle D—Snake River Birds of Prey National Conservation Area

Sec. 141. Snake River Birds of Prey National Conservation Area.

Subtitle E—National Landscape Conservation System

Sec. 151. Definitions.  
Sec. 152. Establishment of the National Landscape Conservation System.  
Sec. 153. Authorization of appropriations.

## TITLE II—NATIONAL PARK SERVICE

## Subtitle A—New Areas, Boundary Modifications, and Studies

- Sec. 201. William Jefferson Clinton Birthplace Home National Historic Site.
- Sec. 202. Mesa Verde National Park Boundary expansion.
- Sec. 203. Minidoka Internment National Monument.
- Sec. 204. Walnut Canyon study.

## Subtitle B—Commissions and Advisory Committees

- Sec. 211. Dwight D. Eisenhower Memorial Commission.
- Sec. 212. Na Hoa Pili O Kaloko-Honokohau advisory commission.

## Subtitle C—National Trails

- Sec. 221. Ice Age Floods National Geologic Trail.
- Sec. 222. Washington-Rochambeau Revolutionary Route National Historic Trail.
- Sec. 223. Revision of feasibility and suitability studies of existing national historic trails.
- Sec. 224. National Trails System willing seller authority.

## Subtitle D—National Heritage Areas

- Sec. 231. National heritage areas partnership.
- Sec. 232. Reauthorization of certain national heritage areas.
- Sec. 233. Quinebaug and Shetucket Rivers Valley National Heritage Corridor.
- Sec. 234. Journey Through Hallowed Ground National Heritage Area.
- Sec. 235. Sangre de Cristo National Heritage Area.
- Sec. 236. South Park National Heritage Area.
- Sec. 237. Niagara Falls National Heritage Area.
- Sec. 238. Abraham Lincoln National Heritage Area.
- Sec. 239. Chattahoochee Trace National Heritage Corridor.
- Sec. 240. Study of sites relating to Abraham Lincoln in Kentucky.

TITLE III—BUREAU OF RECLAMATION AND UNITED STATES  
GEOLOGICAL SURVEY AUTHORIZATIONS

- Sec. 301. Extension of participation of Bureau of Reclamation in Deschutes River Conservancy.
- Sec. 302. Wallowa Lake Dam Rehabilitation Program.
- Sec. 303. Little Butte/Bear Creek Subbasins, Oregon, Water resource study.
- Sec. 304. North Unit Irrigation District.
- Sec. 305. Central Oklahoma Master Conservancy District feasibility study.
- Sec. 306. Authority to conduct feasibility studies within the Snake, Boise, and Payette River systems in the State of Idaho.
- Sec. 307. Tumalo Irrigation District Water Conservation Project.
- Sec. 308. New Mexico water resources study.
- Sec. 309. Water and energy resources.
- Sec. 310. Reauthorization of the National Geologic Mapping Act of 1992.

## TITLE IV—FOREST SERVICE AUTHORIZATIONS

## Subtitle A—Authorizations

- Sec. 401. Coffman Cove administrative site conveyance.
- Sec. 402. Pecos National Historical Park.

- Sec. 403. Watershed restoration and enhancement agreements.  
 Sec. 404. Wildland firefighter safety.

Subtitle B—Lewis and Clark Mount Hood Wilderness Area

- Sec. 411. Definitions.  
 Sec. 412. Designation of wilderness areas.  
 Sec. 413. Designation of streams for wild and scenic river protection in the  
 Mount Hood area.  
 Sec. 414. Mount Hood National Recreation Area.  
 Sec. 415. Protections for Crystal Springs, Upper Big Bottom, and Cultus  
 Creek.  
 Sec. 416. Land exchanges.  
 Sec. 417. Tribal provisions; planning and studies.

TITLE V—DEPARTMENT OF ENERGY AUTHORIZATIONS

- Sec. 501. Technical criteria for clean coal power initiative.  
 Sec. 502. Additional Assistant Secretary for Department of Energy.  
 Sec. 503. United States-Israel energy cooperation.  
 Sec. 504. Alaska natural gas pipeline.

TITLE VI—COMPACT OF FREE ASSOCIATION AMENDMENTS

- Sec. 601. Approval of agreements.  
 Sec. 602. Conforming amendment.  
 Sec. 603. Clarifications regarding Palau.  
 Sec. 604. Availability of legal services.  
 Sec. 605. Technical amendments.  
 Sec. 606. Transmission of videotape programming.  
 Sec. 607. Palau road maintenance.  
 Sec. 608. Clarification of tax-free status of trust funds.

1           **TITLE I—BUREAU OF LAND**  
 2                           **MANAGEMENT**  
 3   **Subtitle A—Prehistoric Trackways**  
 4                           **National Monument**

5   **SEC. 101. FINDINGS.**

6           Congress finds that—

- 7                   (1) in 1987, a major deposit of Paleozoic Era  
 8           fossilized footprint megatrackways was discovered in  
 9           the Robledo Mountains in southern New Mexico;  
 10                   (2) the trackways contain footprints of numer-  
 11           ous amphibians, reptiles, and insects (including pre-

1 viously unknown species), plants, and petrified wood  
2 dating back approximately 280,000,000 years, which  
3 collectively provide new opportunities to understand  
4 animal behaviors and environments from a time pre-  
5 dating the dinosaurs;

6 (3) title III of Public Law 101–578 (104 Stat.  
7 2860)—

8 (A) provided interim protection for the site  
9 at which the trackways were discovered; and

10 (B) directed the Secretary of the Interior  
11 to—

12 (i) prepare a study assessing the sig-  
13 nificance of the site; and

14 (ii) based on the study, provide rec-  
15 ommendations for protection of the paleon-  
16 tological resources at the site;

17 (4) the Bureau of Land Management completed  
18 the Paleozoic Trackways Scientific Study Report in  
19 1994, which characterized the site as containing  
20 “the most scientifically significant Early Permian  
21 tracksites” in the world;

22 (5) despite the conclusion of the study and the  
23 recommendations for protection, the site remains un-  
24 protected and many irreplaceable trackways speci-  
25 mens have been lost to vandalism or theft; and

1           (6) designation of the trackways site as a Na-  
2           tional Monument would protect the unique fossil re-  
3           sources for present and future generations while al-  
4           lowing for public education and continued scientific  
5           research opportunities.

6 **SEC. 102. DEFINITIONS.**

7           In this subtitle:

8           (1) **MONUMENT.**—The term “Monument”  
9           means the Prehistoric Trackways National Monu-  
10          ment established by section 103(a).

11          (2) **PUBLIC LAND.**—The term “public land”  
12          has the meaning given the term “public lands” in  
13          section 103 of the Federal Land Policy and Manage-  
14          ment Act of 1976 (43 U.S.C. 1702).

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

17 **SEC. 103. ESTABLISHMENT.**

18          (a) **IN GENERAL.**—In order to conserve, protect, and  
19          enhance the unique and nationally important paleontolog-  
20          ical, scientific, educational, scenic, and recreational re-  
21          sources and values of the public land described in sub-  
22          section (b), there is established the Prehistoric Trackways  
23          National Monument in the State of New Mexico.

24          (b) **DESCRIPTION OF LAND.**—The Monument shall  
25          consist of approximately 5,280 acres of public land in

1 Doña Ana County, New Mexico, as generally depicted on  
2 the map entitled “Prehistoric Trackways National Monu-  
3 ment” and dated January 25, 2007.

4 (c) MAP; LEGAL DESCRIPTION.—

5 (1) IN GENERAL.—As soon as practicable after  
6 the date of enactment of this Act, the Secretary  
7 shall prepare and submit to Congress an official map  
8 and legal description of the Monument.

9 (2) CORRECTIONS.—The map and legal descrip-  
10 tion submitted under paragraph (1) shall have the  
11 same force and effect as if included in this subtitle,  
12 except that the Secretary may correct any clerical or  
13 typographical errors in the legal description and the  
14 map.

15 (3) CONFLICT BETWEEN MAP AND LEGAL DE-  
16 SCRIPTION.—In the case of a conflict between the  
17 map and the legal description, the map shall control.

18 (4) AVAILABILITY OF MAP AND LEGAL DE-  
19 SCRIPTION.—Copies of the map and legal description  
20 shall be on file and available for public inspection in  
21 the appropriate offices of the Bureau of Land Man-  
22 agement.

23 (d) MINOR BOUNDARY ADJUSTMENTS.—If additional  
24 paleontological resources are discovered on public land ad-  
25 jacent to the Monument after the date of enactment of

1 this Act, the Secretary may make minor boundary adjust-  
2 ments to the Monument to include the resources in the  
3 Monument.

4 **SEC. 104. ADMINISTRATION.**

5 (a) MANAGEMENT.—

6 (1) IN GENERAL.—The Secretary shall manage  
7 the Monument—

8 (A) in a manner that conserves, protects,  
9 and enhances the resources and values of the  
10 Monument, including the resources and values  
11 described in section 103(a); and

12 (B) in accordance with—

13 (i) this subtitle;

14 (ii) the Federal Land Policy and Man-  
15 agement Act of 1976 (43 U.S.C. 1701 et  
16 seq.); and

17 (iii) other applicable laws.

18 (2) NATIONAL LANDSCAPE CONSERVATION SYS-  
19 TEM.—The Monument shall be managed as a com-  
20 ponent of the National Landscape Conservation Sys-  
21 tem.

22 (b) MANAGEMENT PLAN.—

23 (1) IN GENERAL.—Not later than 3 years after  
24 the date of enactment of this Act, the Secretary  
25 shall develop a comprehensive management plan for

1 the long-term protection and management of the  
2 Monument.

3 (2) COMPONENTS.—The management plan  
4 under paragraph (1)—

5 (A) shall—

6 (i) describe the appropriate uses and  
7 management of the Monument, consistent  
8 with the provisions of this subtitle; and

9 (ii) allow for continued scientific re-  
10 search at the Monument during the devel-  
11 opment of the management plan; and

12 (B) may—

13 (i) incorporate any appropriate deci-  
14 sions contained in any current manage-  
15 ment or activity plan for the land described  
16 in section 103(b); and

17 (ii) use information developed in stud-  
18 ies of any land within or adjacent to the  
19 Monument that were conducted before the  
20 date of enactment of this Act.

21 (c) AUTHORIZED USES.—The Secretary shall only  
22 allow uses of the Monument that the Secretary determines  
23 would further the purposes for which the Monument has  
24 been established.

1 (d) INTERPRETATION, EDUCATION, AND SCIENTIFIC  
2 RESEARCH.—

3 (1) IN GENERAL.—The Secretary shall provide  
4 for public interpretation of, and education and sci-  
5 entific research on, the paleontological resources of  
6 the Monument, with priority given to exhibiting and  
7 curating the resources in Doña Ana County, New  
8 Mexico.

9 (2) COOPERATIVE AGREEMENTS.—The Sec-  
10 retary may enter into cooperative agreements with  
11 appropriate public entities to carry out paragraph  
12 (1).

13 (e) SPECIAL MANAGEMENT AREAS.—

14 (1) IN GENERAL.—The establishment of the  
15 Monument shall not change the management status  
16 of any area within the boundary of the Monument  
17 that is—

18 (A) designated as a wilderness study area  
19 and managed in accordance with section 603(c)  
20 of the Federal Land Policy and Management  
21 Act of 1976 (43 U.S.C. 1782(c)); or

22 (B) managed as an area of critical environ-  
23 ment concern.

24 (2) CONFLICT OF LAWS.—If there is a conflict  
25 between the laws applicable to the areas described in

1 paragraph (1) and this subtitle, the more restrictive  
2 provision shall control.

3 (f) **MOTORIZED VEHICLES.**—

4 (1) **IN GENERAL.**—Except as needed for admin-  
5 istrative purposes or to respond to an emergency,  
6 the use of motorized vehicles in the Monument shall  
7 be allowed only on roads and trails designated for  
8 use by motorized vehicles under the management  
9 plan prepared under subsection (b).

10 (2) **PERMITTED EVENTS.**—The Secretary may  
11 issue permits for special recreation events involving  
12 motorized vehicles within the boundaries of the  
13 Monument, including the “Chile Challenge”—

14 (A) to the extent the events do not harm  
15 paleontological resources; and

16 (B) subject to any terms and conditions  
17 that the Secretary determines to be necessary.

18 (g) **WITHDRAWALS.**—Subject to valid existing rights,  
19 any Federal land within the Monument and any land or  
20 interest in land that is acquired by the United States for  
21 inclusion in the Monument after the date of enactment  
22 of this Act are withdrawn from—

23 (1) entry, appropriation, or disposal under the  
24 public land laws;

1           (2) location, entry, and patent under the mining  
2 laws; and

3           (3) operation of the mineral leasing laws, geo-  
4 thermal leasing laws, and minerals materials laws.

5           (h) GRAZING.—The Secretary may allow grazing to  
6 continue in any area of the Monument in which grazing  
7 is allowed before the date of enactment of this Act, subject  
8 to applicable laws (including regulations).

9           (i) WATER RIGHTS.—Nothing in this subtitle con-  
10 stitutes an express or implied reservation by the United  
11 States of any water or water rights with respect to the  
12 Monument.

13 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

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

16 **Subtitle B—Fort Stanton-Snowy**  
17 **River Cave National Conserva-**  
18 **tion Area**

19 **SEC. 111. DEFINITIONS.**

20           In this subtitle:

21           (1) CONSERVATION AREA.—The term “Con-  
22 servation Area” means the Fort Stanton-Snowy  
23 River Cave National Conservation Area established  
24 by section 112(a).

1           (2) **MANAGEMENT PLAN.**—The term “manage-  
2           ment plan” means the management plan developed  
3           for the Conservation Area under section 113(c).

4           (3) **SECRETARY.**—The term “Secretary” means  
5           the Secretary of the Interior, acting through the Di-  
6           rector of the Bureau of Land Management.

7 **SEC. 112. ESTABLISHMENT OF FORT STANTON-SNOWY**  
8           **RIVER CAVE NATIONAL CONSERVATION**  
9           **AREA.**

10          (a) **ESTABLISHMENT; PURPOSES.**—There is estab-  
11          lished the Fort Stanton-Snowy River Cave National Con-  
12          servation Area in Lincoln County, New Mexico, to protect,  
13          conserve, and enhance the unique and nationally impor-  
14          tant historic, cultural, scientific, archaeological, natural,  
15          and educational subterranean cave resources of the Fort  
16          Stanton-Snowy River cave system.

17          (b) **AREA INCLUDED.**—The Conservation Area shall  
18          include the area within the boundaries depicted on the  
19          map entitled “Fort Stanton-Snowy River Cave National  
20          Conservation Area” and dated January 25, 2007.

21          (c) **MAP AND LEGAL DESCRIPTION.**—

22                 (1) **IN GENERAL.**—As soon as practicable after  
23                 the date of enactment of this Act, the Secretary  
24                 shall submit to Congress a map and legal description  
25                 of the Conservation Area.

1           (2) EFFECT.—The map and legal description of  
2 the Conservation Area shall have the same force and  
3 effect as if included in this subtitle, except that the  
4 Secretary may correct any minor errors in the map  
5 and legal description.

6           (3) PUBLIC AVAILABILITY.—The map and legal  
7 description of the Conservation Area shall be avail-  
8 able for public inspection in the appropriate offices  
9 of the Bureau of Land Management.

10 **SEC. 113. MANAGEMENT OF THE CONSERVATION AREA.**

11       (a) MANAGEMENT.—

12           (1) IN GENERAL.—The Secretary shall manage  
13 the Conservation Area—

14               (A) in a manner that conserves, protects,  
15 and enhances the resources and values of the  
16 Conservation Area, including the resources and  
17 values described in section 112(a); and

18               (B) in accordance with—

19                   (i) this subtitle;

20                   (ii) the Federal Land Policy and Man-  
21 agement Act of 1976 (43 U.S.C. 1701 et  
22 seq.); and

23                   (iii) any other applicable laws.

1           (2) USES.—The Secretary shall only allow uses  
2 of the Conservation Area that are consistent with  
3 the protection of the cave resources.

4           (3) REQUIREMENTS.—In administering the  
5 Conservation Area, the Secretary shall provide for—

6           (A) the conservation and protection of the  
7 natural and unique features and environs for  
8 scientific, educational, and other appropriate  
9 public uses of the Conservation Area;

10           (B) public access, as appropriate, while  
11 providing for the protection of the cave re-  
12 sources and for public safety;

13           (C) the continuation of other existing uses  
14 or other new uses of the Conservation Area that  
15 do not impair the purposes for which the Con-  
16 servation Area is established;

17           (D) management of the surface area of the  
18 Conservation Area in accordance with the Fort  
19 Stanton Area of Critical Environmental Con-  
20 cern Final Activity Plan dated March, 2001, or  
21 any amendments to the plan, consistent with  
22 this subtitle; and

23           (E) scientific investigation and research  
24 opportunities within the Conservation Area, in-  
25 cluding through partnerships with colleges, uni-

1           versities, schools, scientific institutions, re-  
2           searchers, and scientists to conduct research  
3           and provide educational and interpretive serv-  
4           ices within the Conservation Area.

5           (b) WITHDRAWALS.—Subject to valid existing rights,  
6 all Federal surface and subsurface land within the Con-  
7 servation Area and all land and interests in the land that  
8 are acquired by the United States after the date of enact-  
9 ment of this Act for inclusion in the Conservation Area,  
10 are withdrawn from—

11           (1) all forms of entry, appropriation, or disposal  
12           under the general land laws;

13           (2) location, entry, and patent under the mining  
14           laws; and

15           (3) operation under the mineral leasing and  
16           geothermal leasing laws.

17           (c) MANAGEMENT PLAN.—

18           (1) IN GENERAL.—Not later than 2 years after  
19           the date of enactment of this Act, the Secretary  
20           shall develop a comprehensive plan for the long-term  
21           management of the Conservation Area.

22           (2) PURPOSES.—The management plan shall—

23           (A) describe the appropriate uses and  
24           management of the Conservation Area;

1 (B) incorporate, as appropriate, decisions  
2 contained in any other management or activity  
3 plan for the land within or adjacent to the Con-  
4 servation Area;

5 (C) take into consideration any informa-  
6 tion developed in studies of the land and re-  
7 sources within or adjacent to the Conservation  
8 Area; and

9 (D) provide for a cooperative agreement  
10 with Lincoln County, New Mexico, to address  
11 the historical involvement of the local commu-  
12 nity in the interpretation and protection of the  
13 resources of the Conservation Area.

14 (d) ACTIVITIES OUTSIDE CONSERVATION AREA.—

15 The establishment of the Conservation Area shall not—

16 (1) create a protective perimeter or buffer zone  
17 around the Conservation Area; or

18 (2) preclude uses or activities outside the Con-  
19 servation Area that are permitted under other appli-  
20 cable laws, even if the uses or activities are prohib-  
21 ited within the Conservation Area.

22 (e) RESEARCH AND INTERPRETIVE FACILITIES.—

23 (1) IN GENERAL.—The Secretary may establish  
24 facilities for—

25 (A) the conduct of scientific research; and

1 (B) the interpretation of the historical, cul-  
 2 tural, scientific, archaeological, natural, and  
 3 educational resources of the Conservation Area.

4 (2) COOPERATIVE AGREEMENTS.—The Sec-  
 5 retary may, in a manner consistent with this sub-  
 6 title, enter into cooperative agreements with the  
 7 State of New Mexico and other institutions and or-  
 8 ganizations to carry out the purposes of this sub-  
 9 title.

10 (f) WATER RIGHTS.—Nothing in this subtitle con-  
 11 stitutes an express or implied reservation of any water  
 12 right.

13 **SEC. 114. AUTHORIZATION OF APPROPRIATIONS.**

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

16 **Subtitle C—Paleontological**  
 17 **Resources Preservation**

18 **SEC. 121. DEFINITIONS.**

19 In this subtitle:

20 (1) CASUAL COLLECTING.—The term “casual  
 21 collecting” means the collecting of a reasonable  
 22 amount of common invertebrate and plant paleon-  
 23 tological resources for non-commercial personal use,  
 24 either by surface collection or the use of non-pow-  
 25 ered hand tools resulting in only negligible disturb-

1       ance to the Earth’s surface and other resources. As  
2       used in this paragraph, the terms “reasonable  
3       amount”, “common invertebrate and plant paleon-  
4       tological resources” and “negligible disturbance”  
5       shall be determined by the Secretary.

6               (2) FEDERAL LAND.—The term “Federal land”  
7       means—

8                       (A) land controlled or administered by the  
9                       Secretary of the Interior, except Indian land; or

10                      (B) National Forest System land con-  
11                      trolled or administered by the Secretary of Ag-  
12                      riculture.

13               (3) INDIAN LAND.—The term “Indian Land”  
14       means land of Indian tribes, or Indian individuals,  
15       which are either held in trust by the United States  
16       or subject to a restriction against alienation imposed  
17       by the United States.

18               (4) PALEONTOLOGICAL RESOURCE.—The term  
19       “paleontological resource” means any fossilized re-  
20       mains, traces, or imprints of organisms, preserved in  
21       or on the earth’s crust, that are of paleontological  
22       interest and that provide information about the his-  
23       tory of life on earth, except that the term does not  
24       include—

1 (A) any materials associated with an ar-  
2 chaeological resource (as defined in section 3(1)  
3 of the Archaeological Resources Protection Act  
4 of 1979 (16 U.S.C. 470bb(1)); or

5 (B) any cultural item (as defined in section  
6 2 of the Native American Graves Protection  
7 and Repatriation Act (25 U.S.C. 3001)).

8 (5) SECRETARY.—The term “Secretary” means  
9 the Secretary of the Interior with respect to land  
10 controlled or administered by the Secretary of the  
11 Interior or the Secretary of Agriculture with respect  
12 to National Forest System land controlled or admin-  
13 istered by the Secretary of Agriculture.

14 (6) STATE.—The term “State” means the 50  
15 States, the District of Columbia, the Commonwealth  
16 of Puerto Rico, and any other territory or possession  
17 of the United States.

18 **SEC. 122. MANAGEMENT.**

19 (a) IN GENERAL.—The Secretary shall manage and  
20 protect paleontological resources on Federal land using  
21 scientific principles and expertise. The Secretary shall de-  
22 velop appropriate plans for inventory, monitoring, and the  
23 scientific and educational use of paleontological resources,  
24 in accordance with applicable agency laws, regulations,  
25 and policies. These plans shall emphasize interagency co-

1 ordination and collaborative efforts where possible with  
2 non-Federal partners, the scientific community, and the  
3 general public.

4 (b) COORDINATION.—To the extent possible, the Sec-  
5 retary of the Interior and the Secretary of Agriculture  
6 shall coordinate in the implementation of this subtitle.

7 **SEC. 123. PUBLIC AWARENESS AND EDUCATION PROGRAM.**

8 The Secretary shall establish a program to increase  
9 public awareness about the significance of paleontological  
10 resources.

11 **SEC. 124. COLLECTION OF PALEONTOLOGICAL RE-**  
12 **SOURCES.**

13 (a) PERMIT REQUIREMENT.—

14 (1) IN GENERAL.—Except as provided in this  
15 subtitle, a paleontological resource may not be col-  
16 lected from Federal land without a permit issued  
17 under this subtitle by the Secretary.

18 (2) CASUAL COLLECTING EXCEPTION.—The  
19 Secretary may allow casual collecting without a per-  
20 mit on Federal land controlled or administered by  
21 the Bureau of Land Management, the Bureau of  
22 Reclamation, and the Forest Service, where such col-  
23 lection is consistent with the laws governing the  
24 management of those Federal land and this subtitle.

1           (3) PREVIOUS PERMIT EXCEPTION.—Nothing in  
2           this section shall affect a valid permit issued prior  
3           to the date of enactment of this Act.

4           (b) CRITERIA FOR ISSUANCE OF A PERMIT.—The  
5           Secretary may issue a permit for the collection of a paleon-  
6           tological resource pursuant to an application if the Sec-  
7           retary determines that—

8                 (1) the applicant is qualified to carry out the  
9                 permitted activity;

10                (2) the permitted activity is undertaken for the  
11                purpose of furthering paleontological knowledge or  
12                for public education;

13                (3) the permitted activity is consistent with any  
14                management plan applicable to the Federal land  
15                concerned; and

16                (4) the proposed methods of collecting will not  
17                threaten significant natural or cultural resources.

18           (c) PERMIT SPECIFICATIONS.—A permit for the col-  
19           lection of a paleontological resource issued under this sec-  
20           tion shall contain such terms and conditions as the Sec-  
21           retary deems necessary to carry out the purposes of this  
22           subtitle. Every permit shall include requirements that—

23                (1) the paleontological resource that is collected  
24                from Federal land under the permit will remain the  
25                property of the United States;

1           (2) the paleontological resource and copies of  
2 associated records will be preserved for the public in  
3 an approved repository, to be made available for sci-  
4 entific research and public education; and

5           (3) specific locality data will not be released by  
6 the permittee or repository without the written per-  
7 mission of the Secretary.

8           (d) MODIFICATION, SUSPENSION, AND REVOCATION  
9 OF PERMITS.—

10           (1) The Secretary may modify, suspend, or re-  
11 voke a permit issued under this section—

12                   (A) for resource, safety, or other manage-  
13 ment considerations; or

14                   (B) when there is a violation of term or  
15 condition of a permit issued pursuant to this  
16 section.

17           (2) The permit shall be revoked if any person  
18 working under the authority of the permit is con-  
19 victed under section 126 or is assessed a civil pen-  
20 alty under section 127.

21           (e) AREA CLOSURES.—In order to protect paleon-  
22 tological or other resources and to provide for public safe-  
23 ty, the Secretary may restrict access to or close areas  
24 under the Secretary's jurisdiction to the collection of pale-  
25 ontological resources.

1 **SEC. 125. CURATION OF RESOURCES.**

2 Any paleontological resource, and any data and  
3 records associated with the resource, collected under a per-  
4 mit, shall be deposited in an approved repository. The Sec-  
5 retary may enter into agreements with non-Federal reposi-  
6 tories regarding the curation of these resources, data, and  
7 records.

8 **SEC. 126. PROHIBITED ACTS; CRIMINAL PENALTIES.**

9 (a) IN GENERAL.—A person may not—

10 (1) excavate, remove, damage, or otherwise  
11 alter or deface or attempt to excavate, remove, dam-  
12 age, or otherwise alter or deface any paleontological  
13 resources located on Federal land unless such activ-  
14 ity is conducted in accordance with this subtitle;

15 (2) exchange, transport, export, receive, or offer  
16 to exchange, transport, export, or receive any pale-  
17 ontological resource if, in the exercise of due care,  
18 the person knew or should have known such resource  
19 to have been excavated or removed from Federal  
20 land in violation of any provisions, rule, regulation,  
21 law, ordinance, or permit in effect under Federal  
22 law, including this subtitle; or

23 (3) sell or purchase or offer to sell or purchase  
24 any paleontological resource if, in the exercise of due  
25 care, the person knew or should have known such re-  
26 source to have been excavated, removed, sold, pur-

1        chased, exchanged, transported, or received from  
2        Federal land.

3        (b) FALSE LABELING OFFENSES.—A person may not  
4        make or submit any false record, account, or label for,  
5        or any false identification of, any paleontological resource  
6        excavated or removed from Federal land.

7        (c) PENALTIES.—A person who knowingly violates or  
8        counsels, procures, solicits, or employs another person to  
9        violate subsection (a) or (b) shall, upon conviction, be  
10       fined in accordance with title 18, United States Code, or  
11       imprisoned not more than 10 years, or both; but if the  
12       sum of the commercial and paleontological value of the  
13       paleontological resources involved and the cost of restora-  
14       tion and repair of such resources does not exceed \$500,  
15       such person shall be fined in accordance with title 18,  
16       United States Code, or imprisoned not more than 1 year,  
17       or both.

18       (d) GENERAL EXCEPTION.—Nothing in subsection  
19       (a) shall apply to any person with respect to any paleon-  
20       tological resource which was in the lawful possession of  
21       such person prior to the date of enactment of this Act.

22       **SEC. 127. CIVIL PENALTIES.**

23       (a) IN GENERAL.—

24                (1) HEARING.—A person who violates any pro-  
25        hibition contained in an applicable regulation or per-

1 mit issued under this subtitle may be assessed a  
2 penalty by the Secretary after the person is given  
3 notice and opportunity for a hearing with respect to  
4 the violation. Each violation shall be considered a  
5 separate offense for purposes of this section.

6 (2) AMOUNT OF PENALTY.—The amount of  
7 such penalty assessed under paragraph (1) shall be  
8 determined under regulations promulgated pursuant  
9 to this subtitle, taking into account the following  
10 factors:

11 (A) The scientific or fair market value,  
12 whichever is greater, of the paleontological re-  
13 source involved, as determined by the Secretary.

14 (B) The cost of response, restoration, and  
15 repair of the resource and the paleontological  
16 site involved.

17 (C) Any other factors considered relevant  
18 by the Secretary assessing the penalty.

19 (3) MULTIPLE OFFENSES.—In the case of a  
20 second or subsequent violation by the same person,  
21 the amount of a penalty assessed under paragraph  
22 (2) may be doubled.

23 (4) LIMITATION.—The amount of any penalty  
24 assessed under this subsection for any 1 violation  
25 shall not exceed an amount equal to double the cost

1 of response, restoration, and repair of resources and  
2 paleontological site damage plus double the scientific  
3 or fair market value of resources destroyed or not  
4 recovered.

5 (b) PETITION FOR JUDICIAL REVIEW; COLLECTION  
6 OF UNPAID ASSESSMENTS.—

7 (1) JUDICIAL REVIEW.—Any person against  
8 whom an order is issued assessing a penalty under  
9 subsection (a) may file a petition for judicial review  
10 of the order in the United States District Court for  
11 the District of Columbia or in the district in which  
12 the violation is alleged to have occurred within the  
13 30-day period beginning on the date the order mak-  
14 ing the assessment was issued. Upon notice of such  
15 filing, the Secretary shall promptly file such a cer-  
16 tified copy of the record on which the order was  
17 issued. The court shall hear the action on the record  
18 made before the Secretary and shall sustain the ac-  
19 tion if it is supported by substantial evidence on the  
20 record considered as a whole.

21 (2) FAILURE TO PAY.—If any person fails to  
22 pay a penalty under this section within 30 days—

23 (A) after the order making assessment has  
24 become final and the person has not filed a pe-

1           tition for judicial review of the order in accord-  
2           ance with paragraph (1); or

3           (B) after a court in an action brought in  
4           paragraph (1) has entered a final judgment up-  
5           holding the assessment of the penalty, the Sec-  
6           retary may request the Attorney General to in-  
7           stitute a civil action in a district court of the  
8           United States for any district in which the per-  
9           son if found, resides, or transacts business, to  
10          collect the penalty (plus interest at currently  
11          prevailing rates from the date of the final order  
12          or the date of the final judgment, as the case  
13          may be). The district court shall have jurisdic-  
14          tion to hear and decide any such action. In  
15          such action, the validity, amount, and appro-  
16          priateness of such penalty shall not be subject  
17          to review. Any person who fails to pay on a  
18          timely basis the amount of an assessment of a  
19          civil penalty as described in the first sentence of  
20          this paragraph shall be required to pay, in addi-  
21          tion to such amount and interest, attorneys fees  
22          and costs for collection proceedings.

23          (c) HEARINGS.—Hearings held during proceedings  
24          instituted under subsection (a) shall be conducted in ac-  
25          cordance with section 554 of title 5, United States Code.

1 (d) USE OF RECOVERED AMOUNTS.—Penalties col-  
2 lected under this section shall be available to the Secretary  
3 and without further appropriation may be used only as  
4 follows:

5 (1) To protect, restore, or repair the paleon-  
6 tological resources and sites which were the subject  
7 of the action, or to acquire sites with equivalent re-  
8 sources, and to protect, monitor, and study the re-  
9 sources and sites. Any acquisition shall be subject to  
10 any limitations contained in the organic legislation  
11 for such Federal land.

12 (2) To provide educational materials to the  
13 public about paleontological resources and sites.

14 (3) To provide for the payment of rewards as  
15 provided in section 128.

16 **SEC. 128. REWARDS AND FORFEITURE.**

17 (a) REWARDS.—The Secretary may pay from pen-  
18 alties collected under section 126 or 127—

19 (1) consistent with amounts established in regu-  
20 lations by the Secretary; or

21 (2) if no such regulation exists, an amount  
22 equal to the lesser of  $\frac{1}{2}$  of the penalty or \$500, to  
23 any person who furnishes information which leads to  
24 the finding of a civil violation, or the conviction of  
25 criminal violation, with respect to which the penalty

1 was paid. If several persons provided the informa-  
2 tion, the amount shall be divided among the persons.  
3 No officer or employee of the United States or of  
4 any State or local government who furnishes infor-  
5 mation or renders service in the performance of his  
6 official duties shall be eligible for payment under  
7 this subsection.

8 (b) FORFEITURE.—All paleontological resources with  
9 respect to which a violation under section 126 or 127 oc-  
10 curred and which are in the possession of any person, and  
11 all vehicles and equipment of any person that were used  
12 in connection with the violation, shall be subject to civil  
13 forfeiture, or upon conviction, to criminal forfeiture. All  
14 provisions of law relating to the seizure, forfeiture, and  
15 condemnation of property for a violation of this subtitle,  
16 the disposition of such property or the proceeds from the  
17 sale thereof, and remission or mitigation of such for-  
18 feiture, as well as the procedural provisions of chapter 46  
19 of title 18, United States Code, shall apply to the seizures  
20 and forfeitures incurred or alleged to have incurred under  
21 the provisions of this subtitle.

22 (c) TRANSFER OF SEIZED RESOURCES.—The Sec-  
23 retary may transfer administration of seized paleontolog-  
24 ical resources to Federal or non-Federal educational insti-  
25 tutions to be used for scientific or educational purposes.

1 **SEC. 129. CONFIDENTIALITY.**

2 Information concerning the nature and specific loca-  
3 tion of a paleontological resource the collection of which  
4 requires a permit under this subtitle or under any other  
5 provision of Federal law shall be exempt from disclosure  
6 under section 552 of title 5, United States Code, and any  
7 other law unless the Secretary determines that disclosure  
8 would—

9 (1) further the purposes of this subtitle;

10 (2) not create risk of harm to or theft or de-  
11 struction of the resource or the site containing the  
12 resource; and

13 (3) be in accordance with other applicable laws.

14 **SEC. 130. REGULATIONS.**

15 As soon as practical after the date of enactment of  
16 this Act, the Secretary shall issue such regulations as are  
17 appropriate to carry out this subtitle, providing opportuni-  
18 ties for public notice and comment.

19 **SEC. 131. SAVINGS PROVISIONS.**

20 Nothing in this subtitle shall be construed to—

21 (1) invalidate, modify, or impose any additional  
22 restrictions or permitting requirements on any ac-  
23 tivities permitted at any time under the general min-  
24 ing laws, the mineral or geothermal leasing laws,  
25 laws providing for minerals materials disposal, or  
26 laws providing for the management or regulation of

1 the activities authorized by the aforementioned laws  
2 including but not limited to the Federal Land Policy  
3 Management Act (43 U.S.C. 1701–1784), Public  
4 Law 94–429 (commonly known as the “Mining in  
5 the Parks Act”) (16 U.S.C. 1901 et seq.), the Sur-  
6 face Mining Control and Reclamation Act of 1977  
7 (30 U.S.C. 1201–1358), and the Organic Adminis-  
8 tration Act (16 U.S.C. 478, 482, 551);

9 (2) invalidate, modify, or impose any additional  
10 restrictions or permitting requirements on any ac-  
11 tivities permitted at any time under existing laws  
12 and authorities relating to reclamation and multiple  
13 uses of Federal land;

14 (3) apply to, or require a permit for, casual col-  
15 lecting of a rock, mineral, or invertebrate or plant  
16 fossil that is not protected under this subtitle;

17 (4) affect any land other than Federal land or  
18 affect the lawful recovery, collection, or sale of pale-  
19 ontological resources from land other than Federal  
20 land;

21 (5) alter or diminish the authority of a Federal  
22 agency under any other law to provide protection for  
23 paleontological resources on Federal land in addition  
24 to the protection provided under this subtitle; or

1           (6) create any right, privilege, benefit, or enti-  
 2           tlement for any person who is not an officer or em-  
 3           ployee of the United States acting in that capacity.  
 4           No person who is not an officer or employee of the  
 5           United States acting in that capacity shall have  
 6           standing to file any civil action in a court of the  
 7           United States to enforce any provision or amend-  
 8           ment made by this subtitle.

9   **SEC. 132. AUTHORIZATION OF APPROPRIATIONS.**

10          There are authorized to be appropriated such sums  
 11          as may be necessary to carry out this subtitle.

12   **Subtitle D—Snake River Birds of**  
 13   **Prey National Conservation Area**

14   **SEC. 141. SNAKE RIVER BIRDS OF PREY NATIONAL CON-**  
 15   **SERVATION AREA.**

16          (a) RENAMING.—Public Law 103–64 is amended—

17               (1) in section 2(2) (16 U.S.C. 460iii–1(2)), by  
 18               inserting “Morley Nelson” before “Snake River  
 19               Birds of Prey National Conservation Area”; and

20               (2) in section 3(a)(1) (16 U.S.C. 460iii–  
 21               2(a)(1)), by inserting “Morley Nelson” before  
 22               “Snake River Birds of Prey National Conservation  
 23               Area”.

24          (b) REFERENCES.—Any reference in a law, map, reg-  
 25          ulation, document, paper, or other record of the United

1 States to the Snake River Birds of Prey National Con-  
2 servation Area shall be deemed to be a reference to the  
3 Morley Nelson Snake River Birds of Prey National Con-  
4 servation Area.

5 (c) TECHNICAL CORRECTIONS.—Public Law 103–64  
6 is further amended—

7 (1) in section 3(a)(1) (16 U.S.C. 460iii–  
8 2(a)(1)), by striking “(hereafter referred to as the  
9 ‘conservation area’)”; and

10 (2) in section 4 (16 U.S.C. 460iii–3)—

11 (A) in subsection (a)(2), by striking “Con-  
12 servation Area” and inserting “conservation  
13 area”; and

14 (B) in subsection (d), by striking “Visitors  
15 Center” and inserting “visitors center”.

## 16 **Subtitle E—National Landscape** 17 **Conservation System**

### 18 **SEC. 151. DEFINITIONS.**

19 In this subtitle:

20 (1) SECRETARY.—The term “Secretary” means  
21 the Secretary of the Interior.

22 (2) SYSTEM.—The term “system” means the  
23 National Landscape Conservation System estab-  
24 lished by section 152(a).

1 **SEC. 152. ESTABLISHMENT OF THE NATIONAL LANDSCAPE**  
2 **CONSERVATION SYSTEM.**

3 (a) ESTABLISHMENT.—In order to conserve, protect,  
4 and restore nationally significant landscapes that have  
5 outstanding cultural, ecological, and scientific values for  
6 the benefit of current and future generations, there is es-  
7 tablished in the Bureau of Land Management the Na-  
8 tional Landscape Conservation System.

9 (b) COMPONENTS.—The system shall include each of  
10 the following areas administered by the Bureau of Land  
11 Management:

12 (1) Each area that is designated as—

13 (A) a national monument;

14 (B) a national conservation area;

15 (C) a wilderness study area;

16 (D) a national scenic trail or national his-  
17 toric trail designated as a component of the Na-  
18 tional Trails System;

19 (E) a component of the National Wild and  
20 Scenic Rivers System; or

21 (F) a component of the National Wilder-  
22 ness Preservation System.

23 (2) Any area designated by Congress to be ad-  
24 ministered for conservation purposes, including—

25 (A) the Steens Mountain Cooperative Man-  
26 agement and Protection Area;

1 (B) the Headwaters Forest Reserve;

2 (C) the Yaquina Head Outstanding Nat-  
3 ural Area; and

4 (D) any additional area designated by Con-  
5 gress for inclusion in the system.

6 (c) MANAGEMENT.—The Secretary shall manage the  
7 system—

8 (1) in accordance with any applicable law (in-  
9 cluding regulations) relating to any component of  
10 the system included under subsection (b); and

11 (2) in a manner that protects the values for  
12 which the components of the system were des-  
13 igned.

14 **SEC. 153. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated such sums  
16 as are necessary to carry out this subtitle.

17 **TITLE II—NATIONAL PARK**  
18 **SERVICE**

19 **Subtitle A—New Areas, Boundary**  
20 **Modifications, and Studies**

21 **SEC. 201. WILLIAM JEFFERSON CLINTON BIRTHPLACE**  
22 **HOME NATIONAL HISTORIC SITE.**

23 (a) ACQUISITION OF PROPERTY; ESTABLISHMENT OF  
24 HISTORIC SITE.—Should the Secretary of the Interior ac-  
25 quire, by donation only from the Clinton Birthplace Foun-

1 dation, Inc., fee simple, unencumbered title to the William  
 2 Jefferson Clinton Birthplace Home site located at 117  
 3 South Hervey Street, Hope, Arkansas, 71801, and to any  
 4 personal property related to that site, the Secretary shall  
 5 designate the William Jefferson Clinton Birthplace Home  
 6 site as a National Historic Site and unit of the National  
 7 Park System, to be known as the “President William Jef-  
 8 ferson Clinton Birthplace Home National Historic Site”.

9 (b) APPLICABILITY OF OTHER LAWS.—The Sec-  
 10 retary shall administer the President William Jefferson  
 11 Clinton Birthplace Home National Historic Site in accord-  
 12 ance with the laws generally applicable to national historic  
 13 sites, including the Act entitled “An Act to establish a Na-  
 14 tional Park Service, and for other purposes”, approved  
 15 August 25, 1916 (16 U.S.C. 1–4), and the Act entitled  
 16 “An Act to provide for the preservation of historic Amer-  
 17 ican sites, buildings, objects and antiquities of national  
 18 significance, and for other purposes”, approved August  
 19 21, 1935 (16 U.S.C. 461 et seq.).

20 **SEC. 202. MESA VERDE NATIONAL PARK BOUNDARY EXPAN-**  
 21 **SION.**

22 (a) FINDINGS.—Congress finds that—

23 (1) on June 29, 1906, Mesa Verde National  
 24 Park was established as the first national park in

1 the United States to preserve the works of human-  
2 ity;

3 (2) on September 6, 1978, Mesa Verde Na-  
4 tional Park became the first World Heritage Site  
5 designated in the United States; and

6 (3) Mesa Verde National Park protects some of  
7 the best preserved and notable archeological sites of  
8 the ancient Puebloan culture that flourished in the  
9 southwestern United States from approximately  
10 600–1300, including the elaborate stone villages in  
11 the sheltered alcoves of the canyon walls referred to  
12 as “cliff dwellings”.

13 (b) PURPOSES.—The purposes of this section are—

14 (1) to modify the boundary of Mesa Verde Na-  
15 tional Park—

16 (A) to protect the archeological sites lo-  
17 cated on property adjacent to the Park bound-  
18 ary;

19 (B) to extend and expand the knowledge  
20 and understanding of the ancient Puebloan cul-  
21 ture, a major influence in the development of  
22 the southwestern United States;

23 (C) to protect from potential development  
24 the scenic and biological value of the pinyon-ju-  
25 niper covered hills that—

- 1 (i) border the Park; and  
 2 (ii) are in full view of the Park en-  
 3 trance road; and

4 (D) to protect the largest recorded colony  
 5 of the globally imperiled Gray's Townsend  
 6 Daisy, to ensure continuation of a major wild-  
 7 life corridor, and to protect important habitat  
 8 for wildlife; and

9 (2) to provide greater opportunities to visitors,  
 10 researchers, and surrounding communities to under-  
 11 stand and appreciate the natural environment of  
 12 Mesa Verde and the contributions of the ancient  
 13 Puebloan culture to the region by providing the land  
 14 required to construct a contemporary museum collec-  
 15 tions storage facility and visitor orientation center.

16 (c) DEFINITIONS.—In this section:

17 (1) MAP.—The term “map” means the map en-  
 18 titled “Mesa Verde National Park Proposed Bound-  
 19 ary Adjustment”, numbered 307/80,180, and dated  
 20 March 1, 2007.

21 (2) PARK.—The term “Park” means the Mesa  
 22 Verde National Park in the State of Colorado.

23 (3) SECRETARY.—The term “Secretary” means  
 24 the Secretary of the Interior.

25 (d) ACQUISITION OF LAND.—

1           (1) IN GENERAL.—The Secretary may acquire  
2           the land or an interest in the land described in sub-  
3           section (e) for addition to the Park.

4           (2) MEANS.—An acquisition of land under  
5           paragraph (1) may be made by donation, purchase  
6           from a willing seller with donated or appropriated  
7           funds, or exchange.

8           (e) DESCRIPTION OF LAND.—The land referred to in  
9           subsection (d)(1) is the approximately 360 acres of land  
10          adjacent to the Park, as generally depicted on the map.

11          (f) AVAILABILITY OF MAP.—The map shall be on file  
12          and available for inspection in the appropriate offices of  
13          the National Park Service.

14          (g) BOUNDARY MODIFICATION.—The boundary of  
15          the Park shall be revised to reflect the acquisition of the  
16          land under subsection (d).

17          (h) ADMINISTRATION.—The Secretary shall admin-  
18          ister any land or interest in land acquired under sub-  
19          section (d)(1) as part of the Park in accordance with the  
20          laws (including regulations) applicable to the Park.

21          (i) AUTHORIZATION OF APPROPRIATIONS.—There  
22          are authorized to be appropriated such sums as are nec-  
23          essary to carry out this section.

24          **SEC. 203. MINIDOKA INTERNMENT NATIONAL MONUMENT.**

25          (a) DEFINITIONS.—In this section:

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

3           (2) STATE.—The term “State” means the State  
4 of Idaho.

5           (b) BAINBRIDGE ISLAND JAPANESE AMERICAN ME-  
6 MORIAL.—

7           (1) BOUNDARY ADJUSTMENT.—

8                   (A) IN GENERAL.—The boundary of the  
9 Minidoka Internment National Monument, lo-  
10 cated in the State and established by Presi-  
11 dential Proclamation 7395 of January 17,  
12 2001, is adjusted to include the Nidoto Nai  
13 Yoni (“Let it not happen again”) memorial (re-  
14 ferred to in this subsection as the “memorial”),  
15 which—

16                           (i) commemorates the Japanese  
17 Americans of Bainbridge Island, Wash-  
18 ington, who were the first to be forcibly re-  
19 moved from their homes and relocated to  
20 internment camps during World War II  
21 under Executive Order No. 9066; and

22                           (ii) consists of approximately 8 acres  
23 of land owned by the City of Bainbridge  
24 Island, Washington, as depicted on the  
25 map entitled “Bainbridge Island Japanese

1 American Memorial”, numbered 194/  
2 80,003, and dated September, 2006.

3 (B) MAP.—The map referred to in sub-  
4 paragraph (A)(ii) shall be kept on file and made  
5 available for public inspection in the appro-  
6 priate offices of the National Park Service.

7 (2) ADMINISTRATION OF MEMORIAL.—

8 (A) IN GENERAL.—The memorial shall be  
9 administered as part of the Minidoka Intern-  
10 ment National Monument.

11 (B) AGREEMENTS.—To carry out this sub-  
12 section, the Secretary may enter into agree-  
13 ments with—

14 (i) the City of Bainbridge Island,  
15 Washington;

16 (ii) the Bainbridge Island Metropoli-  
17 tan Park and Recreational District;

18 (iii) the Bainbridge Island Japanese  
19 American Community Memorial Com-  
20 mittee;

21 (iv) the Bainbridge Island Historical  
22 Society; and

23 (v) other appropriate individuals or  
24 entities.

1 (C) IMPLEMENTATION.—To implement an  
2 agreement entered into under subparagraph  
3 (B), the Secretary may—

4 (i) enter into a cooperative manage-  
5 ment agreement relating to the operation  
6 and maintenance of the memorial with the  
7 City of Bainbridge Island, Washington, in  
8 accordance with section 3(*l*) of Public law  
9 91–383 (16 U.S.C. 1a–2(*l*)); and

10 (ii) enter into cooperative agreements  
11 with, or make grants to, the City of Bain-  
12 bridge Island, Washington, and other non-  
13 Federal entities for the development of fa-  
14 cilities, infrastructure, and interpretive  
15 media at the memorial, if any Federal  
16 funds provided by a grant or through a co-  
17 operative agreement are matched with non-  
18 Federal funds.

19 (D) ADMINISTRATION AND VISITOR USE  
20 SITE.—The Secretary may operate and main-  
21 tain a site in the State of Washington for ad-  
22 ministrative and visitor use purposes associated  
23 with the Minidoka Internment National Monu-  
24 ment.

1 (c) ESTABLISHMENT OF MINIDOKA NATIONAL HIS-  
2 TORIC SITE.—

3 (1) DEFINITIONS.—In this subsection:

4 (A) HISTORIC SITE.—The term “Historic  
5 Site” means the Minidoka National Historic  
6 Site established by paragraph (2)(A).

7 (B) MINIDOKA MAP.—The term “Minidoka  
8 Map” means the map entitled “Minidoka Na-  
9 tional Historic Site, Proposed Boundary Map”,  
10 numbered 194/80,004, and dated December  
11 2006.

12 (2) ESTABLISHMENT.—

13 (A) NATIONAL HISTORIC SITE.—In order  
14 to protect, preserve, and interpret the resources  
15 associated with the former Minidoka Relocation  
16 Center where Japanese Americans were incar-  
17 cerated during World War II, there is estab-  
18 lished the Minidoka National Historic Site.

19 (B) MINIDOKA INTERNMENT NATIONAL  
20 MONUMENT.—

21 (i) IN GENERAL.—The Minidoka In-  
22 ternment National Monument (referred to  
23 in this subsection as the “Monument”), as  
24 described in Presidential Proclamation  
25 7395 of January 17, 2001, is abolished.

1 (ii) INCORPORATION.—The land and  
2 any interests in the land at the Monument  
3 are incorporated within, and made part of,  
4 the Historic Site.

5 (iii) FUNDS.—Any funds available for  
6 purposes of the Monument shall be avail-  
7 able for the Historic Site.

8 (C) REFERENCES.—Any reference in a law  
9 (other than in this subsection), map, regulation,  
10 document, record, or other paper of the United  
11 States to the “Minidoka Internment National  
12 Monument” shall be considered to be a ref-  
13 erence to the “Minidoka National Historic  
14 Site”.

15 (3) BOUNDARY OF HISTORIC SITE.—

16 (A) BOUNDARY.—The boundary of the  
17 Historic Site shall include—

18 (i) approximately 292 acres of land,  
19 as depicted on the Minidoka Map; and

20 (ii) approximately 8 acres of land, as  
21 described in subsection (b)(1)(A)(ii).

22 (B) AVAILABILITY OF MAP.—The  
23 Minidoka Map shall be on file and available for  
24 public inspection in the appropriate offices of  
25 the National Park Service.

1 (4) LAND TRANSFERS AND ACQUISITION.—

2 (A) TRANSFER FROM BUREAU OF REC-  
3 LAMATION.—Administrative jurisdiction over  
4 the land identified on the Minidoka Map as  
5 “BOR parcel 1” and “BOR parcel 2”, includ-  
6 ing any improvements on, and appurtenances  
7 to, the parcels, is transferred from the Bureau  
8 of Reclamation to the National Park Service for  
9 inclusion in the Historic Site.

10 (B) TRANSFER FROM BUREAU OF LAND  
11 MANAGEMENT.—Administrative jurisdiction  
12 over the land identified on the Minidoka Map as  
13 “Public Domain Lands” is transferred from the  
14 Bureau of Land Management to the National  
15 Park Service for inclusion in the Historic Site,  
16 and the portions of any prior Secretarial orders  
17 withdrawing the land are revoked.

18 (C) ACQUISITION AUTHORITY.—The Sec-  
19 retary may acquire any land or interest in land  
20 located within the boundary of the Historic  
21 Site, as depicted on the Minidoka Map, by—

- 22 (i) donation;  
23 (ii) purchase with donated or appro-  
24 priated funds from a willing seller; or  
25 (iii) exchange.

1 (5) ADMINISTRATION.—

2 (A) IN GENERAL.—The Historic Site shall  
3 be administered in accordance with—

4 (i) this section; and

5 (ii) laws (including regulations) gen-  
6 erally applicable to units of the National  
7 Park System, including—

8 (I) the National Park Service Or-  
9 ganic Act (16 U.S.C. 1 et seq.); and

10 (II) the Act of August 21, 1935  
11 (16 U.S.C. 461 et seq.).

12 (B) INTERPRETATION AND EDUCATION.—

13 (i) IN GENERAL.—The Secretary shall  
14 interpret—

15 (I) the story of the relocation of  
16 Japanese Americans during World  
17 War II to the Minidoka Relocation  
18 Center and other centers across the  
19 United States;

20 (II) the living conditions of the  
21 relocation centers;

22 (III) the work performed by the  
23 internees at the relocation centers;  
24 and

1 (IV) the contributions to the  
2 United States military made by Japa-  
3 nese Americans who had been in-  
4 terned.

5 (ii) ORAL HISTORIES.—To the extent  
6 feasible, the collection of oral histories and  
7 testimonials from Japanese Americans who  
8 were confined shall be a part of the inter-  
9 pretive program at the Historic Site.

10 (iii) COORDINATION.—The Secretary  
11 shall coordinate the development of inter-  
12 pretive and educational materials and pro-  
13 grams for the Historic Site with the  
14 Manzanar National Historic Site in the  
15 State of California.

16 (C) BAINBRIDGE ISLAND JAPANESE AMER-  
17 ICAN MEMORIAL.—The Bainbridge Island Japa-  
18 nese American Memorial shall be administered  
19 in accordance with subsection (b)(2).

20 (D) CONTINUED AGRICULTURAL USE.—In  
21 keeping with the historical use of the land fol-  
22 lowing the decommission of the Minidoka Relo-  
23 cation Center, the Secretary may issue a special  
24 use permit or enter into a lease to allow agricul-  
25 tural uses within the Historic Site under appro-

1           pripate terms and conditions, as determined by  
2           the Secretary.

3           (6) DISCLAIMER OF INTEREST IN LAND.—

4                   (A) IN GENERAL.—The Secretary may  
5           issue to Jerome County, Idaho, a document of  
6           disclaimer of interest in land for the parcel  
7           identified as “Tract No. 2”—

8                           (i) in the final order of condemnation,  
9                           for the case numbered 2479, filed on Janu-  
10                           ary 31, 1947, in the District Court of the  
11                           United States, in and for the District of  
12                           Idaho, Southern Division; and

13                           (ii) on the Minidoka Map.

14                   (B) PROCESS.—The Secretary shall issue  
15           the document of disclaimer of interest in land  
16           under subparagraph (A) in accordance with sec-  
17           tion 315(b) of Federal Land Policy and Man-  
18           agement Act of 1976 (43 U.S.C. 1745(b)).

19                   (C) EFFECT.—The issuance by the Sec-  
20           retary of the document of disclaimer of interest  
21           in land under subparagraph (A) shall have the  
22           same effect as a quit-claim deed issued by the  
23           United States.

24           (d) CONVEYANCE OF AMERICAN FALLS RESERVOIR  
25   DISTRICT NUMBER 2.—

1 (1) DEFINITIONS.—In this subsection

2 (A) AGREEMENT.—The term “Agreement”  
3 means Agreement No. 5–07–10–L1688 between  
4 the United States and the District, entitled  
5 “Agreement Between the United States and the  
6 American Falls Reservoir District No. 2 to  
7 Transfer Title to the Federally Owned Milner-  
8 Gooding Canal and Certain Property Rights,  
9 Title and Interest to the American Falls Res-  
10 ervoir District No. 2”.

11 (B) DISTRICT.—The term “District”  
12 means the American Falls Reservoir District  
13 No. 2, located in Jerome, Lincoln, and Gooding  
14 Counties, of the State.

15 (2) AUTHORITY TO CONVEY TITLE.—

16 (A) IN GENERAL.—In accordance with all  
17 applicable law and the terms and conditions set  
18 forth in the Agreement, the Secretary may con-  
19 vey—

20 (i) to the District all right, title, and  
21 interest in and to the land and improve-  
22 ments described in Appendix A of the  
23 Agreement, subject to valid existing rights;

24 (ii) to the city of Gooding, located in  
25 Gooding County, of the State, all right,

1 title, and interest in and to the 5.0 acres  
2 of land and improvements described in Ap-  
3 pendix D of the Agreement; and

4 (iii) to the Idaho Department of Fish  
5 and Game all right, title, and interest in  
6 and to the 39.72 acres of land and im-  
7 provements described in Appendix D of the  
8 Agreement.

9 (B) COMPLIANCE WITH AGREEMENT.—All  
10 parties to the conveyance under subparagraph  
11 (A) shall comply with the terms and conditions  
12 of the Agreement, to the extent consistent with  
13 this subsection.

14 (3) COMPLIANCE WITH OTHER LAWS.—

15 (A) IN GENERAL.—On conveyance of the  
16 land and improvements under paragraph  
17 (2)(A)(i), the District shall comply with all ap-  
18 plicable Federal, State, and local laws (includ-  
19 ing regulations) in the operation of each facility  
20 transferred.

21 (B) APPLICABLE AUTHORITY.—Nothing in  
22 this subsection modifies or otherwise affects the  
23 applicability of Federal reclamation law (the  
24 Act of June 17, 1902 (32 Stat. 388, chapter  
25 1093), and Acts supplemental to and amend-

1 atory of that Act (43 U.S.C. 371 et seq.)) to  
2 project water provided to the District.

3 (4) REVOCATION OF WITHDRAWALS.—

4 (A) IN GENERAL.—The portions of the  
5 Secretarial Orders dated March 18, 1908, Octo-  
6 ber 7, 1908, September 29, 1919, October 22,  
7 1925, March 29, 1927, July 23, 1927, and May  
8 7, 1963, withdrawing the approximately 6,900  
9 acres described in Appendix E of the Agree-  
10 ment for the purpose of the Gooding Division of  
11 the Minidoka Project, are revoked.

12 (B) MANAGEMENT OF WITHDRAWN  
13 LAND.—The Secretary, acting through the Di-  
14 rector of the Bureau of Land Management,  
15 shall manage the withdrawn land described in  
16 subparagraph (A) subject to valid existing  
17 rights.

18 (5) LIABILITY.—

19 (A) IN GENERAL.—Subject to subpara-  
20 graph (B), upon completion of a conveyance  
21 under paragraph (2), the United States shall  
22 not be liable for damages of any kind for any  
23 injury arising out of an act, omission, or occur-  
24 rence relating to the land (including any im-

1           provements to the land) conveyed under the  
2           conveyance.

3           (B) EXCEPTION.—Subparagraph (A) shall  
4           not apply to liability for damages resulting from  
5           an injury caused by any act of negligence com-  
6           mitted by the United States (or by any officer,  
7           employee, or agent of the United States) before  
8           the date of completion of the conveyance.

9           (C) FEDERAL TORT CLAIMS ACT.—Nothing  
10          in this paragraph increases the liability of the  
11          United States beyond that provided in chapter  
12          171 of title 28, United States Code.

13          (6) FUTURE BENEFITS.—

14          (A) RESPONSIBILITY OF THE DISTRICT.—  
15          After completion of the conveyance of land and  
16          improvements to the District under paragraph  
17          (2)(A)(i), and consistent with the Agreement,  
18          the District shall assume responsibility for all  
19          duties and costs associated with the operation,  
20          replacement, maintenance, enhancement, and  
21          betterment of the transferred land (including  
22          any improvements to the land).

23          (B) ELIGIBILITY FOR FEDERAL FUND-  
24          ING.—

1 (i) IN GENERAL.—Except as provided  
2 in clause (ii), the District shall not be eligi-  
3 ble to receive Federal funding to assist in  
4 any activity described in subparagraph (A)  
5 relating to land and improvements trans-  
6 ferred under paragraph (2)(A)(i).

7 (ii) EXCEPTION.—Clause (i) shall not  
8 apply to any funding that would be avail-  
9 able to a similarly situated nonreclamation  
10 district, as determined by the Secretary.

11 (7) NATIONAL ENVIRONMENTAL POLICY ACT.—

12 Before completing any conveyance under this sub-  
13 section, the Secretary shall complete all actions re-  
14 quired under—

15 (A) the National Environmental Policy Act  
16 of 1969 (42 U.S.C. 4321 et seq.);

17 (B) the Endangered Species Act of 1973  
18 (16 U.S.C. 1531 et seq.);

19 (C) the National Historic Preservation Act  
20 (16 U.S.C. 470 et seq.); and

21 (D) all other applicable laws (including  
22 regulations).

23 (8) PAYMENT.—

24 (A) FAIR MARKET VALUE REQUIRE-  
25 MENT.—As a condition of the conveyance under

1 paragraph (2)(A)(i), the District shall pay the  
2 fair market value for the withdrawn land to be  
3 acquired by them, in accordance with the terms  
4 of the Agreement.

5 (B) GRANT FOR BUILDING REPLACE-  
6 MENT.—As soon as practicable after the date of  
7 enactment of this Act, and in full satisfaction  
8 of the Federal obligation to the District for the  
9 replacement of the structure in existence on  
10 that date of enactment that is to be transferred  
11 to the National Park Service for inclusion in  
12 the Minidoka National Historic Site, the Sec-  
13 retary, acting through the Commissioner of  
14 Reclamation, shall provide to the District a  
15 grant in the amount of \$52,996, in accordance  
16 with the terms of the Agreement.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated such sums as are nec-  
19 essary to carry out this section.

20 **SEC. 204. WALNUT CANYON STUDY.**

21 (a) DEFINITIONS.—In this section:

22 (1) MAP.—The term “map” means the map en-  
23 titled “Walnut Canyon Proposed Study Area” and  
24 dated July 17, 2007.

1           (2) SECRETARIES.—The term “Secretaries”  
2 means the Secretary of the Interior and the Sec-  
3 retary of Agriculture, acting jointly.

4           (3) STUDY AREA.—The term “study area”  
5 means the area identified on the map as the “Wal-  
6 nut Canyon Proposed Study Area”.

7 (b) STUDY.—

8           (1) IN GENERAL.—The Secretaries shall con-  
9 duct a study of the study area to assess—

10           (A) the suitability and feasibility of desig-  
11 nating all or part of the study area as an addi-  
12 tion to Walnut Canyon National Monument, in  
13 accordance with section 8(c) of Public Law 91-  
14 383 (16 U.S.C. 1a-5(c));

15           (B) continued management of the study  
16 area by the Forest Service; or

17           (C) any other designation or management  
18 option that would provide for—

19           (i) protection of resources within the  
20 study area; and

21           (ii) continued access to, and use of,  
22 the study area by the public.

23           (2) CONSULTATION.—The Secretaries shall pro-  
24 vide for public comment in the preparation of the

1 study, including consultation with appropriate Fed-  
2 eral, State, and local governmental entities.

3 (3) REPORT.—Not later than 18 months after  
4 the date on which funds are made available to carry  
5 out this section, the Secretaries shall submit to the  
6 Committee on Energy and Natural Resources of the  
7 Senate and the Committee on Natural Resources of  
8 the House of Representatives a report that de-  
9 scribes—

10 (A) the results of the study; and

11 (B) any recommendations of the Secre-  
12 taries.

13 (4) AUTHORIZATION OF APPROPRIATIONS.—  
14 There are authorized to be appropriated such sums  
15 as are necessary to carry out this section.

16 **Subtitle B—Commissions and**  
17 **Advisory Committees**

18 **SEC. 211. DWIGHT D. EISENHOWER MEMORIAL COMMIS-**  
19 **SION.**

20 Section 8162 of the Department of Defense Appro-  
21 priations Act, 2000 (Public Law 106–79; 113 Stat. 1274)  
22 is amended—

23 (1) by striking subsection (j), and inserting the  
24 following:

25 “(j) POWERS OF THE COMMISSION.—

1 “(1) IN GENERAL.—

2 “(A) POWERS.—The Commission may—

3 “(i) make such expenditures for serv-  
4 ices and materials for the purpose of car-  
5 rying out this section as the Commission  
6 considers advisable from funds appro-  
7 priated or received as gifts for that pur-  
8 pose;

9 “(ii) solicit and accept contributions  
10 to be used in carrying out this section or  
11 to be used in connection with the construc-  
12 tion or other expenses of the memorial;

13 “(iii) hold hearings and enter into  
14 contracts;

15 “(iv) enter into contracts for special-  
16 ized or professional services as necessary  
17 to carry out this section; and

18 “(v) take such actions as are nec-  
19 essary to carry out this section.

20 “(B) SPECIALIZED OR PROFESSIONAL  
21 SERVICES.—Services under subparagraph  
22 (A)(iv) may be—

23 “(i) obtained without regard to the  
24 provisions of title 5, United States Code,  
25 including section 3109 of that title; and

1                   “(ii) may be paid without regard to  
2                   the provisions of title 5, United States  
3                   Code, including chapter 51 and subchapter  
4                   III of chapter 53 of that title.

5                   “(2) GIFTS OF PROPERTY.—The Commission  
6                   may accept gifts of real or personal property to be  
7                   used in carrying out this section, including to be  
8                   used in connection with the construction or other ex-  
9                   penses of the memorial.

10                  “(3) FEDERAL COOPERATION.—At the request  
11                  of the Commission, a Federal department or agency  
12                  may provide any information or other assistance to  
13                  the Commission that the head of the Federal depart-  
14                  ment or agency determines to be appropriate.

15                  “(4) POWERS OF MEMBERS AND AGENTS.—

16                         “(A) IN GENERAL.—If authorized by the  
17                         Commission, any member or agent of the Com-  
18                         mission may take any action that the Commis-  
19                         sion is authorized to take under this section.

20                         “(B) ARCHITECT.—The Commission may  
21                         appoint an architect as an agent of the Com-  
22                         mission to—

23                                 “(i) represent the Commission on var-  
24                                 ious governmental source selection and  
25                                 planning boards on the selection of the

1 firms that will design and construct the  
2 memorial; and

3 “(ii) perform other duties as des-  
4 ignated by the Chairperson of the Commis-  
5 sion.

6 “(C) TREATMENT.—An authorized mem-  
7 ber or agent of the Commission (including an  
8 individual appointed under subparagraph (B))  
9 providing services to the Commission shall be  
10 considered an employee of the Federal Govern-  
11 ment in the performance of those services for  
12 the purposes of chapter 171 of title 28, United  
13 States Code, relating to tort claims.

14 “(5) TRAVEL.—Each member of the Commis-  
15 sion shall be allowed travel expenses, including per  
16 diem in lieu of subsistence, at rates authorized for  
17 employees of agencies under subchapter I of chapter  
18 57 of title 5, United States Code, while away from  
19 their homes or regular places of business in the per-  
20 formance of services for the Commission.”;

21 (2) by redesignating subsection (o) as sub-  
22 section (q); and

23 (3) by adding at the end the following:

24 “(o) STAFF AND SUPPORT SERVICES.—

1           “(1) EXECUTIVE DIRECTOR.—There shall be an  
2 Executive Director appointed by the Commission to  
3 be paid at a rate not to exceed the maximum rate  
4 of basic pay for level IV of the Executive Schedule.

5           “(2) STAFF.—

6           “(A) IN GENERAL.—The staff of the Com-  
7 mission may be appointed and terminated with-  
8 out regard to the provisions of title 5, United  
9 States Code, governing appointments in the  
10 competitive service, and may be paid without  
11 regard to the provisions of chapter 51 and sub-  
12 chapter III of chapter 53 of that title, relating  
13 to classification and General Schedule pay  
14 rates, except that an individual appointed under  
15 this paragraph may not receive pay in excess of  
16 the maximum rate of basic pay for GS-15 of  
17 the General Schedule.

18           “(B) SENIOR STAFF.—Notwithstanding  
19 subparagraph (A), not more than 3 staff em-  
20 ployees of the Commission (in addition to the  
21 Executive Director) may be paid at a rate not  
22 to exceed the maximum rate of basic pay for  
23 level IV of the Executive Schedule

24           “(3) STAFF OF FEDERAL AGENCIES.—On re-  
25 quest of the Commission, the head of any Federal

1 department or agency may detail any of the per-  
2 sonnel of the department or agency to the Commis-  
3 sion to assist the Commission to carry out its duties  
4 under this section.

5 “(4) FEDERAL SUPPORT.—The Commission  
6 shall obtain administrative and support services  
7 from the General Services Administration on a reim-  
8 bursable basis. The Commission may use all con-  
9 tracts, schedules, and acquisition vehicles allowed to  
10 external clients through the General Services Admin-  
11 istration.

12 “(5) COOPERATIVE AGREEMENTS.—The Com-  
13 mission may enter into cooperative agreements with  
14 Federal agencies, State, local, tribal and inter-  
15 national governments, and private interests and or-  
16 ganizations which will further the goals and pur-  
17 poses of this section.

18 “(6) TEMPORARY, INTERMITTENT, AND PART-  
19 TIME SERVICES.—

20 “(A) IN GENERAL.—The Commission may  
21 obtain temporary, intermittent, and part-time  
22 services under section 3109 of title 5, United  
23 States Code, at rates not to exceed the max-  
24 imum annual rate of basic pay payable under  
25 section 5376 of that title.

1           “(B) NON-APPLICABILITY TO CERTAIN  
2 SERVICES.—This paragraph shall not apply to  
3 services under subsection (j)(1)(A)(iv).

4           “(7) VOLUNTEER SERVICES.—

5           “(A) IN GENERAL.—Notwithstanding sec-  
6 tion 1342 of title 31, United States Code, the  
7 Commission may accept and utilize the services  
8 of volunteers serving without compensation.

9           “(B) REIMBURSEMENT.—The Commission  
10 may reimburse such volunteers for local travel  
11 and office supplies, and for other travel ex-  
12 penses, including per diem in lieu of subsist-  
13 ence, as authorized by section 5703 of title 5,  
14 United States Code.

15           “(C) LIABILITY.—

16           “(i) IN GENERAL.—Subject to clause  
17 (ii), a volunteer described in subparagraph  
18 (A) shall be considered to be a volunteer  
19 for purposes of the Volunteer Protection  
20 Act of 1997 (42 U.S.C. 14501 et seq.).

21           “(ii) EXCEPTION.—Section 4(d) of the  
22 Volunteer Protection Act of 1997 (42  
23 U.S.C. 14503(d)) shall not apply for pur-  
24 poses of a claim against a volunteer de-  
25 scribed in subparagraph (A).

1       “(p) AUTHORIZATION OF APPROPRIATIONS.—There  
 2 are authorized to be appropriated such sums as necessary  
 3 to carry out this section.”.

4 **SEC. 212. NA HOA PILI O KALOKO-HONOKOHAU ADVISORY**  
 5 **COMMISSION.**

6       Section 505(f)(7) of the National Parks and Recre-  
 7 ation Act of 1978 (16 U.S.C. 396d(f)(7)) is amended by  
 8 striking “ten years after the date of enactment of the Na  
 9 Hoa Pili Kaloko-Honokohau Re-establishment Act of  
 10 1996” and inserting “on December 31, 2017”.

11 **Subtitle C—National Trails**

12 **SEC. 221. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.**

13 (a) FINDINGS; PURPOSE.—

14 (1) FINDINGS.—Congress finds that—

15 (A) at the end of the last Ice Age, some  
 16 12,000 to 17,000 years ago, a series of cata-  
 17 clysmic floods occurred in what is now the  
 18 northwest region of the United States, leaving  
 19 a lasting mark of dramatic and distinguishing  
 20 features on the landscape of parts of the States  
 21 of Montana, Idaho, Washington and Oregon;

22 (B) geological features that have excep-  
 23 tional value and quality to illustrate and inter-  
 24 pret this extraordinary natural phenomenon are

1 present on Federal, State, tribal, county, mu-  
2 nicipal, and private land in the region; and

3 (C) in 2001, a joint study team headed by  
4 the National Park Service that included about  
5 70 members from public and private entities  
6 completed a study endorsing the establishment  
7 of an Ice Age Floods National Geologic Trail—

8 (i) to recognize the national signifi-  
9 cance of this phenomenon; and

10 (ii) to coordinate public and private  
11 sector entities in the presentation of the  
12 story of the Ice Age floods.

13 (2) PURPOSE.—The purpose of this section is  
14 to designate the Ice Age Floods National Geologic  
15 Trail in the States of Montana, Idaho, Washington,  
16 and Oregon, enabling the public to view, experience,  
17 and learn about the features and story of the Ice  
18 Age floods through the collaborative efforts of public  
19 and private entities.

20 (b) DEFINITIONS.—In this section:

21 (1) ICE AGE FLOODS; FLOODS.—The term “Ice  
22 Age floods” or “floods” means the cataclysmic floods  
23 that occurred in what is now the northwestern  
24 United States during the last Ice Age from massive,

1 rapid and recurring drainage of Glacial Lake in Mis-  
2 soula, Montana.

3 (2) PLAN.—The term “plan” means the cooper-  
4 ative management and interpretation plan author-  
5 ized under subsection (f)(5).

6 (3) SECRETARY.—The term “Secretary” means  
7 the Secretary of the Interior.

8 (4) TRAIL.—The term “Trail” means the Ice  
9 Age Floods National Geologic Trail designated by  
10 subsection (c).

11 (c) DESIGNATION.—In order to provide for public ap-  
12 preciation, understanding, and enjoyment of the nationally  
13 significant natural and cultural features of the Ice Age  
14 floods and to promote collaborative efforts for interpreta-  
15 tion and education among public and private entities lo-  
16 cated along the pathways of the floods, there is designated  
17 the Ice Age Floods National Geologic Trail.

18 (d) LOCATION.—

19 (1) MAP.—The route of the Trail shall be gen-  
20 erally depicted on the map entitled “Ice Age Floods  
21 National Geologic Trail,” numbered P43/80,000 and  
22 dated June 2004.

23 (2) ROUTE.—The route shall generally follow  
24 public roads and highways.

1           (3) REVISION.—The Secretary may revise the  
2           map by publication in the Federal Register of a no-  
3           tice of availability of a new map as part of the plan.

4           (e) MAP AVAILABILITY.—The map referred to in sub-  
5           section (d)(1) shall be on file and available for public in-  
6           spection in the appropriate offices of the National Park  
7           Service.

8           (f) ADMINISTRATION.—

9           (1) IN GENERAL.—The Secretary, acting  
10           through the Director of the National Park Service,  
11           shall administer the Trail in accordance with this  
12           section.

13           (2) LIMITATION.—Except as provided in para-  
14           graph (6)(B), the Trail shall not be considered to be  
15           a unit of the National Park System.

16           (3) TRAIL MANAGEMENT OFFICE.—To improve  
17           management of the Trail and coordinate Trail activi-  
18           ties with other public agencies and private entities,  
19           the Secretary may establish and operate a trail man-  
20           agement office at a central location within the vicin-  
21           ity of the Trail.

22           (4) INTERPRETIVE FACILITIES.—The Secretary  
23           may plan, design, and construct interpretive facili-  
24           ties for sites associated with the Trail if the facilities  
25           are constructed in partnership with State, local, trib-

1 al, or non-profit entities and are consistent with the  
2 plan.

3 (5) MANAGEMENT PLAN.—

4 (A) IN GENERAL.—Not later than 3 years  
5 after funds are made available to carry out this  
6 section, the Secretary shall prepare a coopera-  
7 tive management and interpretation plan for  
8 the Trail.

9 (B) CONSULTATION.—The Secretary shall  
10 prepare the plan in consultation with—

11 (i) State, local, and tribal govern-  
12 ments; and

13 (ii) the Ice Age Floods Institute;

14 (iii) private property owners; and

15 (iv) other interested parties.

16 (C) CONTENTS.—The plan shall—

17 (i) confirm and, if appropriate, ex-  
18 pand on the inventory of features of the  
19 floods contained in the National Park  
20 Service study entitled “Ice Age Floods,  
21 Study of Alternatives and Environmental  
22 Assessment” (February 2001) by—

23 (I) locating features more accu-  
24 rately;

1 (II) improving the description of  
2 features; and

3 (III) reevaluating the features in  
4 terms of their interpretive potential;

5 (ii) review and, if appropriate, modify  
6 the map of the Trail referred to in sub-  
7 section (d)(1);

8 (iii) describe strategies for the coordi-  
9 nated development of the Trail, including  
10 an interpretive plan for facilities, waysides,  
11 roadside pullouts, exhibits, media, and pro-  
12 grams that present the story of the floods  
13 to the public effectively; and

14 (iv) identify potential partnering op-  
15 portunities in the development of interpre-  
16 tive facilities and educational programs to  
17 educate the public about the story of the  
18 floods.

19 (6) COOPERATIVE MANAGEMENT.—

20 (A) IN GENERAL.—In order to facilitate  
21 the development of coordinated interpretation,  
22 education, resource stewardship, visitor facility  
23 development and operation, and scientific re-  
24 search associated with the Trail and to promote  
25 more efficient administration of the sites associ-

1           ated with the Trail, the Secretary may enter  
2           into cooperative management agreements with  
3           appropriate officials in the States of Montana,  
4           Idaho, Washington, and Oregon in accordance  
5           with the authority provided for units of the Na-  
6           tional Park System under section 3(l) of Public  
7           Law 91–383 (16 U.S.C. 1a–2(l)).

8                   (B) AUTHORITY.—For purposes of this  
9           paragraph only, the Trail shall be considered a  
10          unit of the National Park System.

11           (7) COOPERATIVE AGREEMENTS.—The Sec-  
12          retary may enter into cooperative agreements with  
13          public or private entities to carry out this section.

14           (8) EFFECT ON PRIVATE PROPERTY RIGHTS.—  
15          Nothing in this section—

16                   (A) requires any private property owner to  
17           allow public access (including Federal, State, or  
18           local government access) to private property; or

19                   (B) modifies any provision of Federal,  
20           State, or local law with respect to public access  
21           to or use of private land.

22           (9) LIABILITY.—Designation of the Trail by  
23          subsection (c) does not create any liability for, or af-  
24          fect any liability under any law of, any private prop-

1 erty owner with respect to any person injured on the  
 2 private property.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
 4 are authorized to be appropriated such sums as are nec-  
 5 essary to carry out this section, of which not more than  
 6 \$12,000,000 may be used for development of the Trail.

7 **SEC. 222. WASHINGTON-ROCHAMBEAU REVOLUTIONARY**  
 8 **ROUTE NATIONAL HISTORIC TRAIL.**

9 Section 5(a) of the National Trails System Act (16  
 10 U.S.C. 1244(a)) is amended by adding at the end the fol-  
 11 lowing:

12 “(26) WASHINGTON-ROCHAMBEAU REVOLU-  
 13 TIONARY ROUTE NATIONAL HISTORIC TRAIL.—

14 “(A) IN GENERAL.—The Washington-Ro-  
 15 chambeau Revolutionary Route National His-  
 16 toric Trail, a corridor of approximately 600  
 17 miles following the route taken by the armies of  
 18 General George Washington and Count Ro-  
 19 chambeau between Newport, Rhode Island, and  
 20 Yorktown, Virginia, in 1781 and 1782, as gen-  
 21 erally depicted on the map entitled ‘WASH-  
 22 NGTON-ROCHAMBEAU REVOLU-  
 23 TIONARY ROUTE NATIONAL HISTORIC  
 24 TRAIL’, numbered T01/80,001, and dated  
 25 June 2007 .

1           “(B) MAP.—The map referred to in sub-  
 2 paragraph (A) shall be on file and available for  
 3 public inspection in the appropriate offices of  
 4 the National Park Service.

5           “(C) ADMINISTRATION.—The trail shall be  
 6 administered by the Secretary of the Interior,  
 7 in consultation with—

8                   “(i) other Federal, State, tribal, re-  
 9 gional, and local agencies; and

10                   “(ii) the private sector.

11           “(D) LAND ACQUISITION.—The United  
 12 States shall not acquire for the trail any land  
 13 or interest in land outside the exterior boundary  
 14 of any federally-managed area without the con-  
 15 sent of the owner of the land or interest in  
 16 land.”.

17 **SEC. 223. REVISION OF FEASIBILITY AND SUITABILITY**  
 18 **STUDIES OF EXISTING NATIONAL HISTORIC**  
 19 **TRAILS.**

20           Section 5 of the National Trails System Act (16  
 21 U.S.C. 1244) is amended by adding at the end the fol-  
 22 lowing:

23           “(g) REVISION OF FEASIBILITY AND SUITABILITY  
 24 STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.—

25                   “(1) DEFINITIONS.—In this subsection:

1           “(A) ROUTE.—The term ‘route’ includes a  
2 trail segment commonly known as a cutoff.

3           “(B) SHARED ROUTE.—The term ‘shared  
4 route’ means a route that was a segment of  
5 more than 1 historic trail, including a route  
6 shared with an existing national historic trail.

7           “(2) REQUIREMENTS FOR REVISION.—

8           “(A) IN GENERAL.—The Secretary of the  
9 Interior shall revise the feasibility and suit-  
10 ability studies for certain national trails for  
11 consideration of possible additions to the trails.

12           “(B) STUDY REQUIREMENTS AND OBJEC-  
13 TIVES.—The study requirements and objectives  
14 specified in subsection (b) shall apply to a study  
15 required by this subsection.

16           “(C) COMPLETION AND SUBMISSION OF  
17 STUDY.—A study listed in this subsection shall  
18 be completed and submitted to Congress not  
19 later than 3 complete fiscal years from the date  
20 funds are made available for the study.

21           “(3) OREGON NATIONAL HISTORIC TRAIL.—

22           “(A) STUDY REQUIRED.—The Secretary of  
23 the Interior shall undertake a study of the  
24 routes of the Oregon Trail listed in subpara-  
25 graph (B) and generally depicted on the map

1 entitled ‘Western Emigrant Trails 1830/1870’  
2 and dated 1991/1993, and of such other routes  
3 of the Oregon Trail that the Secretary con-  
4 siders appropriate, to determine the feasibility  
5 and suitability of designation of 1 or more of  
6 the routes as components of the Oregon Na-  
7 tional Historic Trail.

8 “(B) COVERED ROUTES.—The routes to be  
9 studied under subparagraph (A) shall include  
10 the following:

11 “(i) Whitman Mission route.

12 “(ii) Upper Columbia River.

13 “(iii) Cowlitz River route.

14 “(iv) Meek cutoff.

15 “(v) Free Emigrant Road.

16 “(vi) North Alternate Oregon Trail.

17 “(vii) Goodale’s cutoff.

18 “(viii) North Side alternate route.

19 “(ix) Cutoff to Barlow road.

20 “(x) Naches Pass Trail.

21 “(4) PONY EXPRESS NATIONAL HISTORIC  
22 TRAIL.—The Secretary of the Interior shall under-  
23 take a study of the approximately 20-mile southern  
24 alternative route of the Pony Express Trail from  
25 Wathena, Kansas, to Troy, Kansas, and such other

1 routes of the Pony Express Trail that the Secretary  
2 considers appropriate, to determine the feasibility  
3 and suitability of designation of 1 or more of the  
4 routes as components of the Pony Express National  
5 Historic Trail.

6 “(5) CALIFORNIA NATIONAL HISTORIC TRAIL.—

7 “(A) STUDY REQUIRED.—The Secretary of  
8 the Interior shall undertake a study of the Mis-  
9 souri Valley, central, and western routes of the  
10 California Trail listed in subparagraph (B) and  
11 generally depicted on the map entitled ‘Western  
12 Emigrant Trails 1830/1870’ and dated 1991/  
13 1993, and of such other and shared Missouri  
14 Valley, central, and western routes that the  
15 Secretary considers appropriate, to determine  
16 the feasibility and suitability of designation of  
17 1 or more of the routes as components of the  
18 California National Historic Trail.

19 “(B) COVERED ROUTES.—The routes to be  
20 studied under subparagraph (A) shall include  
21 the following:

22 “(i) MISSOURI VALLEY ROUTES.—

23 “(I) Blue Mills-Independence  
24 Road.

25 “(II) Westport Landing Road.

- 1 “(III) Westport-Lawrence Road.
- 2 “(IV) Fort Leavenworth-Blue  
3 River route.
- 4 “(V) Road to Amazonia.
- 5 “(VI) Union Ferry Route.
- 6 “(VII) Old Wyoming-Nebraska  
7 City cutoff.
- 8 “(VIII) Lower Plattsmouth  
9 Route.
- 10 “(IX) Lower Bellevue Route.
- 11 “(X) Woodbury cutoff.
- 12 “(XI) Blue Ridge cutoff.
- 13 “(XII) Westport Road.
- 14 “(XIII) Gum Springs-Fort Leav-  
15 enworth route.
- 16 “(XIV) Atchison/Independence  
17 Creek routes.
- 18 “(XV) Fort Leavenworth-Kansas  
19 River route.
- 20 “(XVI) Nebraska City cutoff  
21 routes.
- 22 “(XVII) Minersville-Nebraska  
23 City Road.
- 24 “(XVIII) Upper Plattsmouth  
25 route.

- 1                   “(XIX) Upper Bellevue route.
- 2                   “(ii) CENTRAL ROUTES.—
- 3                   “(I) Cherokee Trail, including
- 4 splits.
- 5                   “(II) Weber Canyon route of
- 6 Hastings cutoff.
- 7                   “(III) Bishop Creek cutoff.
- 8                   “(IV) McAuley cutoff.
- 9                   “(V) Diamond Springs cutoff.
- 10                  “(VI) Secret Pass.
- 11                  “(VII) Greenhorn cutoff.
- 12                  “(VIII) Central Overland Trail.
- 13                  “(iii) WESTERN ROUTES.—
- 14                  “(I) Bidwell-Bartleson route.
- 15                  “(II) Georgetown/Dagget Pass
- 16 Trail.
- 17                  “(III) Big Trees Road.
- 18                  “(IV) Grizzly Flat cutoff.
- 19                  “(V) Nevada City Road.
- 20                  “(VI) Yreka Trail.
- 21                  “(VII) Henness Pass route.
- 22                  “(VIII) Johnson cutoff.
- 23                  “(IX) Luther Pass Trail.
- 24                  “(X) Volcano Road.

1                   “(XI)           Sacramento-Coloma  
2                   Wagon Road.

3                   “(XII) Burnett cutoff.

4                   “(XIII) Placer County Road to  
5                   Auburn.

6                   “(6) MORMON PIONEER NATIONAL HISTORIC  
7                   TRAIL.—

8                   “(A) STUDY REQUIRED.—The Secretary of  
9                   the Interior shall undertake a study of the  
10                  routes of the Mormon Pioneer Trail listed in  
11                  subparagraph (B) and generally depicted in the  
12                  map entitled ‘Western Emigrant Trails 1830/  
13                  1870’ and dated 1991/1993, and of such other  
14                  routes of the Mormon Pioneer Trail that the  
15                  Secretary considers appropriate, to determine  
16                  the feasibility and suitability of designation of  
17                  1 or more of the routes as components of the  
18                  Mormon Pioneer National Historic Trail.

19                  “(B) COVERED ROUTES.—The routes to be  
20                  studied under subparagraph (A) shall include  
21                  the following:

22                         “(i) 1846 Subsequent routes A and B  
23                         (Lucas and Clarke Counties, Iowa).

24                         “(ii) 1856–57 Handcart route (Iowa  
25                         City to Council Bluffs).

1                   “(iii) Keokuk route (Iowa).

2                   “(iv) 1847 Alternative Elkhorn and  
3 Loup River Crossings in Nebraska.

4                   “(v) Fort Leavenworth Road; Ox Bow  
5 route and alternates in Kansas and Mis-  
6 souri (Oregon and California Trail routes  
7 used by Mormon emigrants).

8                   “(vi) 1850 Golden Pass Road in  
9 Utah.

10                  “(7) SHARED CALIFORNIA AND OREGON TRAIL  
11 ROUTES.—

12                  “(A) STUDY REQUIRED.—The Secretary of  
13 the Interior shall undertake a study of the  
14 shared routes of the California Trail and Or-  
15 egon Trail listed in subparagraph (B) and gen-  
16 erally depicted on the map entitled ‘Western  
17 Emigrant Trails 1830/1870’ and dated 1991/  
18 1993, and of such other shared routes that the  
19 Secretary considers appropriate, to determine  
20 the feasibility and suitability of designation of  
21 1 or more of the routes as shared components  
22 of the California National Historic Trail and  
23 the Oregon National Historic Trail.

1           “(B) COVERED ROUTES.—The routes to be  
2           studied under subparagraph (A) shall include  
3           the following:

4                   “(i) St. Joe Road.

5                   “(ii) Council Bluffs Road.

6                   “(iii) Sublette cutoff.

7                   “(iv) Applegate route.

8                   “(v) Old Fort Kearny Road (Oxbow  
9           Trail).

10                  “(vi) Childs cutoff.

11                  “(vii) Raft River to Applegate.”.

12 **SEC. 224. NATIONAL TRAILS SYSTEM WILLING SELLER AU-**  
13 **THORITY.**

14           (a) **AUTHORITY TO ACQUIRE LAND FROM WILLING**  
15 **SELLERS FOR CERTAIN TRAILS.—**

16                   (1) **OREGON NATIONAL HISTORIC TRAIL.—**Sec-  
17           tion 5(a)(3) of the National Trails System Act (16  
18           U.S.C. 1244(a)(3)) is amended by adding at the end  
19           the following: “No land or interest in land outside  
20           the exterior boundaries of any federally administered  
21           area may be acquired by the Federal Government  
22           for the trail except with the consent of the owner of  
23           the land or interest in land. The authority of the  
24           Federal Government to acquire fee title under this

1 paragraph shall be limited to an average of not more  
2 than  $\frac{1}{4}$  mile on either side of the trail.”.

3 (2) MORMON PIONEER NATIONAL HISTORIC  
4 TRAIL.—Section 5(a)(4) of the National Trails Sys-  
5 tem Act (16 U.S.C. 1244(a)(4)) is amended by add-  
6 ing at the end the following: “No land or interest in  
7 land outside the exterior boundaries of any federally  
8 administered area may be acquired by the Federal  
9 Government for the trail except with the consent of  
10 the owner of the land or interest in land. The au-  
11 thority of the Federal Government to acquire fee  
12 title under this paragraph shall be limited to an av-  
13 erage of not more than  $\frac{1}{4}$  mile on either side of the  
14 trail.”.

15 (3) CONTINENTAL DIVIDE NATIONAL SCENIC  
16 TRAIL.—Section 5(a)(5) of the National Trails Sys-  
17 tem Act (16 U.S.C. 1244(a)(5)) is amended by add-  
18 ing at the end the following: “No land or interest in  
19 land outside the exterior boundaries of any federally  
20 administered area may be acquired by the Federal  
21 Government for the trail except with the consent of  
22 the owner of the land or interest in land. The au-  
23 thority of the Federal Government to acquire fee  
24 title under this paragraph shall be limited to an av-

1 erage of not more than  $\frac{1}{4}$  mile on either side of the  
2 trail.”.

3 (4) LEWIS AND CLARK NATIONAL HISTORIC  
4 TRAIL.—Section 5(a)(6) of the National Trails Sys-  
5 tem Act (16 U.S.C. 1244(a)(6)) is amended by add-  
6 ing at the end the following: “No land or interest in  
7 land outside the exterior boundaries of any federally  
8 administered area may be acquired by the Federal  
9 Government for the trail except with the consent of  
10 the owner of the land or interest in land. The au-  
11 thority of the Federal Government to acquire fee  
12 title under this paragraph shall be limited to an av-  
13 erage of not more than  $\frac{1}{4}$  mile on either side of the  
14 trail.”.

15 (5) IDITAROD NATIONAL HISTORIC TRAIL.—  
16 Section 5(a)(7) of the National Trails System Act  
17 (16 U.S.C. 1244(a)(7)) is amended by adding at the  
18 end the following: “No land or interest in land out-  
19 side the exterior boundaries of any federally admin-  
20 istered area may be acquired by the Federal Govern-  
21 ment for the trail except with the consent of the  
22 owner of the land or interest in land. The authority  
23 of the Federal Government to acquire fee title under  
24 this paragraph shall be limited to an average of not  
25 more than  $\frac{1}{4}$  mile on either side of the trail.”.

1           (6) NORTH COUNTRY NATIONAL SCENIC  
2 TRAIL.—Section 5(a)(8) of the National Trails Sys-  
3 tem Act (16 U.S.C. 1244(a)(8)) is amended by add-  
4 ing at the end the following: “No land or interest in  
5 land outside the exterior boundaries of any federally  
6 administered area may be acquired by the Federal  
7 Government for the trail except with the consent of  
8 the owner of the land or interest in land.”.

9           (7) ICE AGE NATIONAL SCENIC TRAIL.—Section  
10 5(a)(10) of the National Trails System Act (16  
11 U.S.C. 1244(a)(10)) is amended by adding at the  
12 end the following: “No land or interest in land out-  
13 side the exterior boundaries of any federally admin-  
14 istered area may be acquired by the Federal Govern-  
15 ment for the trail except with the consent of the  
16 owner of the land or interest in land.”.

17           (8) POTOMAC HERITAGE NATIONAL SCENIC  
18 TRAIL.—Section 5(a)(11) of the National Trails Sys-  
19 tem Act (16 U.S.C. 1244(a)(11)) is amended—

20                   (A) by striking the fourth and fifth sen-  
21 tences; and

22                   (B) by adding at the end the following:  
23 “No land or interest in land outside the exterior  
24 boundaries of any federally administered area  
25 may be acquired by the Federal Government for

1 the trail except with the consent of the owner  
2 of the land or interest in land.”.

3 (9) NEZ PERCE NATIONAL HISTORIC TRAIL.—  
4 Section 5(a)(14) of the National Trails System Act  
5 (16 U.S.C. 1244(a)(14)) is amended—

6 (A) by striking the fourth and fifth sen-  
7 tences; and

8 (B) by adding at the end the following:  
9 “No land or interest in land outside the exterior  
10 boundaries of any federally administered area  
11 may be acquired by the Federal Government for  
12 the trail except with the consent of the owner  
13 of the land or interest in land. The authority of  
14 the Federal Government to acquire fee title  
15 under this paragraph shall be limited to an av-  
16 erage of not more than ¼ mile on either side  
17 of the trail.”.

18 (b) CONFORMING AMENDMENT.—Section 10 of the  
19 National Trails System Act (16 U.S.C. 1249) is amended  
20 by striking subsection (c) and inserting the following:

21 “(c) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) IN GENERAL.—Except as otherwise pro-  
23 vided in this Act, there are authorized to be appro-  
24 priated such sums as are necessary to implement the

1 provisions of this Act relating to the trails des-  
 2 ignated by section 5(a).

3 “(2) NATCHEZ TRACE NATIONAL SCENIC  
 4 TRAIL.—

5 “(A) IN GENERAL.—With respect to the  
 6 Natchez Trace National Scenic Trail (referred  
 7 to in this paragraph as the ‘trail’) designated  
 8 by section 5(a)(12)—

9 “(i) not more than \$500,000 shall be  
 10 appropriated for the acquisition of land or  
 11 interests in land for the trail; and

12 “(ii) not more than \$2,000,000 shall  
 13 be appropriated for the development of the  
 14 trail.

15 “(B) PARTICIPATION BY VOLUNTEER  
 16 TRAIL GROUPS.—The administering agency for  
 17 the trail shall encourage volunteer trail groups  
 18 to participate in the development of the trail.”.

## 19 **Subtitle D—National Heritage** 20 **Areas**

### 21 **SEC. 231. NATIONAL HERITAGE AREAS PARTNERSHIP.**

22 (a) PURPOSES.—The purposes of this section are—

23 (1) to promote public understanding, apprecia-  
 24 tion, and enjoyment of many places, events and peo-

1 ple that have contributed to the story of the United  
2 States;

3 (2) to promote innovative and partnership-driv-  
4 en management strategies that recognize regional  
5 values, encourage locally tailored resource steward-  
6 ship and interpretation, and provide for the effective  
7 leveraging of Federal funds with other local, State,  
8 and private funding sources;

9 (3) to unify national standards and processes  
10 for conducting feasibility studies, designating a sys-  
11 tem of National Heritage Areas, and approving  
12 management plans for National Heritage Areas;

13 (4) to provide appropriate linkages between  
14 units of the National Park System and communities,  
15 governments, and organizations within National  
16 Heritage Areas; and

17 (5) to provide financial and technical assistance  
18 to National Heritage Area local coordinating entities  
19 that act as a catalyst for diverse regions, commu-  
20 nities, organizations, and citizens to undertake  
21 projects and programs for collaborative resource  
22 stewardship and interpretation.

23 (b) DEFINITIONS.—In this section:

1           (1) LOCAL COORDINATING ENTITY.—The term  
2 “local coordinating entity” means the entity des-  
3 ignated by Congress—

4           (A) to develop, in partnership with others,  
5 the management plan for a National Heritage  
6 Area; and

7           (B) to act as a catalyst for the implemen-  
8 tation of projects and programs among diverse  
9 partners in the National Heritage Area.

10          (2) MANAGEMENT PLAN.—The term “manage-  
11 ment plan” means the plan prepared by the local co-  
12 ordinating entity for a National Heritage Area des-  
13 ignated by Congress that specifies actions, policies,  
14 strategies, performance goals, and recommendations  
15 to meet the goals of the National Heritage Area, in  
16 accordance with subsection (f).

17          (3) NATIONAL HERITAGE AREA.—The term  
18 “National Heritage Area” means an area designated  
19 by Congress that is nationally important to the her-  
20 itage of the United States and meets the criteria es-  
21 tablished under subsection (d)(1).

22          (4) NATIONAL IMPORTANCE.—The term “na-  
23 tional importance” means possession of—

1 (A) unique natural, historical, cultural,  
2 educational, scenic, or recreational resources of  
3 exceptional value or quality; and

4 (B) a high degree of integrity of location,  
5 setting, or association in illustrating or inter-  
6 preting the heritage of the United States.

7 (5) PROPOSED NATIONAL HERITAGE AREA.—  
8 The term “proposed National Heritage Area” means  
9 an area under study by the Secretary or other par-  
10 ties for potential designation by Congress as a Na-  
11 tional Heritage Area.

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

14 (7) STUDY.—The term “study” means a study  
15 conducted by the Secretary, or conducted by 1 or  
16 more other interested parties and reviewed by the  
17 Secretary, in accordance with the criteria and proc-  
18 esses established under subsection (d), to determine  
19 whether an area meets the criteria to be designated  
20 as a National Heritage Area by Congress.

21 (8) SYSTEM.—The term “system” means the  
22 system of National Heritage Areas established under  
23 subsection (c)(1).

24 (c) NATIONAL HERITAGE AREAS SYSTEM.—

1           (1) IN GENERAL.—In order to recognize certain  
2 areas of the United States that tell nationally impor-  
3 tant stories and to protect, enhance, and interpret  
4 the natural, historic, scenic, and cultural resources  
5 of the areas that together illustrate significant as-  
6 pects of the heritage of the United States, there is  
7 established a system of National Heritage Areas  
8 through which the Secretary shall provide technical  
9 and financial assistance to local coordinating entities  
10 to support the establishment, development, and con-  
11 tinuity of the National Heritage Areas.

12           (2) SYSTEM.—The system of National Heritage  
13 Areas shall be composed of—

14           (A) National Heritage Areas established by  
15 Congress before or on the date of enactment of  
16 this Act; and

17           (B) National Heritage Areas established by  
18 Congress after the date of enactment of this  
19 Act, as provided for in this section.

20           (3) RELATIONSHIP TO THE NATIONAL PARK  
21 SYSTEM.—

22           (A) RELATIONSHIP TO NATIONAL PARK  
23 UNITS.—The Secretary shall—

24           (i) ensure, to the maximum extent  
25 practicable, participation and assistance by

1 units of the National Park System located  
2 near or encompassed by National Heritage  
3 Areas in local initiatives for National Her-  
4 itage Areas that conserve and interpret re-  
5 sources consistent with an approved man-  
6 agement plan; and

7 (ii) work with National Heritage  
8 Areas to promote public enjoyment of units  
9 of the National Park System and park-re-  
10 lated resources.

11 (B) APPLICABILITY OF LAWS.—National  
12 Heritage Areas shall not be—

13 (i) considered to be units of the Na-  
14 tional Park System; or

15 (ii) subject to the laws applicable to  
16 units of the National Park System.

17 (4) DUTIES.—Under the system, the Secretary  
18 shall—

19 (A)(i) conduct studies, as directed by Con-  
20 gress, to assess the suitability and feasibility of  
21 designating proposed National Heritage Areas;

22 or

23 (ii) review and comment on studies under-  
24 taken by other parties to make such assess-  
25 ment;

1           (B) provide technical and financial assist-  
2           ance, on a reimbursable or non-reimbursable  
3           basis (as determined by the Secretary), for the  
4           development and implementation of manage-  
5           ment plans for designated National Heritage  
6           Areas;

7           (C) enter into cooperative agreements with  
8           interested parties to carry out this section;

9           (D) provide information, promote under-  
10          standing, and encourage research on National  
11          Heritage Areas in partnership with local coordi-  
12          nating entities;

13          (E) provide national oversight, analysis,  
14          coordination, and technical and financial assist-  
15          ance and support to ensure consistency and ac-  
16          countability under the system;

17          (F) submit annually to the Committee on  
18          Natural Resources of the House of Representa-  
19          tives and the Committee on Energy and Nat-  
20          ural Resources of the Senate a report describ-  
21          ing the allocation and expenditure of funds for  
22          activities conducted with respect to National  
23          Heritage Areas under this section; and

1 (G) conduct an evaluation of, and prepare  
2 a report on, National Heritage Areas in accord-  
3 ance with subsection (g).

4 (d) STUDIES.—

5 (1) CRITERIA.—In conducting or reviewing a  
6 study, the Secretary shall apply the following criteria  
7 to determine the suitability and feasibility of desig-  
8 nating a proposed National Heritage Area:

9 (A) An area—

10 (i) has an assemblage of natural, his-  
11 toric, cultural, educational, scenic, or rec-  
12 reational resources that together are na-  
13 tionally important to the heritage of the  
14 United States;

15 (ii) represents distinctive aspects of  
16 the heritage of the United States worthy of  
17 recognition, conservation, interpretation,  
18 and continuing use;

19 (iii) is best managed as such an as-  
20 semblage through partnerships among pub-  
21 lic and private entities at the local or re-  
22 gional level;

23 (iv) reflects traditions, customs, be-  
24 liefs, and folklife that are a valuable part  
25 of the heritage of the United States;

1 (v) provides outstanding opportunities  
2 to conserve natural, historical, cultural, or  
3 scenic features;

4 (vi) provides outstanding recreational  
5 or educational opportunities; and

6 (vii) has resources and traditional  
7 uses that have national importance.

8 (B) Residents, business interests, nonprofit  
9 organizations, and governments (including rel-  
10 evant Federal land management agencies) with-  
11 in the proposed area are involved in the plan-  
12 ning and have demonstrated significant support  
13 through letters and other means for National  
14 Heritage Area designation and management.

15 (C) The local coordinating entity respon-  
16 sible for preparing and implementing the man-  
17 agement plan is identified.

18 (D) The proposed local coordinating entity  
19 and units of government supporting the des-  
20 ignation are willing and have documented a sig-  
21 nificant commitment to work in partnership to  
22 protect, enhance, interpret, fund, manage, and  
23 develop resources within the National Heritage  
24 Area.

1           (E) The proposed local coordinating entity  
2           has developed a conceptual financial plan that  
3           outlines the roles of all participants (including  
4           the Federal Government) in the management of  
5           the National Heritage Area.

6           (F) The proposal is consistent with contin-  
7           ued economic activity within the area.

8           (G) A conceptual boundary map has been  
9           developed and is supported by the public and  
10          participating Federal agencies.

11          (2) CONSULTATION.—In conducting or review-  
12          ing a study, the Secretary shall consult with the  
13          managers of any Federal land within the proposed  
14          National Heritage Area and secure the concurrence  
15          of the managers with the findings of the study be-  
16          fore making a determination for designation.

17          (3) APPROVAL.—On completion or receipt of a  
18          study for a National Heritage Area, the Secretary  
19          shall—

20                 (A) review, comment on, and determine if  
21                 the study meets the criteria specified in para-  
22                 graph (1) for designation as a National Herit-  
23                 age Area;

1           (B) consult with the Governor of each  
2 State in which the proposed National Heritage  
3 Area is located; and

4           (C) transmit to the Committee on Natural  
5 Resources of the House of Representatives and  
6 the Committee on Energy and Natural Re-  
7 sources of the Senate, the study, including—

8                 (i) any comments received from the  
9 Governor of each State in which the pro-  
10 posed National Heritage Area is located;  
11 and

12                 (ii) a finding as to whether the pro-  
13 posed National Heritage Area meets the  
14 criteria for designation.

15           (4) DISAPPROVAL.—If the Secretary determines  
16 that any proposed National Heritage Area does not  
17 meet the criteria for designation, the Secretary shall  
18 include within the study submitted under paragraph  
19 (3)(C) a description of the reasons for the deter-  
20 mination.

21           (e) DESIGNATION OF NATIONAL HERITAGE  
22 AREAS.—

23           (1) IN GENERAL.—The designation of a Na-  
24 tional Heritage Area shall be—

25                 (A) by Act of Congress; and

1           (B) contingent on the prior completion of  
2           a study and an affirmative determination by the  
3           Secretary that the area meets the criteria estab-  
4           lished under subsection (d)(1).

5           (2) COMPONENT OF THE SYSTEM.—Any Na-  
6           tional Heritage Area designated under paragraph  
7           (1) shall be a component of the system.

8           (f) MANAGEMENT PLANS.—

9           (1) REQUIREMENTS.—The management plan  
10          for any National Heritage Area shall—

11           (A) describe comprehensive policies, goals,  
12           strategies, and recommendations for telling the  
13           story of the heritage of the area covered by the  
14           National Heritage Area and encouraging long-  
15           term resource protection, enhancement, inter-  
16           pretation, funding, management, and develop-  
17           ment of the National Heritage Area;

18           (B) include a description of actions and  
19           commitments that governments, private organi-  
20           zations, and citizens will take to protect, en-  
21           hance, interpret, fund, manage, and develop the  
22           natural, historical, cultural, educational, scenic,  
23           and recreational resources of the National Her-  
24           itage Area;

1 (C) specify existing and potential sources  
2 of funding or economic development strategies  
3 to protect, enhance, interpret, fund, manage,  
4 and develop the National Heritage Area;

5 (D) include an inventory of the natural,  
6 historical, cultural, educational, scenic, and rec-  
7 reational resources of the National Heritage  
8 Area related to the national importance and  
9 themes of the National Heritage Area that  
10 should be protected, enhanced, interpreted,  
11 managed, funded, and developed;

12 (E) recommend policies and strategies for  
13 resource management, including the develop-  
14 ment of intergovernmental and interagency  
15 agreements to protect, enhance, interpret, fund,  
16 manage, and develop the natural, historical, cul-  
17 tural, educational, scenic, and recreational re-  
18 sources of the National Heritage Area;

19 (F) describe a program for implementation  
20 for the management plan, including—

21 (i) performance goals;

22 (ii) plans for resource protection, en-  
23 hancement, interpretation, funding, man-  
24 agement, and development; and

1 (iii) specific commitments for imple-  
2 mentation that have been made by the  
3 local coordinating entity or any govern-  
4 ment agency, organization, business, or in-  
5 dividual;

6 (G) include an analysis of, and rec-  
7 ommendations for, means by which Federal,  
8 State, and local programs may best be coordi-  
9 nated (including the role of the National Park  
10 Service and other Federal agencies associated  
11 with the National Heritage Area) to further the  
12 purposes of this section; and

13 (H) include a business plan that—

14 (i) describes the role, operation, fi-  
15 nancing, and functions of the local coordi-  
16 nating entity and of each of the major ac-  
17 tivities contained in the management plan;  
18 and

19 (ii) provides adequate assurances that  
20 the local coordinating entity has the part-  
21 nerships and financial and other resources  
22 necessary to implement the management  
23 plan for the National Heritage Area.

24 (2) DEADLINE.—

1           (A) IN GENERAL.—Not later than 3 years  
2 after the date on which funds are first made  
3 available to develop the management plan after  
4 designation as a National Heritage Area, the  
5 local coordinating entity shall submit the man-  
6 agement plan to the Secretary for approval.

7           (B) TERMINATION OF FUNDING.—If the  
8 management plan is not submitted to the Sec-  
9 retary in accordance with subparagraph (A),  
10 the local coordinating entity shall not qualify  
11 for any additional financial assistance under  
12 this section until such time as the management  
13 plan is submitted to and approved by the Sec-  
14 retary.

15       (3) APPROVAL OF MANAGEMENT PLAN.—

16           (A) REVIEW.—Not later than 180 days  
17 after receiving the plan, the Secretary shall re-  
18 view and approve or disapprove the manage-  
19 ment plan for a National Heritage Area on the  
20 basis of the criteria established under subpara-  
21 graph (C).

22           (B) CONSULTATION.—The Secretary shall  
23 consult with the Governor of each State in  
24 which the National Heritage Area is located be-

1           fore approving a management plan for the Na-  
2           tional Heritage Area.

3           (C) CRITERIA FOR APPROVAL.—In deter-  
4           mining whether to approve a management plan  
5           for a National Heritage Area, the Secretary  
6           shall consider whether—

7                   (i) the local coordinating entity rep-  
8                   resents the diverse interests of the Na-  
9                   tional Heritage Area, including govern-  
10                  ments, natural and historic resource pro-  
11                  tection organizations, educational institu-  
12                  tions, businesses, recreational organiza-  
13                  tions, community residents, and private  
14                  property owners;

15                  (ii) the local coordinating entity—

16                   (I) has afforded adequate oppor-  
17                   tunity for public and governmental in-  
18                   volvement (including through work-  
19                   shops and hearings) in the prepara-  
20                   tion of the management plan; and

21                   (II) provides for at least semi-  
22                   annual public meetings to ensure ade-  
23                   quate implementation of the manage-  
24                   ment plan;

1 (iii) the resource protection, enhance-  
2 ment, interpretation, funding, manage-  
3 ment, and development strategies described  
4 in the management plan, if implemented,  
5 would adequately protect, enhance, inter-  
6 pret, fund, manage, and develop the nat-  
7 ural, historic, cultural, educational, scenic,  
8 and recreational resources of the National  
9 Heritage Area;

10 (iv) the management plan would not  
11 adversely affect any activities authorized  
12 on Federal land under public land laws or  
13 land use plans;

14 (v) the local coordinating entity has  
15 demonstrated the financial capability, in  
16 partnership with others, to carry out the  
17 plan;

18 (vi) the Secretary has received ade-  
19 quate assurances from the appropriate  
20 State and local officials whose support is  
21 needed to ensure the effective implementa-  
22 tion of the State and local elements of the  
23 management plan; and

24 (vii) the management plan dem-  
25 onstrates partnerships among the local co-

1           ordinating entity, Federal, State, and local  
2           governments, regional planning organiza-  
3           tions, nonprofit organizations, or private  
4           sector parties for implementation of the  
5           management plan.

6           (D) DISAPPROVAL.—

7           (i) IN GENERAL.—If the Secretary  
8           disapproves the management plan, the Sec-  
9           retary—

10                   (I) shall advise the local coordi-  
11                   nating entity in writing of the reasons  
12                   for the disapproval; and

13                   (II) may make recommendations  
14                   to the local coordinating entity for re-  
15                   visions to the management plan.

16           (ii) DEADLINE.—Not later than 180  
17           days after receiving a revised management  
18           plan, the Secretary shall approve or dis-  
19           approve the revised management plan.

20           (E) AMENDMENTS.—

21           (i) IN GENERAL.—An amendment to  
22           the management plan that substantially al-  
23           ters the purposes of the National Heritage  
24           Area shall be reviewed by the Secretary

1 and approved or disapproved in the same  
2 manner as the original management plan.

3 (ii) IMPLEMENTATION.—The local co-  
4 ordinating entity shall not use Federal  
5 funds authorized by this section to imple-  
6 ment an amendment to the management  
7 plan until the Secretary approves the  
8 amendment.

9 (g) EVALUATION; REPORT.—

10 (1) IN GENERAL.—Not later than 3 years be-  
11 fore the date on which authority for Federal funding  
12 terminates for a National Heritage Area under sub-  
13 section (1)(2)(B), the Secretary shall—

14 (A) conduct an evaluation of the accom-  
15 plishments of the National Heritage Area; and

16 (B) prepare a report in accordance with  
17 paragraph (3).

18 (2) EVALUATION.—An evaluation conducted  
19 under paragraph (1)(A) shall—

20 (A) assess the progress of the local coordi-  
21 nating entity with respect to—

22 (i) accomplishing the purposes of the  
23 authorizing legislation for the National  
24 Heritage Area; and

1 (ii) achieving the goals and objectives  
2 of the approved management plan for the  
3 National Heritage Area;

4 (B) analyze the Federal, State, local, and  
5 private investments in the National Heritage  
6 Area to determine the leverage and impact of  
7 the investments; and

8 (C) review the management structure,  
9 partnership relationships, and funding of the  
10 National Heritage Area for purposes of identi-  
11 fying the critical components for sustainability  
12 of the National Heritage Area.

13 (3) REPORT.—

14 (A) IN GENERAL.—Based on the evalua-  
15 tion conducted under paragraph (1)(A), the  
16 Secretary shall prepare a report that includes  
17 recommendations for the future role of the Na-  
18 tional Park Service, if any, with respect to the  
19 National Heritage Area.

20 (B) REQUIRED ANALYSIS.—If the report  
21 prepared under subparagraph (A) recommends  
22 that Federal funding for the National Heritage  
23 Area be reauthorized, the report shall include  
24 an analysis of—

1 (i) ways in which Federal funding for  
2 the National Heritage Area may be re-  
3 duced or eliminated; and

4 (ii) the appropriate time period nec-  
5 essary to achieve the recommended reduc-  
6 tion or elimination.

7 (C) SUBMISSION TO CONGRESS.—On com-  
8 pletion of the report, the Secretary shall submit  
9 the report to—

10 (i) the Committee on Energy and  
11 Natural Resources of the Senate; and

12 (ii) the Committee on Natural Re-  
13 sources of the House of Representatives.

14 (h) LOCAL COORDINATING ENTITIES.—

15 (1) DUTIES.—To further the purposes of the  
16 National Heritage Area, the local coordinating entity  
17 shall—

18 (A) prepare a management plan for the  
19 National Heritage Area, and submit the man-  
20 agement plan to the Secretary, in accordance  
21 with subsection (f);

22 (B) submit an annual report to the Sec-  
23 retary for each fiscal year for which the local  
24 coordinating entity receives Federal funds  
25 under this section, specifying—

- 1 (i) the specific performance goals and  
2 accomplishments of the local coordinating  
3 entity;
- 4 (ii) the expenses and income of the  
5 local coordinating entity;
- 6 (iii) the amounts and sources of  
7 matching funds;
- 8 (iv) the amounts leveraged with Fed-  
9 eral funds and sources of the leveraging;  
10 and
- 11 (v) grants made to any other entities  
12 during the fiscal year;
- 13 (C) make available for audit for each fiscal  
14 year for which the local coordinating entity re-  
15 ceives Federal funds under this section, all in-  
16 formation pertaining to the expenditure of the  
17 funds and any matching funds; and
- 18 (D) encourage economic viability and sus-  
19 tainability that is consistent with the purposes  
20 of the National Heritage Area.
- 21 (2) AUTHORITIES.—For the purposes of pre-  
22 paring and implementing the approved management  
23 plan for the National Heritage Area, the local co-  
24 ordinating entity may use Federal funds made avail-  
25 able under this section to—

1 (A) make grants to political jurisdictions,  
2 nonprofit organizations, and other parties with-  
3 in the National Heritage Area;

4 (B) enter into cooperative agreements with  
5 or provide technical assistance to political jurisdic-  
6 tions, nonprofit organizations, Federal agen-  
7 cies, and other interested parties;

8 (C) hire and compensate staff, including  
9 individuals with expertise in—

10 (i) natural, historical, cultural, edu-  
11 cational, scenic, and recreational resource  
12 conservation;

13 (ii) economic and community develop-  
14 ment; and

15 (iii) heritage planning;

16 (D) obtain funds or services from any  
17 source, including other Federal laws or pro-  
18 grams;

19 (E) contract for goods or services; and

20 (F) support activities of partners and any  
21 other activities that further the purposes of the  
22 National Heritage Area and are consistent with  
23 the approved management plan.

24 (3) PROHIBITION ON ACQUISITION OF REAL  
25 PROPERTY.—The local coordinating entity may not

1 use Federal funds authorized under this section to  
2 acquire any interest in real property.

3 (i) RELATIONSHIP TO OTHER FEDERAL AGEN-  
4 CIES.—

5 (1) IN GENERAL.—Nothing in this section af-  
6 fects the authority of a Federal agency to provide  
7 technical or financial assistance under any other law.

8 (2) CONSULTATION AND COORDINATION.—The  
9 head of any Federal agency planning to conduct ac-  
10 tivities that may have an impact on a National Her-  
11 itage Area is encouraged to consult and coordinate  
12 the activities with the Secretary and the local coordi-  
13 nating entity to the maximum extent practicable.

14 (3) OTHER FEDERAL AGENCIES.—Nothing in  
15 this section—

16 (A) modifies, alters, or amends any law or  
17 regulation authorizing a Federal agency to  
18 manage Federal land under the jurisdiction of  
19 the Federal agency;

20 (B) limits the discretion of a Federal land  
21 manager to implement an approved land use  
22 plan within the boundaries of a National Herit-  
23 age Area; or

1 (C) modifies, alters, or amends any author-  
2 ized use of Federal land under the jurisdiction  
3 of a Federal agency.

4 (j) PRIVATE PROPERTY AND REGULATORY PROTEC-  
5 TIONS.—Nothing in this section—

6 (1) abridges the rights of any property owner  
7 (whether public or private), including the right to re-  
8 frain from participating in any plan, project, pro-  
9 gram, or activity conducted within the National Her-  
10 itage Area;

11 (2) requires any property owner to permit pub-  
12 lic access (including access by Federal, State, or  
13 local agencies) to the property of the property  
14 owner, or to modify public access or use of property  
15 of the property owner under any other Federal,  
16 State, or local law;

17 (3) alters any duly adopted land use regulation,  
18 approved land use plan, or other regulatory author-  
19 ity of any Federal, State or local agency, or conveys  
20 any land use or other regulatory authority to any  
21 local coordinating entity;

22 (4) authorizes or implies the reservation or ap-  
23 propriation of water or water rights;

24 (5) diminishes the authority of the State to  
25 manage fish and wildlife, including the regulation of

1 fishing and hunting within the National Heritage  
2 Area; or

3 (6) creates any liability, or affects any liability  
4 under any other law, of any private property owner  
5 with respect to any person injured on the private  
6 property.

7 (k) PARTNERSHIP SUPPORT.—

8 (1) TECHNICAL ASSISTANCE.—On termination  
9 of the 15-year period for which assistance is pro-  
10 vided under subsection (l), the Secretary may, on re-  
11 quest of a local coordinating entity, continue to pro-  
12 vide technical assistance to a National Heritage  
13 Area under subsection (c).

14 (2) GRANT ASSISTANCE.—

15 (A) IN GENERAL.—The Secretary may es-  
16 tablish a grant program under which the Sec-  
17 retary provides grants, on a competitive basis,  
18 to local coordinating entities for the conduct of  
19 individual projects at National Heritage Areas  
20 for which financial assistance has terminated  
21 under subsection (l).

22 (B) CONDITIONS.—The provision of a  
23 grant under subparagraph (A) shall be subject  
24 to the condition that—

1 (i) a project must be approved by the  
2 local coordinating entity as promoting the  
3 purposes of the management plan required  
4 under subsection (f);

5 (ii) a project may receive only 1 grant  
6 of no more than \$250,000 in any 1 fiscal  
7 year;

8 (iii) a maximum of \$250,000 may be  
9 received by a local coordinating entity for  
10 projects funded under this paragraph in  
11 any 1 fiscal year; and

12 (iv) a project shall not be eligible for  
13 funding under this section in any fiscal  
14 year that a local coordinating entity re-  
15 ceives an appropriation through the Na-  
16 tional Park Service (excluding technical as-  
17 sistance) for the National Heritage Area at  
18 which the project is being conducted.

19 (3) REPORT.—For each fiscal year in which as-  
20 sistance is provided under this subsection, the Sec-  
21 retary shall submit to the Committee on Appropria-  
22 tions of the House of Representatives and the Com-  
23 mittee on Appropriations of the Senate a list of the  
24 projects provided assistance for the fiscal year.

25 (1) AUTHORIZATION OF APPROPRIATIONS.—

1           (1) STUDIES.—There is authorized to be appro-  
2           priated to conduct and review studies under sub-  
3           section (d) \$750,000 for each fiscal year, of which  
4           not more than \$250,000 for any fiscal year may be  
5           used for any individual study for a proposed Na-  
6           tional Heritage Area.

7           (2) LOCAL COORDINATING ENTITIES.—

8           (A) IN GENERAL.—There is authorized to  
9           be appropriated to carry out subsection (h)  
10          \$25,000,000 for each fiscal year, of which not  
11          more than—

12           (i) \$1,000,000 may be made available  
13           for any fiscal year for any individual Na-  
14           tional Heritage Area, to remain available  
15           until expended; and

16           (ii) a total of \$10,000,000 may be  
17           made available for all such fiscal years for  
18           any individual National Heritage Area.

19          (B) TERMINATION DATE.—

20           (i) IN GENERAL.—The authority of  
21           the Secretary to provide financial assist-  
22           ance to an individual local coordinating en-  
23           tity under this subsection (excluding tech-  
24           nical assistance and administrative over-  
25           sight) shall terminate on the date that is

1           15 years after the date of enactment of  
2           this Act.

3           (ii) DESIGNATION.—A National Herit-  
4           age Area shall retain the designation as a  
5           National Heritage Area after the termi-  
6           nation date prescribed in clause (i).

7           (C) ADMINISTRATION.—Not more than 5  
8           percent of the amount of funds made available  
9           under subparagraph (A) for a fiscal year may  
10          be used by the Secretary for technical assist-  
11          ance, oversight, and administrative purposes.

12          (3) HERITAGE PARTNERSHIP GRANT ASSIST-  
13          ANCE.—There is authorized to be appropriated to  
14          the Secretary to carry out subsection (k) \$5,000,000  
15          for each fiscal year.

16          (4) MATCHING FUNDS.—

17                (A) IN GENERAL.—As a condition of re-  
18                ceiving a grant under this section, the recipient  
19                of the grant shall provide matching funds in an  
20                amount that is equal to the amount of the  
21                grant.

22                (B) ADMINISTRATION.—The recipient  
23                matching funds—

24                        (i) shall be derived from non-Federal  
25                        sources; and

1 (ii) may be made in the form of in-  
2 kind contributions of goods or services fair-  
3 ly valued.

4 **SEC. 232. REAUTHORIZATION OF CERTAIN NATIONAL HER-**  
5 **ITAGE AREAS.**

6 (a) BOUNDARIES OF THE RIVERS OF STEEL NA-  
7 TIONAL HERITAGE AREA.—Section 403(b) of the Steel In-  
8 dustry American Heritage Area Act of 1996 (16 U.S.C.  
9 461 note; Public Law 104–333) is amended by inserting  
10 “Butler,” before “Fayette”.

11 (b) OHIO & ERIE NATIONAL HERITAGE CANALWAY  
12 TECHNICAL CORRECTIONS.—The Ohio & Erie Canal Na-  
13 tional Heritage Corridor Act of 1996 (16 U.S.C. 461 note;  
14 Public Law 104–333) is amended—

15 (1) by striking “Canal National Heritage Cor-  
16 ridor” each place it appears and inserting “National  
17 Heritage Canalway”;

18 (2) by striking “the corridor” each place it ap-  
19 pears and inserting “the Canalway”;

20 (3) in section 803—

21 (A) in paragraph (1), by striking “The  
22 term ‘corridor’” and inserting “The term  
23 ‘Canalway’” ;

24 (B) by striking paragraph (2);

1 (C) by redesignating paragraphs (3), (4),  
2 (5), (6), and (7) as paragraphs (2), (3), (4),  
3 (5), and (6), respectively;

4 (D) in paragraph (2) (as redesignated by  
5 subparagraph (C)), by striking “808” and in-  
6 serting “806”; and

7 (E) in paragraph (6) (as redesignated by  
8 subparagraph (C)), by striking “807(a)” and  
9 inserting “805(a)”;  
10 (4) in section 804—

11 (A) in the second sentence of subsection  
12 (b)(1), by striking “808” and inserting “806”;  
13 and

14 (B) in subsection (c), by striking “The cor-  
15 ridor” and inserting “The Canalway”;

16 (5) by striking sections 805 and 806;

17 (6) by redesignating sections 807, 808, 809,  
18 810, 811, and 812 as sections 805, 806, 807, 808,  
19 809, and 810, respectively;

20 (7) in section 805(c)(2) (as redesignated by  
21 paragraph (6)), by striking “808” and inserting  
22 “806”;

23 (8) in section 806 (as redesignated by para-  
24 graph (6))—

25 (A) in subsection (a)(1)—

1 (i) in the heading, by striking “COM-  
2 MITTEE” and inserting “SECRETARY”; and

3 (ii) by striking “Committee” and in-  
4 sserting “Secretary”;

5 (B) in subsection (a)(3)—

6 (i) in subparagraph (A), by striking  
7 “from the Committee.” and inserting a  
8 comma; and

9 (ii) in the first sentence of subpara-  
10 graph (B), by striking “Committee” and  
11 inserting “management entity”;

12 (C) in subsection (e), by striking  
13 “807(d)(1)” and inserting “805(d)(1)”; and

14 (D) in subsection (f), by striking  
15 “807(d)(1)” and inserting “805(d)(1)”; and

16 (9) in section 807(c) (as redesignated by para-  
17 graph (6)), by striking “Cuyahoga Valley National  
18 Recreation Area” and inserting “Cuyahoga Valley  
19 National Park”;

20 (10) in section 808 (as redesignated by para-  
21 graph (6))—

22 (A) in subsection (b), by striking “Com-  
23 mittee or”; and

1 (B) in subsection (c), in the matter before  
2 paragraph (1), by striking “Committee” and in-  
3 serting “management entity”; and

4 (11) in section 809 (as redesignated by para-  
5 graph (6)), by inserting “financial” before “assist-  
6 ance”.

7 (c) DELAWARE AND LEHIGH NATIONAL HERITAGE  
8 CORRIDOR LOCAL COORDINATING ENTITY.—The Dela-  
9 ware and Lehigh National Heritage Corridor Act of 1988  
10 (16 U.S.C. 461 note; Public Law 100–692) is amended—

11 (1) in section 9—

12 (A) by striking “The Commission” and in-  
13 serting the following:

14 “(a) IN GENERAL.—The Commission”; and

15 (B) by adding at the end the following:

16 “(b) CORPORATION AS LOCAL COORDINATING ENTI-  
17 TY.—Beginning on the date of enactment of the Natural  
18 Resource Projects and Programs Authorization Act of  
19 2007, the Corporation shall be the local coordinating enti-  
20 ty for the Corridor.

21 “(c) IMPLEMENTATION OF MANAGEMENT PLAN.—  
22 The Corporation shall assume the duties of the Commis-  
23 sion for the implementation of the Plan.

24 “(d) USE OF FUNDS.—The Corporation may use  
25 Federal funds made available under this Act—

1           “(1) to make grants to, and enter into coopera-  
2           tive agreements with, the Federal Government, the  
3           Commonwealth, political subdivisions of the Com-  
4           monwealth, nonprofit organizations, and individuals;

5           “(2) to hire, train, and compensate staff; and

6           “(3) to enter into contracts for goods and serv-  
7           ices.

8           “(e) RESTRICTION ON USE OF FUNDS.—The Cor-  
9           poration may not use Federal funds made available under  
10          this Act to acquire land or an interest in land.”;

11           (2) in section 10—

12           (A) in the first sentence of subsection (c),  
13           by striking “shall assist the Commission” and  
14           inserting “shall, on the request of the Corpora-  
15           tion, assist”;

16           (B) in subsection (d)—

17           (i) by striking “Commission” each  
18           place it appears and inserting “Corpora-  
19           tion”;

20           (ii) by striking “The Secretary” and  
21           inserting the following:

22           “(1) IN GENERAL.—The Secretary”; and

23           (iii) by adding at the end the fol-  
24           lowing:

1           “(2) COOPERATIVE AGREEMENTS.—The Sec-  
2           retary may enter into cooperative agreements with  
3           the Corporation and other public or private entities  
4           for the purpose of providing technical assistance and  
5           grants under paragraph (1).

6           “(3) PRIORITY.—In providing assistance to the  
7           Corporation under paragraph (1), the Secretary  
8           shall give priority to activities that assist in—

9                   “(A) conserving the significant natural,  
10                   historic, cultural, and scenic resources of the  
11                   Corridor; and

12                   “(B) providing educational, interpretive,  
13                   and recreational opportunities consistent with  
14                   the purposes of the Corridor.”; and

15                   (C) by adding at the end the following:

16           “(e) TRANSITION MEMORANDUM OF UNDER-  
17           STANDING.—The Secretary shall enter into a memo-  
18           randum of understanding with the Corporation to en-  
19           sure—

20                   “(1) appropriate transition of management of  
21                   the Corridor from the Commission to the Corpora-  
22                   tion; and

23                   “(2) coordination regarding the implementation  
24                   of the Plan.”;

1           (3) in section 11, in the matter preceding para-  
2 graph (1), by striking “directly affecting”;

3           (4) in section 12—

4                 (A) in subsection (a), by striking “Com-  
5 mission” each place it appears and inserting  
6 “Corporation”;

7                 (B) in subsection (c)(1), by striking  
8 “2007” and inserting “2012”; and

9                 (C) by adding at the end the following:

10           “(d) TERMINATION OF ASSISTANCE.—The authority  
11 of the Secretary to provide financial assistance under this  
12 Act terminates on the date that is 5 years after the date  
13 of enactment of this subsection.”; and

14           (5) in section 14—

15                 (A) by redesignating paragraphs (4), (5),  
16 and (6) as paragraphs (5), (6), and (7), respec-  
17 tively; and

18                 (B) by inserting after paragraph (3) the  
19 following:

20           “(4) the term ‘Corporation’ means the Dela-  
21 ware & Lehigh National Heritage Corridor, Incor-  
22 porated, an organization described in section  
23 501(c)(3), and exempt from Federal tax under sec-  
24 tion 501(a), of the Internal Revenue Code of 1986;”.

1 (d) ADDITIONAL AUTHORIZATION OF APPROPRIA-  
2 TIONS FOR CERTAIN NATIONAL HERITAGE AREAS AND  
3 NATIONAL HERITAGE CORRIDORS.—

4 (1) AUTHORIZATION OF APPROPRIATIONS.—Di-  
5 vision II of the Omnibus Parks and Public Lands  
6 Management Act of 1996 (Public Law 104–333;  
7 110 Stat. 4243) is amended in sections 409(a),  
8 508(a), 608(a), and 810(a) (as redesignated by sec-  
9 tion (3)(a)(5)), by striking “\$10,000,000” each  
10 place it appears and inserting “\$15,000,000”.

11 (2) EVALUATIONS.—

12 (A) IN GENERAL.—Not later than 3 years  
13 before the date on which authority for Federal  
14 funding terminates for each of the Ohio & Erie  
15 Canal National Heritage Corridor, the Rivers  
16 Of Steel National Heritage Area, the Essex Na-  
17 tional Heritage Area, and the South Carolina  
18 National Heritage Corridor, the Secretary of  
19 the Interior shall conduct an evaluation of, and  
20 prepare a report on, the accomplishments of the  
21 applicable national heritage area.

22 (B) COMPONENTS.—An evaluation pre-  
23 pared under subparagraph (A) shall—

24 (i) assess the progress of the manage-  
25 ment entity with respect to—

1 (I) accomplishing the purposes of  
2 the authorizing legislation for the na-  
3 tional heritage area; and

4 (II) achieving the goals and ob-  
5 jectives of the approved management  
6 plan or heritage plan for the national  
7 heritage area;

8 (ii) analyze the Federal, State, local,  
9 and private investments in the national  
10 heritage area to determine the leverage  
11 and impact of the investments; and

12 (iii) review the management structure,  
13 partnership relationships, and funding of  
14 the national heritage area for purposes of  
15 identifying the critical components for the  
16 sustainability of the national heritage area.

17 (C) RECOMMENDATIONS.—

18 (i) IN GENERAL.—Based on the eval-  
19 uation conducted under subparagraph (A),  
20 the Secretary shall include in the report  
21 recommendations for what role, if any, the  
22 National Park Service should have with re-  
23 spect to the national heritage area.

24 (ii) REQUIRED ANALYSIS.—If the Sec-  
25 retary recommends in the report that Fed-

1 eral funding for national heritage area be  
2 reauthorized, the report shall include an  
3 analysis of—

4 (I) ways in which Federal fund-  
5 ing for the national heritage area may  
6 be reduced or eliminated; and

7 (II) the appropriate time period  
8 necessary to achieve the recommended  
9 reduction or elimination.

10 (D) SUBMISSION TO CONGRESS.—On com-  
11 pletion of a report under this subsection, the  
12 Secretary of the Interior shall submit the report  
13 to—

14 (i) the Committee on Energy and  
15 Natural Resources of the Senate; and

16 (ii) the Committee on Natural Re-  
17 sources of the House of Representatives.

18 (e) NATIONAL COAL HERITAGE AREA TECHNICAL  
19 CORRECTIONS.—

20 (1) IN GENERAL.—The National Coal Heritage  
21 Area Act of 1996 (16 U.S.C. 461 note; Public Law  
22 104–333) is amended—

23 (A) in section 103(b)—

1 (i) by striking “shall be shall be com-  
2 prised” and inserting “shall be comprised”;  
3 and

4 (ii) by striking “counties; and” and  
5 inserting “counties”;

6 (B) in section 105—

7 (i) in the first sentence—

8 (I) by striking “The resources”  
9 and inserting the following:

10 “(a) IN GENERAL.—The resources”;

11 (II) by striking “paragraph (2)  
12 of”; and

13 (III) by striking “include those  
14 set forth in” and inserting “include—

15 “(1) resources in Lincoln County, West Vir-  
16 ginia, and Paint Creek and Cabin Creek in Kanawha  
17 County, West Virginia, as determined to be appro-  
18 priate by the National Coal Heritage Area Author-  
19 ity; and

20 “(2) resources described in”; and

21 (ii) in the second sentence, by striking  
22 “Priority consideration” and inserting the  
23 following:

24 “(b) PRIORITY.—Priority consideration”; and

25 (C) in section 106—

1 (i) in subsection (a)—

2 (I) in the matter preceding para-  
3 graph (1), by striking “Governor” and  
4 all that follows through “Parks,” and  
5 inserting “National Coal Heritage  
6 Area Authority”; and

7 (II) in paragraph (3), by striking  
8 “State of West Virginia” and all that  
9 follows through “entities, or” and in-  
10 sserting “National Coal Heritage Area  
11 Authority or”; and

12 (ii) in subsection (b), by inserting  
13 “not” before “meet”.

14 (2) CONTINUATION OF AGREEMENT.—The con-  
15 tractual agreement entered into under section 104 of  
16 the National Coal Heritage Area Act of 1996 (16  
17 U.S.C. 461 note; Public Law 104–333), as in effect  
18 on the day before the date of enactment of this Act,  
19 shall continue to be in effect, except that the con-  
20 tractual agreement shall be between the Secretary of  
21 the Interior and the National Coal Heritage Area  
22 Authority rather than the Secretary of the Interior  
23 and the Governor of West Virginia.

1 **SEC. 233. QUINEBAUG AND SHETUCKET RIVERS VALLEY**  
2 **NATIONAL HERITAGE CORRIDOR.**

3 (a) **TERMINATION OF AUTHORITY.**—Section 106(b)  
4 of the Quinebaug and Shetucket Rivers Valley National  
5 Heritage Corridor Act of 1994 (16 U.S.C. 461 note; Pub-  
6 lic Law 103–449) is amended by striking “September 30,  
7 2009” and inserting “September 30, 2015”.

8 (b) **EVALUATION; REPORT.**—Section 106 of the  
9 Quinebaug and Shetucket Rivers Valley National Heritage  
10 Corridor Act of 1994 (16 U.S.C. 461 note; Public Law  
11 103–449) is amended by adding at the end the following:

12 “(c) **EVALUATION; REPORT.**—

13 “(1) **IN GENERAL.**—Not later than 3 years be-  
14 fore the date on which authority for Federal funding  
15 terminates for the Corridor, the Secretary shall—

16 “(A) conduct an evaluation of the accom-  
17 plishments of the Corridor; and

18 “(B) prepare a report in accordance with  
19 paragraph (3).

20 “(2) **EVALUATION.**—An evaluation conducted  
21 under paragraph (1)(A) shall—

22 “(A) assess the progress of the manage-  
23 ment entity with respect to—

24 “(i) accomplishing the purposes of  
25 this title for the Corridor; and

1                   “(ii) achieving the goals and objectives  
2                   of the management plan for the Corridor;

3                   “(B) analyze the Federal, State, local, and  
4                   private investments in the Corridor to deter-  
5                   mine the leverage and impact of the invest-  
6                   ments; and

7                   “(C) review the management structure,  
8                   partnership relationships, and funding of the  
9                   Corridor for purposes of identifying the critical  
10                  components for sustainability of the Corridor.

11                  “(3) REPORT.—

12                  “(A) IN GENERAL.—Based on the evalua-  
13                  tion conducted under paragraph (1)(A), the  
14                  Secretary shall prepare a report that includes  
15                  recommendations for the future role of the Na-  
16                  tional Park Service, if any, with respect to the  
17                  Corridor.

18                  “(B) REQUIRED ANALYSIS.—If the report  
19                  prepared under subparagraph (A) recommends  
20                  that Federal funding for the Corridor be reau-  
21                  thorized, the report shall include an analysis  
22                  of—

23                         “(i) ways in which Federal funding  
24                         for the Corridor may be reduced or elimi-  
25                         nated; and

1                   “(ii) the appropriate time period nec-  
 2                   essary to achieve the recommended reduc-  
 3                   tion or elimination.

4                   “(C) SUBMISSION TO CONGRESS.—On  
 5                   completion of the report, the Secretary shall  
 6                   submit the report to—

7                   “(i) the Committee on Energy and  
 8                   Natural Resources of the Senate; and

9                   “(ii) the Committee on Natural Re-  
 10                  sources of the House of Representatives.”.

11               (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
 12 109(a) of the Quinebaug and Shetucket Rivers Valley Na-  
 13 tional Heritage Corridor Act of 1994 (16 U.S.C. 461 note;  
 14 Public Law 103–449) is amended by striking  
 15 “\$10,000,000” and inserting “\$15,000,000”.

16 **SEC. 234. JOURNEY THROUGH HALLOWED GROUND NA-**  
 17 **TIONAL HERITAGE AREA.**

18               (a) DEFINITIONS.—In this section:

19               (1) HERITAGE AREA.—The term “Heritage  
 20 Area” means the Journey Through Hallowed  
 21 Ground National Heritage Area.

22               (2) MANAGEMENT ENTITY.—The term “man-  
 23 agement entity” means The Journey Through Hal-  
 24 lowed Ground Partnership, a Virginia nonprofit cor-

1       poration referred to in subsection (b)(3), or its suc-  
2       cessor entity.

3           (3) MANAGEMENT PLAN.—The term “manage-  
4       ment plan” means the management plan for the  
5       Heritage Area.

6           (4) PARTNER.—The term “partner” means—

7               (A) a Federal, State, or local governmental  
8       entity; and

9               (B) an organization, private industry, or  
10      individual involved in promoting the conserva-  
11      tion and preservation of the historical, cultural,  
12      and recreational resources of the Heritage Area.

13          (5) SECRETARY.—The term “Secretary” means  
14      the Secretary of the Interior.

15      (b) JOURNEY THROUGH HALLOWED GROUND NA-  
16      TIONAL HERITAGE AREA.—

17           (1) ESTABLISHMENT.—There is hereby estab-  
18      lished the Journey Through Hallowed Ground Na-  
19      tional Heritage Area.

20           (2) BOUNDARIES.—

21               (A) IN GENERAL.—The Heritage Area  
22      shall consist of the 175-mile region generally  
23      following the Route 15 corridor and sur-  
24      rounding areas, as generally depicted on the  
25      map entitled “Journey Through Hallowed

1 Ground National Heritage Area”, numbered  
2 P90/80,000, and dated October 2006.

3 (B) MAP.—The map referred to in sub-  
4 paragraph (A) shall be on file in the appro-  
5 priate offices of the National Park Service.

6 (3) MANAGEMENT ENTITY.—The management  
7 entity for the Heritage Area shall be The Journey  
8 Through Hallowed Ground Partnership, a Virginia  
9 nonprofit corporation.

10 (4) BOARD OF TRUSTEES.—The board of trust-  
11 ees of the management entity shall include rep-  
12 resentatives from a broad cross-section of the indi-  
13 viduals, agencies, organizations, States, and govern-  
14 ments that—

15 (A) are partners of the management entity;

16 and

17 (B) will oversee the development and im-  
18 plementation of the management plan.

19 (c) AUTHORITIES AND DUTIES OF MANAGEMENT  
20 ENTITY.—

21 (1) AUTHORITIES OF THE MANAGEMENT ENTI-  
22 TY.—

23 (A) AUTHORITY TO ACCEPT FUNDS.—The  
24 management entity may accept funds from any  
25 Federal source and from States and their polit-

1           ical subdivisions, private organizations, non-  
2           profit organizations, or any other person to  
3           carry out its authorities and duties under this  
4           section.

5           (B) USE OF FUNDS.—The management  
6           entity may use funds made available under this  
7           section for purposes of preparing, updating, and  
8           implementing the management plan. Such pur-  
9           poses may include the following:

10           (i) Making grants to, and entering  
11           into cooperative agreements with, States  
12           and their political subdivisions, private or-  
13           ganizations, non-profit organizations or  
14           any other person.

15           (ii) Hiring and compensating staff.

16           (iii) Entering into contracts for goods,  
17           services, and leases for office space.

18           (iv) Undertaking any other initiatives  
19           that advance the purposes of the Heritage  
20           Area that are recommended in the man-  
21           agement plan.

22           (2) MANAGEMENT PLAN.—The management  
23           entity shall develop a management plan for the Her-  
24           itage Area that—

1 (A) presents comprehensive strategies and  
2 recommendations for conservation, funding,  
3 management, and development of the Heritage  
4 Area;

5 (B) takes into consideration existing State,  
6 county, and local plans and involves residents,  
7 public agencies, and private organizations work-  
8 ing in the Heritage Area;

9 (C) includes a description of actions that  
10 units of government and private organizations  
11 and individuals have decided to undertake in  
12 furtherance of the purposes of this section;

13 (D) specifies the existing and potential  
14 sources of funding to protect, support, manage,  
15 and develop the Heritage Area;

16 (E) includes an inventory of the natural,  
17 historical, cultural, architectural, scenic, and  
18 recreational resources in the Heritage Area that  
19 wish to be preserved, restored, supported, man-  
20 aged, developed, or maintained, because of the  
21 national historic significance of the resources;

22 (F) includes an analysis of ways in which  
23 local, State, and Federal programs may coordi-  
24 nate to promote the purposes of this section; in-  
25 cluding recommendations from the Common-

1           wealth of Virginia, the States of Maryland and  
2           West Virginia, and the Commonwealth of Penn-  
3           sylvania (and political subdivisions thereof) for  
4           the management, protection, support, and inter-  
5           pretation of the natural, cultural, and historical  
6           resources of the Heritage Area;

7           (G) identifies appropriate partners and  
8           partnerships among Federal, State, and local  
9           governments, regional entities, and the private  
10          sector in furtherance of the purposes of this  
11          section;

12          (H) includes locations for visitor contact  
13          and major interpretive facilities;

14          (I) includes provisions for appropriate liv-  
15          ing history demonstrations and battlefield re-  
16          enactments;

17          (J) includes provisions for implementing a  
18          continuing program of interpretation for resi-  
19          dent, student, and visitor education concerning  
20          the resources and values of the Heritage Area;

21          (K) includes provisions for a uniform his-  
22          torical marker and wayside exhibit program in  
23          the Heritage Area, including a provision for  
24          marking, with the consent of the owner, historic  
25          structures and properties that are contained

1 within the historic core areas and contribute to  
 2 the understanding of the Heritage Area;

3 (L) includes provisions for the protection  
 4 and interpretation of the natural, cultural, and  
 5 historic resources of the Heritage Area con-  
 6 sistent with this section; and

7 (M) includes provisions for the develop-  
 8 ment of educational outreach programs for stu-  
 9 dents of all ages to further the understanding  
 10 of the vast resources within the Heritage Area.

11 (3) DEADLINE FOR SUBMISSION; PRE-  
 12 REQUISITES.—

13 (A) DEADLINE.—The management entity  
 14 shall submit the management plan to the Sec-  
 15 retary not later than the end of the 3-year pe-  
 16 riod beginning on the date on which funds are  
 17 first made available for this section.

18 (B) PREREQUISITES.—Before submitting  
 19 the management plan to the Secretary, the  
 20 management entity shall ensure that—

21 (i) the Commonwealth of Virginia, the  
 22 States of Maryland and West Virginia, the  
 23 Commonwealth of Pennsylvania, and any  
 24 political subdivision thereof that would be

1 affected by the management plan, receives  
2 a copy of the management plan;

3 (ii) adequate notice of availability of  
4 the management plan is provided through  
5 publication in appropriate local newspapers  
6 in the area of the Heritage Area;

7 (iii) at least 1 public hearing is con-  
8 ducted by the management entity at a lo-  
9 cation within the Heritage Area in each  
10 congressional district included in whole or  
11 in part in the Heritage Area to review and  
12 receive comments on the management  
13 plan; and

14 (iv) a committee made up of elected  
15 officials of local governments within the  
16 boundaries of the Heritage Area, including  
17 mayors, town and county council chairs,  
18 and members of borough commissions and  
19 boards of supervisors, has had an oppor-  
20 tunity to review, comment on, and approve  
21 (by majority vote) the management plan.

22 (4) TERMINATION OF FUNDING.—If a manage-  
23 ment plan is not submitted to the Secretary in ac-  
24 cordance with paragraph (3), the Secretary shall  
25 not, after the end of the period specified in such

1 paragraph, provide any grant or other assistance  
2 under this section with respect to the Heritage Area  
3 until a management plan for the Heritage Area is  
4 submitted to the Secretary.

5 (5) DUTIES OF MANAGEMENT ENTITY.—The  
6 management entity shall—

7 (A) give priority to implementing actions  
8 set forth in the management plan;

9 (B) assist units of government, regional  
10 planning organizations, and nonprofit organiza-  
11 tions in—

12 (i) establishing and maintaining inter-  
13 pretive materials and exhibits in the Herit-  
14 age Area;

15 (ii) developing historical and cultural  
16 resources and educational programs in the  
17 Heritage Area;

18 (iii) increasing public awareness of  
19 and appreciation for the natural, historical,  
20 cultural, architectural, scenic, and rec-  
21 reational resources and sites in the Herit-  
22 age Area;

23 (iv) the restoration of any historic  
24 building relating to the themes of the Her-  
25 itage Area;

1 (v) ensuring that clear signs identi-  
2 fying access points and sites of interest are  
3 put in place throughout the Heritage Area;  
4 and

5 (vi) carrying out other actions that  
6 the management entity determines to be  
7 advisable to fulfill the purposes of this sec-  
8 tion;

9 (C) encourage by appropriate means eco-  
10 nomic viability in the Heritage Area consistent  
11 with the purposes of this section;

12 (D) consider the interests of diverse gov-  
13 ernmental, business, nonprofit groups, and indi-  
14 viduals within the Heritage Area; and

15 (E) for any year in which Federal funds  
16 have been provided to implement the manage-  
17 ment plan—

18 (i) conduct public meetings at least  
19 annually regarding the implementation of  
20 the management plan;

21 (ii) submit an annual report to the  
22 Secretary setting forth accomplishments,  
23 expenses and income, and each person to  
24 which any grant was made by the manage-

1           ment entity in the year for which the re-  
2           port is made; and

3                   (iii) require, for all agreements en-  
4           tered into by the management entity au-  
5           thorizing expenditure of Federal funds by  
6           any other person, that the person making  
7           the expenditure make available to the man-  
8           agement entity for audit all records per-  
9           taining to the expenditure of such funds.

10           (6) PROHIBITION ON THE ACQUISITION OF  
11           REAL PROPERTY.—The management entity may not  
12           use Federal funds received under this section to ac-  
13           quire real property or any interest in real property.  
14           No State or local subdivision of a State shall use  
15           any Federal funds received pursuant to this section  
16           to acquire any interest in real property by con-  
17           demnation or otherwise.

18           (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT  
19           PLAN.—

20                   (1) TIME FOR CONSIDERATION; CRITERIA.—

21           The Secretary, in consultation with the Governors of  
22           the Commonwealth of Virginia, the States of Mary-  
23           land and West Virginia, and the Commonwealth of  
24           Pennsylvania, shall approve or disapprove a manage-  
25           ment plan submitted under subsection (c) not later

1 than 180 days after receiving the plan. In consid-  
2 ering the plan, the Secretary shall take into consid-  
3 eration the following criteria:

4 (A) The extent to which the management  
5 plan, when implemented, would adequately pre-  
6 serve, support and protect the significant his-  
7 torical, cultural and recreational resources of  
8 the Heritage Area.

9 (B) The level of public participation in the  
10 development of the management plan.

11 (C) The extent to which the board of trust-  
12 ees of the management entity is representative  
13 of the local governments affected and a wide  
14 range of interested organizations and citizens.

15 (2) ACTION FOLLOWING DISAPPROVAL.—If the  
16 Secretary disapproves a management plan, the Sec-  
17 retary shall advise the management entity in writing  
18 of the reasons for the disapproval and shall make  
19 recommendations for revisions in the management  
20 plan. The Secretary shall approve or disapprove a  
21 proposed revision within 180 days after the date it  
22 is submitted.

23 (3) APPROVING CHANGES.—The Secretary shall  
24 review and approve or disapprove any amendment to  
25 the management plan that would make a substantial

1 change to the management plan, as determined by  
2 the Secretary. The review and approval or dis-  
3 approval of an amendment shall be conducted in the  
4 manner provided under paragraphs (1) and (2).  
5 Funds appropriated under this section may not be  
6 expended to implement the changes made by such an  
7 amendment unless and until the Secretary approves  
8 the amendment.

9 (4) AVAILABILITY OF ANNUAL REPORTS.—The  
10 management entity shall post each annual report  
11 prepared under subsection (c)(5)(E)(ii) on a website  
12 maintained by the management entity.

13 (e) PROVISION OF FINANCIAL AND TECHNICAL AS-  
14 SISTANCE.—

15 (1) OVERALL ASSISTANCE.—Upon the request  
16 of the management entity and subject to the avail-  
17 ability of appropriations, the Secretary may provide  
18 technical and financial assistance to the manage-  
19 ment entity to carry out its duties under this sec-  
20 tion, including updating and implementing the man-  
21 agement plan and, prior to approval of the manage-  
22 ment plan, providing assistance for initiatives.

23 (2) TECHNICAL ASSISTANCE.—

24 (A) IN GENERAL.—The Secretary, on re-  
25 quest of the management entity, may provide

1 technical assistance to the management entity  
2 to carry out the duties of the management enti-  
3 ty under this section, including updating and  
4 implementing the management plan and, prior  
5 to approval of the management plan, providing  
6 assistance for initiatives.

7 (B) LIMITATION.—Technical assistance  
8 provided under this paragraph shall be provided  
9 on a reimbursable basis, except that this para-  
10 graph does not preclude the Secretary from  
11 providing nonreimbursable assistance under  
12 paragraph (1).

13 (3) PRIORITY.—In assisting the management  
14 entity, the Secretary shall give priority to actions  
15 that assist in—

16 (A) the implementation of the management  
17 plan;

18 (B) the provision of educational assistance  
19 and advice regarding management of the sig-  
20 nificant historic resources of the region;

21 (C) the development and application of  
22 techniques promoting the preservation of cul-  
23 tural, recreational and historic properties;

1 (D) the preservation, restoration, and  
2 reuse of publicly and privately owned historic  
3 buildings;

4 (E) the design and fabrication of a wide  
5 range of interpretive materials based on the  
6 management plan, including, among other  
7 things, guide brochures, visitor displays, audio-  
8 visual, books, interpretive dialogues, interactive  
9 exhibits, and educational curriculum materials  
10 for public education; and

11 (F) the implementation of initiatives prior  
12 to approval of the management plan.

13 (4) MATCHING FUNDS.—As a condition of pro-  
14 viding financial assistance under this subsection to  
15 the management entity, the Secretary shall require  
16 the recipient to provide matching funds in an  
17 amount equal to the amount of the financial assist-  
18 ance provided by the Secretary. Recipient matching  
19 funds—

20 (A) shall be derived from non-Federal  
21 sources; and

22 (B) may be made in the form of in-kind  
23 contributions of goods and services fairly val-  
24 ued.

1 (f) DUTIES OF OTHER FEDERAL ENTITIES.—Any  
2 Federal entity conducting or supporting activities directly  
3 and significantly affecting the Heritage Area shall—

4 (1) consult with the Secretary and the manage-  
5 ment entity with respect to the activities;

6 (2) cooperate with the Secretary and the man-  
7 agement entity in carrying out the duties of the Sec-  
8 retary and the management entity under this section  
9 and, to the maximum extent practicable, coordinate  
10 the activities with the carrying out of the duties; and

11 (3) to the maximum extent practicable, conduct  
12 or support the activities in a manner that shall not  
13 have an adverse effect on the Heritage Area.

14 (g) PRIVATE PROPERTY AND REGULATORY PROTEC-  
15 TIONS.—Nothing in this section—

16 (1) abridges the rights of any property owner  
17 (whether public or private), including the right to re-  
18 frain from participating in any plan, project, pro-  
19 gram, or activity conducted within the Heritage  
20 Area;

21 (2) requires any property owner to permit pub-  
22 lic access (including access by Federal, State, or  
23 local agencies) to the property of the property  
24 owner, or to modify public access or use of property

1 of the property owner under any other Federal,  
2 State, or local law;

3 (3) alters any duly adopted land use regulation,  
4 approved land use plan, or other regulatory author-  
5 ity of any Federal, State or local agency, or conveys  
6 any land use or other regulatory authority to the  
7 management entity;

8 (4) authorizes or implies the reservation or ap-  
9 propriation of water or water rights;

10 (5) diminishes the authority of the State to  
11 manage fish and wildlife, including the regulation of  
12 fishing and hunting within the Heritage Area; or

13 (6) creates any liability, or affects any liability  
14 under any other law, of any private property owner  
15 with respect to any person injured on the private  
16 property.

17 (h) EVALUATION; REPORT.—

18 (1) IN GENERAL.—Not later than 3 years be-  
19 fore the date on which authority for Federal funding  
20 terminates for the Heritage Area, the Secretary  
21 shall—

22 (A) conduct an evaluation of the accom-  
23 plishments of the Heritage Area; and

24 (B) prepare a report in accordance with  
25 paragraph (3).

1           (2) EVALUATION.—An evaluation conducted  
2 under paragraph (1)(A) shall—

3           (A) assess the progress of the management  
4 entity with respect to—

5           (i) accomplishing the purposes of the  
6 authorizing legislation for the Heritage  
7 Area; and

8           (ii) achieving the goals and objectives  
9 of the approved management plan for the  
10 Heritage Area;

11          (B) analyze the Federal, State, local, and  
12 private investments in the Heritage Area to de-  
13 termine the leverage and impact of the invest-  
14 ments; and

15          (C) review the management structure,  
16 partnership relationships, and funding of the  
17 Heritage Area for purposes of identifying the  
18 critical components for sustainability of the  
19 Heritage Area.

20          (3) REPORT.—

21           (A) IN GENERAL.—Based on the evalua-  
22 tion conducted under paragraph (1)(A), the  
23 Secretary shall prepare a report that includes  
24 recommendations for the future role of the Na-

1 tional Park Service, if any, with respect to the  
2 Heritage Area.

3 (B) REQUIRED ANALYSIS.—If the report  
4 prepared under subparagraph (A) recommends  
5 that Federal funding for the Heritage Area be  
6 reauthorized, the report shall include an anal-  
7 ysis of—

8 (i) ways in which Federal funding for  
9 the Heritage Area may be reduced or  
10 eliminated; and

11 (ii) the appropriate time period nec-  
12 essary to achieve the recommended reduc-  
13 tion or elimination.

14 (C) SUBMISSION TO CONGRESS.—On com-  
15 pletion of the report, the Secretary shall submit  
16 the report to—

17 (i) the Committee on Energy and  
18 Natural Resources of the Senate; and

19 (ii) the Committee on Natural Re-  
20 sources of the House of Representatives.

21 (i) USE OF FEDERAL FUNDS FROM OTHER  
22 SOURCES.—Nothing in this section preclude the manage-  
23 ment entity from using Federal funds available under Acts  
24 other than this section for the purposes for which those  
25 funds were authorized.

1 (j) SUNSET FOR GRANTS AND OTHER ASSIST-  
2 ANCE.—The Secretary may not make any grant or provide  
3 any other financial assistance under this section after the  
4 expiration of the 15-year period beginning on the date of  
5 enactment of this Act.

6 (k) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) AUTHORIZATION OF APPROPRIATIONS.—  
8 Subject to paragraph (2), there are authorized to be  
9 appropriated to carry out this section not more than  
10 \$1,000,000 for any fiscal year. Funds so appro-  
11 priated shall remain available until expended.

12 (2) LIMITATION ON TOTAL AMOUNTS APPRO-  
13 PRIATED.—Not more than \$10,000,000 may be ap-  
14 propriated to carry out this section.

15 **SEC. 235. SANGRE DE CRISTO NATIONAL HERITAGE AREA.**

16 (a) DEFINITIONS.—In this section:

17 (1) HERITAGE AREA.—The term “Heritage  
18 Area” means the Sangre de Cristo National Herit-  
19 age Area established by subsection (b)(1).

20 (2) MANAGEMENT ENTITY.—The term “man-  
21 agement entity” means the management entity for  
22 the Heritage Area designated by subsection (b)(4).

23 (3) MANAGEMENT PLAN.—The term “manage-  
24 ment plan” means the management plan for the  
25 Heritage Area required under subsection (d).

1           (4) MAP.—The term “map” means the map en-  
2           titled “Proposed Sangre De Cristo National Herit-  
3           age Area” and dated November 2005.

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

6           (6) STATE.—The term “State” means the State  
7           of Colorado.

8           (b) SANGRE DE CRISTO NATIONAL HERITAGE  
9           AREA.—

10           (1) ESTABLISHMENT.—There is established in  
11           the State the Sangre de Cristo National Heritage  
12           Area.

13           (2) BOUNDARIES.—The Heritage Area shall  
14           consist of—

15                   (A) the counties of Alamosa, Conejos, and  
16                   Costilla; and

17                   (B) the Monte Vista National Wildlife Ref-  
18                   uge, the Baca National Wildlife Refuge, the  
19                   Great Sand Dunes National Park and Preserve,  
20                   and other areas included in the map.

21           (3) MAP.—A map of the Heritage Area shall  
22           be—

23                   (A) included in the management plan; and

1           (B) on file and available for public inspec-  
2           tion in the appropriate offices of the National  
3           Park Service.

4           (4) MANAGEMENT ENTITY.—

5           (A) IN GENERAL.—The management entity  
6           for the Heritage Area shall be the Sangre de  
7           Cristo National Heritage Area Board of Direc-  
8           tors.

9           (B) MEMBERSHIP REQUIREMENTS.—Mem-  
10          bers of the Board shall include representatives  
11          from a broad cross-section of the individuals,  
12          agencies, organizations, and governments that  
13          were involved in the planning and development  
14          of the Heritage Area before the date of enact-  
15          ment of this Act.

16          (c) ADMINISTRATION.—

17          (1) AUTHORITIES.—For purposes of carrying  
18          out the management plan, the Secretary, acting  
19          through the management entity, may use amounts  
20          made available under this section to—

21                (A) make grants to the State or a political  
22                subdivision of the State, nonprofit organiza-  
23                tions, and other persons;

24                (B) enter into cooperative agreements  
25                with, or provide technical assistance to, the

1 State or a political subdivision of the State,  
2 nonprofit organizations, and other interested  
3 parties;

4 (C) hire and compensate staff, which shall  
5 include individuals with expertise in natural,  
6 cultural, and historical resources protection,  
7 and heritage programming;

8 (D) obtain money or services from any  
9 source including any that are provided under  
10 any other Federal law or program;

11 (E) contract for goods or services; and

12 (F) undertake to be a catalyst for any  
13 other activity that furthers the Heritage Area  
14 and is consistent with the approved manage-  
15 ment plan.

16 (2) DUTIES.—The management entity shall—

17 (A) in accordance with subsection (d), pre-  
18 pare and submit a management plan for the  
19 Heritage Area to the Secretary;

20 (B) assist units of local government, re-  
21 gional planning organizations, and nonprofit or-  
22 ganizations in carrying out the approved man-  
23 agement plan by—

24 (i) carrying out programs and projects  
25 that recognize, protect, and enhance im-

- 1           portant resource values in the Heritage  
2           Area;
- 3           (ii) establishing and maintaining in-  
4           terpretive exhibits and programs in the  
5           Heritage Area;
- 6           (iii) developing recreational and edu-  
7           cational opportunities in the Heritage  
8           Area;
- 9           (iv) increasing public awareness of,  
10          and appreciation for, natural, historical,  
11          scenic, and cultural resources of the Herit-  
12          age Area;
- 13          (v) protecting and restoring historic  
14          sites and buildings in the Heritage Area  
15          that are consistent with Heritage Area  
16          themes;
- 17          (vi) ensuring that clear, consistent,  
18          and appropriate signs identifying points of  
19          public access, and sites of interest are  
20          posted throughout the Heritage Area; and
- 21          (vii) promoting a wide range of part-  
22          nerships among governments, organiza-  
23          tions, and individuals to further the Herit-  
24          age Area;

1 (C) consider the interests of diverse units  
2 of government, businesses, organizations, and  
3 individuals in the Heritage Area in the prepara-  
4 tion and implementation of the management  
5 plan;

6 (D) conduct meetings open to the public at  
7 least semiannually regarding the development  
8 and implementation of the management plan;

9 (E) for any year that Federal funds have  
10 been received under this section—

11 (i) submit an annual report to the  
12 Secretary that describes the activities, ex-  
13 penses, and income of the management en-  
14 tity (including grants to any other entities  
15 during the year that the report is made);

16 (ii) make available to the Secretary  
17 for audit all records relating to the expend-  
18 iture of the funds and any matching funds;  
19 and

20 (iii) require, with respect to all agree-  
21 ments authorizing expenditure of Federal  
22 funds by other organizations, that the or-  
23 ganizations receiving the funds make avail-  
24 able to the Secretary for audit all records

1           concerning the expenditure of the funds;  
2           and

3           (F) encourage by appropriate means eco-  
4           nomic viability that is consistent with the Herit-  
5           age Area.

6           (3) PROHIBITION ON THE ACQUISITION OF  
7           REAL PROPERTY.—The management entity shall not  
8           use Federal funds made available under this section  
9           to acquire real property or any interest in real prop-  
10          erty.

11          (4) COST-SHARING REQUIREMENT.—The Fed-  
12          eral share of the cost of any activity carried out  
13          using any assistance made available under this sec-  
14          tion shall be 50 percent.

15          (d) MANAGEMENT PLAN.—

16           (1) IN GENERAL.—Not later than 3 years after  
17           the date of enactment of this Act, the management  
18           entity shall submit to the Secretary for approval a  
19           proposed management plan for the Heritage Area.

20           (2) REQUIREMENTS.—The management plan  
21           shall—

22           (A) incorporate an integrated and coopera-  
23           tive approach for the protection, enhancement,  
24           and interpretation of the natural, cultural, his-

1           toric, scenic, and recreational resources of the  
2           Heritage Area;

3                 (B) take into consideration State and local  
4           plans;

5                 (C) include—

6                     (i) an inventory of—

7                             (I) the resources located in the  
8                             core area described in subsection  
9                             (b)(2); and

10                            (II) any other property in the  
11                            core area that—

12                                     (aa) is related to the themes  
13                                     of the Heritage Area; and

14                                     (bb) should be preserved, re-  
15                                     stored, managed, or maintained  
16                                     because of the significance of the  
17                                     property;

18                            (ii) comprehensive policies, strategies  
19                            and recommendations for conservation,  
20                            funding, management, and development of  
21                            the Heritage Area;

22                            (iii) a description of actions that gov-  
23                            ernments, private organizations, and indi-  
24                            viduals have agreed to take to protect the

1 natural, historical and cultural resources of  
2 the Heritage Area;

3 (iv) a program of implementation for  
4 the management plan by the management  
5 entity that includes a description of—

6 (I) actions to facilitate ongoing  
7 collaboration among partners to pro-  
8 mote plans for resource protection,  
9 restoration, and construction; and

10 (II) specific commitments for im-  
11 plementation that have been made by  
12 the management entity or any govern-  
13 ment, organization, or individual for  
14 the first 5 years of operation;

15 (v) the identification of sources of  
16 funding for carrying out the management  
17 plan;

18 (vi) analysis and recommendations for  
19 means by which local, State, and Federal  
20 programs, including the role of the Na-  
21 tional Park Service in the Heritage Area,  
22 may best be coordinated to carry out this  
23 section; and

24 (vii) an interpretive plan for the Her-  
25 itage Area; and

1 (D) recommend policies and strategies for  
2 resource management that consider and detail  
3 the application of appropriate land and water  
4 management techniques, including the develop-  
5 ment of intergovernmental and interagency co-  
6 operative agreements to protect the natural,  
7 historical, cultural, educational, scenic, and rec-  
8 reational resources of the Heritage Area.

9 (3) DEADLINE.—If a proposed management  
10 plan is not submitted to the Secretary by the date  
11 that is 3 years after the date of enactment of this  
12 Act, the management entity shall be ineligible to re-  
13 ceive additional funding under this section until the  
14 date that the Secretary receives and approves the  
15 management plan.

16 (4) APPROVAL OR DISAPPROVAL OF MANAGE-  
17 MENT PLAN.—

18 (A) IN GENERAL.—Not later than 180  
19 days after the date of receipt of the manage-  
20 ment plan under paragraph (1), the Secretary,  
21 in consultation with the State, shall approve or  
22 disapprove the management plan.

23 (B) CRITERIA FOR APPROVAL.—In deter-  
24 mining whether to approve the management  
25 plan, the Secretary shall consider whether—

1           (i) the management entity is rep-  
2           resentative of the diverse interests of the  
3           Heritage Area, including governments, nat-  
4           ural and historic resource protection orga-  
5           nizations, educational institutions, busi-  
6           nesses, and recreational organizations;

7           (ii) the management entity has af-  
8           forded adequate opportunity, including  
9           public hearings, for public and govern-  
10          mental involvement in the preparation of  
11          the management plan; and

12          (iii) the resource protection and inter-  
13          pretation strategies contained in the man-  
14          agement plan, if implemented, would ade-  
15          quately protect the natural, historical, and  
16          cultural resources of the Heritage Area.

17          (C) ACTION FOLLOWING DISAPPROVAL.—If  
18          the Secretary disapproves the management plan  
19          under subparagraph (A), the Secretary shall—

20               (i) advise the management entity in  
21               writing of the reasons for the disapproval;

22               (ii) make recommendations for revi-  
23               sions to the management plan; and

24               (iii) not later than 180 days after the  
25               receipt of any proposed revision of the

1 management plan from the management  
2 entity, approve or disapprove the proposed  
3 revision.

4 (D) AMENDMENTS.—

5 (i) IN GENERAL.—The Secretary shall  
6 approve or disapprove each amendment to  
7 the management plan that the Secretary  
8 determines make a substantial change to  
9 the management plan.

10 (ii) USE OF FUNDS.—The manage-  
11 ment entity shall not use Federal funds  
12 authorized by this section to carry out any  
13 amendments to the management plan until  
14 the Secretary has approved the amend-  
15 ments.

16 (e) RELATIONSHIP TO OTHER FEDERAL AGEN-  
17 CIES.—

18 (1) IN GENERAL.—Nothing in this section af-  
19 fects the authority of a Federal agency to provide  
20 technical or financial assistance under any other law.

21 (2) CONSULTATION AND COORDINATION.—The  
22 head of any Federal agency planning to conduct ac-  
23 tivities that may have an impact on the Heritage  
24 Area is encouraged to consult and coordinate the ac-

1       activities with the Secretary and the management enti-  
2       ty to the maximum extent practicable.

3           (3) OTHER FEDERAL AGENCIES.—Nothing in  
4       this section—

5           (A) modifies, alters, or amends any law or  
6       regulation authorizing a Federal agency to  
7       manage Federal land under the jurisdiction of  
8       the Federal agency;

9           (B) limits the discretion of a Federal land  
10      manager to implement an approved land use  
11      plan within the boundaries of the Heritage  
12      Area; or

13          (C) modifies, alters, or amends any author-  
14      ized use of Federal land under the jurisdiction  
15      of a Federal agency.

16       (f) PRIVATE PROPERTY AND REGULATORY PROTEC-  
17      TIONS.—Nothing in this section—

18          (1) abridges the rights of any property owner  
19      (whether public or private), including the right to re-  
20      frain from participating in any plan, project, pro-  
21      gram, or activity conducted within the Heritage  
22      Area;

23          (2) requires any property owner to permit pub-  
24      lic access (including access by Federal, State, or  
25      local agencies) to the property of the property

1 owner, or to modify public access or use of property  
2 of the property owner under any other Federal,  
3 State, or local law;

4 (3) alters any duly adopted land use regulation,  
5 approved land use plan, or other regulatory author-  
6 ity of any Federal, State or local agency, or conveys  
7 any land use or other regulatory authority to the  
8 management entity;

9 (4) authorizes or implies the reservation or ap-  
10 propriation of water or water rights;

11 (5) diminishes the authority of the State to  
12 manage fish and wildlife, including the regulation of  
13 fishing and hunting within the Heritage Area; or

14 (6) creates any liability, or affects any liability  
15 under any other law, of any private property owner  
16 with respect to any person injured on the private  
17 property.

18 (g) EVALUATION; REPORT.—

19 (1) IN GENERAL.—Not later than 3 years be-  
20 fore the date on which authority for Federal funding  
21 terminates for the Heritage Area, the Secretary  
22 shall—

23 (A) conduct an evaluation of the accom-  
24 plishments of the Heritage Area; and

1 (B) prepare a report in accordance with  
2 paragraph (3).

3 (2) EVALUATION.—An evaluation conducted  
4 under paragraph (1)(A) shall—

5 (A) assess the progress of the management  
6 entity with respect to—

7 (i) accomplishing the purposes of this  
8 section for the Heritage Area; and

9 (ii) achieving the goals and objectives  
10 of the approved management plan for the  
11 Heritage Area;

12 (B) analyze the Federal, State, local, and  
13 private investments in the Heritage Area to de-  
14 termine the leverage and impact of the invest-  
15 ments; and

16 (C) review the management structure,  
17 partnership relationships, and funding of the  
18 Heritage Area for purposes of identifying the  
19 critical components for sustainability of the  
20 Heritage Area.

21 (3) REPORT.—

22 (A) IN GENERAL.—Based on the evalua-  
23 tion conducted under paragraph (1)(A), the  
24 Secretary shall prepare a report that includes  
25 recommendations for the future role of the Na-

1 tional Park Service, if any, with respect to the  
2 Heritage Area.

3 (B) REQUIRED ANALYSIS.—If the report  
4 prepared under subparagraph (A) recommends  
5 that Federal funding for the Heritage Area be  
6 reauthorized, the report shall include an anal-  
7 ysis of—

8 (i) ways in which Federal funding for  
9 the Heritage Area may be reduced or  
10 eliminated; and

11 (ii) the appropriate time period nec-  
12 essary to achieve the recommended reduc-  
13 tion or elimination.

14 (C) SUBMISSION TO CONGRESS.—On com-  
15 pletion of the report, the Secretary shall submit  
16 the report to—

17 (i) the Committee on Energy and  
18 Natural Resources of the Senate; and

19 (ii) the Committee on Natural Re-  
20 sources of the House of Representatives.

21 (h) AUTHORIZATION OF APPROPRIATIONS.—There is  
22 authorized to be appropriated to carry out this section  
23 \$10,000,000, of which not more than \$1,000,000 may be  
24 made available for any fiscal year.

1 (i) TERMINATION OF AUTHORITY.—The authority of  
2 the Secretary to provide assistance under this section ter-  
3 minates on the date that is 15 years after the date of en-  
4 actment of this Act.

5 **SEC. 236. SOUTH PARK NATIONAL HERITAGE AREA.**

6 (a) DEFINITIONS.—In this section:

7 (1) BOARD.—The term “Board” means the  
8 Board of Directors of the South Park National Her-  
9 itage Area, comprised initially of the individuals,  
10 agencies, organizations, and governments that were  
11 involved in the planning and development of the  
12 Heritage Area before the date of enactment of this  
13 Act.

14 (2) HERITAGE AREA.—The term “Heritage  
15 Area” means the South Park National Heritage  
16 Area established by subsection (b)(1).

17 (3) MANAGEMENT ENTITY.—The term “man-  
18 agement entity” means the management entity for  
19 the Heritage Area designated by subsection  
20 (b)(4)(A).

21 (4) MANAGEMENT PLAN.—The term “manage-  
22 ment plan” means the management plan for the  
23 Heritage Area required by subsection (d).

1           (5) MAP.—The term “map” means the map en-  
2 titled “South Park National Heritage Area Map  
3 (Proposed)”, dated January 30, 2006.

4           (6) PARTNER.—The term “partner” means a  
5 Federal, State, or local governmental entity, organi-  
6 zation, private industry, educational institution, or  
7 individual involved in the conservation, preservation,  
8 interpretation, development or promotion of heritage  
9 sites or resources of the Heritage Area.

10          (7) SECRETARY.—The term “Secretary” means  
11 the Secretary of the Interior.

12          (8) STATE.—The term “State” means the State  
13 of Colorado.

14          (9) TECHNICAL ASSISTANCE.—The term “tech-  
15 nical assistance” means any guidance, advice, help,  
16 or aid, other than financial assistance, provided by  
17 the Secretary.

18 (b) SOUTH PARK NATIONAL HERITAGE AREA.—

19          (1) ESTABLISHMENT.—There is established in  
20 the State the South Park National Heritage Area.

21          (2) BOUNDARIES.—The Heritage Area shall  
22 consist of the areas included in the map.

23          (3) MAP.—A map of the Heritage Area shall  
24 be—

25                (A) included in the management plan; and

1           (B) on file and available for public inspec-  
2           tion in the appropriate offices of the National  
3           Park Service.

4           (4) MANAGEMENT ENTITY.—

5           (A) IN GENERAL.—The management entity  
6           for the Heritage Area shall be the Park County  
7           Tourism & Community Development Office, in  
8           conjunction with the South Park National Her-  
9           itage Area Board of Directors.

10          (B) MEMBERSHIP REQUIREMENTS.—Mem-  
11          bers of the Board shall include representatives  
12          from a broad cross-section of individuals, agen-  
13          cies, organizations, and governments that were  
14          involved in the planning and development of the  
15          Heritage Area before the date of enactment of  
16          this Act.

17          (c) ADMINISTRATION.—

18          (1) PROHIBITION ON THE ACQUISITION OF  
19          REAL PROPERTY.—The management entity shall not  
20          use Federal funds made available under this section  
21          to acquire real property or any interest in real prop-  
22          erty.

23          (2) AUTHORITIES.—For purposes of carrying  
24          out the management plan, the Secretary, acting

1 through the management entity, may use amounts  
2 made available under this section to—

3 (A) make grants to the State or a political  
4 subdivision of the State, nonprofit organiza-  
5 tions, and other persons;

6 (B) enter into cooperative agreements  
7 with, or provide technical assistance to, the  
8 State or a political subdivision of the State,  
9 nonprofit organizations, and other interested  
10 parties;

11 (C) hire and compensate staff, which shall  
12 include individuals with expertise in natural,  
13 cultural, and historical resources protection,  
14 fundraising, heritage facility planning and de-  
15 velopment, and heritage tourism programming;

16 (D) obtain funds or services from any  
17 source, including funds or services that are pro-  
18 vided under any other Federal law or program;

19 (E) enter into contracts for goods or serv-  
20 ices; and

21 (F) facilitate the conduct of other projects  
22 and activities that further the Heritage Area  
23 and are consistent with the approved manage-  
24 ment plan.

25 (3) DUTIES.—The management entity shall—

1 (A) in accordance with subsection (d), pre-  
2 pare and submit a management plan for the  
3 Heritage Area to the Secretary;

4 (B) assist units of local government, local  
5 property owners and businesses, and nonprofit  
6 organizations in carrying out the approved  
7 management plan by—

8 (i) carrying out programs and projects  
9 that recognize, protect, enhance, and pro-  
10 mote important resource values in the Her-  
11 itage Area;

12 (ii) establishing and maintaining in-  
13 terpretive exhibits and programs in the  
14 Heritage Area;

15 (iii) developing economic, recreational  
16 and educational opportunities in the Herit-  
17 age Area;

18 (iv) increasing public awareness of,  
19 and appreciation for, historical, cultural,  
20 scenic, recreational, agricultural, and nat-  
21 ural resources of the Heritage Area;

22 (v) protecting and restoring historic  
23 sites and buildings in the Heritage Area  
24 that are consistent with Heritage Area  
25 themes;

1 (vi) ensuring that clear, consistent,  
2 and appropriate signs identifying points of  
3 public access, and sites of interest are  
4 posted throughout the Heritage Area;

5 (vii) promoting a wide range of part-  
6 nerships among governments, organiza-  
7 tions, and individuals to further the Herit-  
8 age Area; and

9 (viii) planning and developing new  
10 heritage attractions, products and services;

11 (C) consider the interests of diverse units  
12 of government, businesses, organizations, and  
13 individuals in the Heritage Area in the prepara-  
14 tion and implementation of the management  
15 plan;

16 (D) conduct meetings open to the public at  
17 least semiannually regarding the development  
18 and implementation of the management plan;

19 (E) for any year for which Federal funds  
20 have been received under this section—

21 (i) submit to the Secretary an annual  
22 report that describes the activities, ex-  
23 penses, and income of the management en-  
24 tity (including grants to any other entities  
25 during the year that the report is made);

1           (ii) make available to the Secretary  
2           for audit all records relating to the expend-  
3           iture of the Federal funds and any match-  
4           ing funds; and

5           (iii) require, with respect to all agree-  
6           ments authorizing expenditure of Federal  
7           funds by other organizations, that the or-  
8           ganizations receiving the funds make avail-  
9           able to the Secretary for audit all records  
10          concerning the expenditure of the funds;  
11          and

12          (F) encourage by appropriate means eco-  
13          nomic viability that is consistent with the Herit-  
14          age Area.

15          (4) COST-SHARING REQUIREMENT.—The Fed-  
16          eral share of the cost of any activity carried out  
17          using any assistance made available under this sec-  
18          tion shall be 50 percent.

19          (d) MANAGEMENT PLAN.—

20           (1) IN GENERAL.—Not later than 3 years after  
21           the date of enactment of this Act, the management  
22           entity, with public participation, shall submit to the  
23           Secretary for approval a proposed management plan  
24           for the Heritage Area.

1           (2) REQUIREMENTS.—The management plan  
2 shall—

3                   (A) incorporate an integrated and coopera-  
4 tive approach for the protection, enhancement,  
5 interpretation, development, and promotion of  
6 the historical, cultural, scenic, recreational, ag-  
7 ricultural, and natural resources of the Herit-  
8 age Area;

9                   (B) take into consideration State and local  
10 plans;

11                   (C) include—

12                           (i) an inventory of—

13                                   (I) the resources located within  
14 the areas included in the map; and

15                                   (II) any other eligible and par-  
16 ticipating property within the areas  
17 included in the map that—

18                                           (aa) is related to the themes  
19 of the Heritage Area; and

20                                           (bb) should be preserved, re-  
21 stored, managed, maintained, de-  
22 veloped, or promoted because of  
23 the significance of the property;

24                           (ii) comprehensive policies, strategies,  
25 and recommendations for conservation,

1 funding, management, development, and  
2 promotion of the Heritage Area;

3 (iii) a description of actions that gov-  
4 ernments, private organizations, and indi-  
5 viduals have agreed to take to manage pro-  
6 tect the historical, cultural, scenic, rec-  
7 reational, agricultural, and natural re-  
8 sources of the Heritage Area;

9 (iv) a program of implementation for  
10 the management plan by the management  
11 entity that includes a description of—

12 (I) actions to facilitate ongoing  
13 and effective collaboration among  
14 partners to promote plans for resource  
15 protection, enhancement, interpreta-  
16 tion, restoration, and construction;  
17 and

18 (II) specific commitments for im-  
19 plementation that have been made by  
20 the management entity or any govern-  
21 ment, organization, or individual for  
22 the first 5 years of operation;

23 (v) the identification of sources of  
24 funding for carrying out the management  
25 plan;

1                   (vi) an analysis of and recommenda-  
2                   tions for means by which Federal, State,  
3                   and local programs, including the role of  
4                   the National Park Service in the Heritage  
5                   Area, may best be coordinated to carry out  
6                   this section; and

7                   (vii) an interpretive plan for the Her-  
8                   itage Area; and

9                   (D) recommend policies and strategies for  
10                  resource management that consider and detail  
11                  the application of appropriate land and water  
12                  management techniques, including the develop-  
13                  ment of intergovernmental and interagency co-  
14                  operative agreements to protect the historical,  
15                  cultural, scenic, recreational, agricultural, and  
16                  natural resources of the Heritage Area.

17               (3) DEADLINE.—If a proposed management  
18               plan is not submitted to the Secretary by the date  
19               that is 3 years after the date of enactment of this  
20               Act, the management entity shall be ineligible to re-  
21               ceive additional funding under this section until the  
22               date on which the Secretary receives and approves  
23               the management plan.

24               (4) APPROVAL OR DISAPPROVAL OF MANAGE-  
25               MENT PLAN.—

1 (A) IN GENERAL.—Not later than 180  
2 days after the date of receipt of the manage-  
3 ment plan under paragraph (1), the Secretary,  
4 in consultation with the State, shall approve or  
5 disapprove the management plan.

6 (B) CRITERIA FOR APPROVAL.—In deter-  
7 mining whether to approve the management  
8 plan, the Secretary shall consider whether—

9 (i) the management entity is rep-  
10 resentative of the diverse interests of the  
11 Heritage Area, including governments, nat-  
12 ural and historical resource protection or-  
13 ganizations, educational institutions, local  
14 businesses and industries, community or-  
15 ganizations, recreational organizations, and  
16 tourism organizations;

17 (ii) the management entity has af-  
18 farded adequate opportunity, including  
19 public hearings, for public and govern-  
20 mental involvement in the preparation of  
21 the management plan; and

22 (iii) strategies contained in the man-  
23 agement plan, if implemented, would ade-  
24 quately balance the voluntary protection,  
25 development, and interpretation of the nat-

1            ural, historical, cultural, scenic, rec-  
2            reational, and agricultural resources of the  
3            Heritage Area.

4            (C) ACTION FOLLOWING DISAPPROVAL.—If  
5            the Secretary disapproves the management plan  
6            under subparagraph (A), the Secretary shall—

7                    (i) advise the management entity in  
8                    writing of the reasons for the disapproval;

9                    (ii) make recommendations for revi-  
10                   sions to the management plan; and

11                   (iii) not later than 180 days after the  
12                   receipt of any proposed revision of the  
13                   management plan from the management  
14                   entity, approve or disapprove the proposed  
15                   revision.

16            (D) AMENDMENTS.—

17                    (i) IN GENERAL.—The Secretary shall  
18                    approve or disapprove each amendment to  
19                    the management plan that the Secretary  
20                    determines makes a substantial change to  
21                    the management plan.

22                    (ii) USE OF FUNDS.—The manage-  
23                    ment entity shall not use Federal funds  
24                    authorized by this section to carry out any  
25                    amendments to the management plan until

1           the Secretary has approved the amend-  
2           ments.

3       (e) RELATIONSHIP TO OTHER FEDERAL AGEN-  
4       CIES.—

5           (1) IN GENERAL.—Nothing in this section af-  
6       fects the authority of a Federal agency to provide  
7       technical or financial assistance under any other law.

8           (2) CONSULTATION AND COORDINATION.—The  
9       head of any Federal agency planning to conduct ac-  
10      tivities that may have an impact on the Heritage  
11      Area is encouraged to consult and coordinate the ac-  
12      tivities with the Secretary and the management enti-  
13      ty to the maximum extent practicable.

14          (3) OTHER FEDERAL AGENCIES.—Nothing in  
15      this section—

16           (A) modifies, alters, or amends any law or  
17      regulation authorizing a Federal agency to  
18      manage Federal land under the jurisdiction of  
19      the Federal agency;

20           (B) limits the discretion of a Federal land  
21      manager to implement an approved land use  
22      plan within the boundaries of the Heritage  
23      Area; or

1 (C) modifies, alters, or amends any author-  
2 ized use of Federal land under the jurisdiction  
3 of a Federal agency.

4 (f) PRIVATE PROPERTY AND REGULATORY PROTEC-  
5 TIONS.—Nothing in this section—

6 (1) abridges the rights of any property owner  
7 (whether public or private), including the right to re-  
8 frain from participating in any plan, project, pro-  
9 gram, or activity conducted within the Heritage  
10 Area;

11 (2) requires any property owner to permit pub-  
12 lic access (including access by Federal, State, or  
13 local agencies) to the property of the property  
14 owner, or to modify public access or use of property  
15 of the property owner under any other Federal,  
16 State, or local law;

17 (3) alters any duly adopted land use regulation,  
18 approved land use plan, or other regulatory author-  
19 ity of any Federal, State or local agency, or conveys  
20 any land use or other regulatory authority to the  
21 management entity;

22 (4) authorizes or implies the reservation or ap-  
23 propriation of water or water rights;

1           (5) diminishes the authority of the State to  
2 manage fish and wildlife, including the regulation of  
3 fishing and hunting within the Heritage Area; or

4           (6) creates any liability, or affects any liability  
5 under any other law, of any private property owner  
6 with respect to any person injured on the private  
7 property.

8 (g) EVALUATION; REPORT.—

9           (1) IN GENERAL.—Not later than 3 years be-  
10 fore the date on which authority for Federal funding  
11 terminates for the Heritage Area, the Secretary  
12 shall—

13                   (A) conduct an evaluation of the accom-  
14 plishments of the Heritage Area; and

15                   (B) prepare a report in accordance with  
16 paragraph (3).

17           (2) EVALUATION.—An evaluation conducted  
18 under paragraph (1)(A) shall—

19                   (A) assess the progress of the management  
20 entity with respect to—

21                           (i) accomplishing the purposes of this  
22 section for the Heritage Area; and

23                           (ii) achieving the goals and objectives  
24 of the approved management plan for the  
25 Heritage Area;

1 (B) analyze the Federal, State, local, and  
2 private investments in the Heritage Area to de-  
3 termine the leverage and impact of the invest-  
4 ments; and

5 (C) review the management structure,  
6 partnership relationships, and funding of the  
7 Heritage Area for purposes of identifying the  
8 critical components for sustainability of the  
9 Heritage Area.

10 (3) REPORT.—

11 (A) IN GENERAL.—Based on the evalua-  
12 tion conducted under paragraph (1)(A), the  
13 Secretary shall prepare a report that includes  
14 recommendations for the future role of the Na-  
15 tional Park Service, if any, with respect to the  
16 Heritage Area.

17 (B) REQUIRED ANALYSIS.—If the report  
18 prepared under subparagraph (A) recommends  
19 that Federal funding for the Heritage Area be  
20 reauthorized, the report shall include an anal-  
21 ysis of—

22 (i) ways in which Federal funding for  
23 the Heritage Area may be reduced or  
24 eliminated; and

1                   (ii) the appropriate time period nec-  
2                   essary to achieve the recommended reduc-  
3                   tion or elimination.

4                   (C) SUBMISSION TO CONGRESS.—On com-  
5                   pletion of the report, the Secretary shall submit  
6                   the report to—

7                   (i) the Committee on Energy and  
8                   Natural Resources of the Senate; and

9                   (ii) the Committee on Natural Re-  
10                  sources of the House of Representatives.

11               (h) AUTHORIZATION OF APPROPRIATIONS.—There is  
12               authorized to be appropriated to carry out this section  
13               \$10,000,000, of which not more than \$1,000,000 may be  
14               made available for any fiscal year.

15               (i) TERMINATION OF AUTHORITY.—The authority of  
16               the Secretary to provide assistance under this section ter-  
17               minates on the date that is 15 years after the date of en-  
18               actment of this Act.

19               **SEC. 237. NIAGARA FALLS NATIONAL HERITAGE AREA.**

20               (a) DEFINITIONS.—In this section:

21                   (1) COMMISSION.—The term “Commission”  
22                   means the Niagara Falls National Heritage Area  
23                   Commission established by subsection (c)(1).

24                   (2) GOVERNOR.—The term “Governor” means  
25                   the Governor of the State.

1           (3) HERITAGE AREA.—The term “Heritage  
2 Area” means the Niagara Falls National Heritage  
3 Area established by subsection (b)(1).

4           (4) LOCAL COORDINATING ENTITY.—The term  
5 “local coordinating entity” means the local coordi-  
6 nating entity for the Heritage Area designated by  
7 subsection (b)(4)(A).

8           (5) MANAGEMENT PLAN.—The term “manage-  
9 ment plan” means the management plan for the  
10 Heritage Area developed under subsection (d).

11           (6) MAP.—The term “map” means the map en-  
12 titled “Niagara Falls National Heritage Area”,  
13 numbered P76/80,000, and dated July 2006.

14           (7) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior.

16           (8) STATE.—The term “State” means the State  
17 of New York.

18 (b) NIAGARA FALLS NATIONAL HERITAGE AREA.—

19           (1) ESTABLISHMENT.—There is established in  
20 the State the Niagara Falls National Heritage Area.

21           (2) BOUNDARIES.—The National Heritage Area  
22 shall consist of—

23                   (A) the area from the western boundary of  
24 the town of Wheatfield, New York, extending to

1 the mouth of the Niagara River on Lake On-  
2 tario, as depicted on the map, including—

3 (i) the city of Niagara Falls, New  
4 York;

5 (ii) the villages of Youngstown and  
6 Lewiston, New York; and

7 (iii) land and water within the bound-  
8 aries of the Heritage Area in Niagara  
9 County, New York; and

10 (B) any additional thematically related  
11 sites within Erie and Niagara Counties, New  
12 York, that are identified in the management  
13 plan under subsection (d)(2)(F).

14 (3) AVAILABILITY OF MAP.—The map shall be  
15 on file and available for public inspection in the ap-  
16 propriate offices of the National Park Service.

17 (4) LOCAL COORDINATING ENTITY.—

18 (A) DESIGNATION.—The local coordinating  
19 entity for the Heritage Area shall be—

20 (i) for the 5–year period beginning on  
21 the date of enactment of this Act, the  
22 Commission; and

23 (ii) on expiration of the 5–year period  
24 described in clause (i), a private nonprofit

1 or governmental organization designated  
2 by the Commission.

3 (B) AUTHORITIES.—For purposes of im-  
4 plementing the management plan, the local co-  
5 ordinating entity designated under subpara-  
6 graph (A)(ii) may use funds made available  
7 under this section to—

8 (i) make grants to, and enter into co-  
9 operative agreements with, the State (in-  
10 cluding a political subdivision of the  
11 State), nonprofit organizations, or any per-  
12 son;

13 (ii) hire and compensate staff; and

14 (iii) enter into contracts for goods and  
15 services.

16 (C) DUTIES.—Beginning on the date de-  
17 scribed in subparagraph (A)(ii), the local co-  
18 ordinating entity designated by the Commission  
19 under subparagraph (A)(ii) shall assume the  
20 duties of the Commission described in sub-  
21 section (c)(8), other than the duties described  
22 in subparagraphs (A) and (H) of subsection  
23 (c)(8).

24 (c) NIAGARA FALLS NATIONAL HERITAGE AREA  
25 COMMISSION.—

1           (1) ESTABLISHMENT.—There is established  
2 within the Department of the Interior the Niagara  
3 Falls National Heritage Area Commission.

4           (2) MEMBERSHIP.—The Commission shall be  
5 composed of 17 members, of whom—

6                 (A) 1 member shall be the Director of the  
7 National Park Service (or a designee);

8                 (B) 5 members shall be appointed by the  
9 Secretary, after considering the recommenda-  
10 tion of the Governor, from among individuals  
11 with knowledge and experience of—

12                     (i) the New York State Office of  
13 Parks, Recreation and Historic Preserva-  
14 tion, the Niagara River Greenway Commis-  
15 sion, the New York Power Authority, the  
16 USA Niagara Development Corporation,  
17 and the Niagara Tourism and Convention  
18 Corporation; or

19                     (ii) any successors of the agencies de-  
20 scribed in clause (i);

21                 (C) 1 member shall be appointed by the  
22 Secretary, after considering the recommenda-  
23 tion of the mayor of Niagara Falls, New York;

24                 (D) 1 member shall be appointed by the  
25 Secretary, after considering the recommenda-

1           tion of the mayor of the village of Youngstown,  
2           New York;

3           (E) 1 member shall be appointed by the  
4           Secretary, after considering the recommenda-  
5           tion of the mayor of the village of Lewiston,  
6           New York;

7           (F) 1 member shall be appointed by the  
8           Secretary, after considering the recommenda-  
9           tion of the Tuscarora Nation;

10          (G) 1 member shall be appointed by the  
11          Secretary, after considering the recommenda-  
12          tion of the Seneca Nation of Indians; and

13          (H) 6 members shall be individuals that  
14          have an interest in, support for, and expertise  
15          appropriate to tourism, regional planning, his-  
16          tory and historic preservation, cultural or nat-  
17          ural resource management, conservation, recre-  
18          ation, and education, or museum services, of  
19          whom—

20                 (i) 4 members shall be appointed by  
21                 the Secretary, after considering the rec-  
22                 ommendation of the 2 members of the Sen-  
23                 ate from the State; and

24                 (ii) 2 members shall be appointed by  
25                 the Secretary, after considering the rec-

1 commendation of the member of the House  
2 of Representatives whose district encom-  
3 passes the Heritage Area.

4 (3) TERMS; VACANCIES.—

5 (A) TERM.—A member of the Commission  
6 shall be appointed for a term not to exceed 5  
7 years.

8 (B) VACANCIES.—

9 (i) PARTIAL TERM.—A member ap-  
10 pointed to fill a vacancy on the Commis-  
11 sion shall serve for the remainder of the  
12 term for which the predecessor of the  
13 member was appointed.

14 (ii) IN GENERAL.—A vacancy on the  
15 Commission shall be filled in the same  
16 manner as the original appointment was  
17 made.

18 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

19 (A) SELECTION.—The Commission shall  
20 select a Chairperson and Vice Chairperson from  
21 among the members of the Commission.

22 (B) VICE CHAIRPERSON.—The Vice Chair-  
23 person shall serve as the Chairperson in the ab-  
24 sence of the Chairperson.

25 (5) QUORUM.—

1 (A) IN GENERAL.—A majority of the mem-  
2 bers of the Commission shall constitute a  
3 quorum.

4 (B) TRANSACTION.—For the transaction  
5 of any business or the exercise of any power of  
6 the Commission, the Commission shall have the  
7 power to act by a majority vote of the members  
8 present at any meeting at which a quorum is in  
9 attendance.

10 (6) MEETINGS.—

11 (A) IN GENERAL.—The Commission shall  
12 meet at least quarterly at the call of—

13 (i) the Chairperson; or

14 (ii) a majority of the members of the  
15 Commission.

16 (B) NOTICE.—Notice of Commission meet-  
17 ings and agendas for the meetings shall be pub-  
18 lished in local newspapers that are distributed  
19 throughout the Heritage Area.

20 (C) APPLICABLE LAW.—Meetings of the  
21 Commission shall be subject to section 552b of  
22 title 5, United States Code.

23 (7) POWERS OF THE COMMISSION.—To the ex-  
24 tent that Federal funds are appropriated, the Com-  
25 mission may—

1           (A) enter into contracts and execute any  
2 instruments necessary or appropriate to carry  
3 out the purposes for which the Commission is  
4 established, including the authority to procure  
5 temporary and intermittent services and admin-  
6 istrative facilities at rates determined to be rea-  
7 sonable by the Commission to carry out the du-  
8 ties of the Commission;

9           (B) appoint and fix the compensation of  
10 any staff that may be necessary to carry out  
11 the duties of the Commission;

12           (C) request and accept from the head of  
13 any Federal agency, on a reimbursable or non-  
14 reimbursable basis, any personnel of the Fed-  
15 eral agency to the Commission to assist in car-  
16 rying out the duties of the Commission;

17           (D) request and accept from the head of  
18 any State agency or any agency of a political  
19 subdivision of the State, on a reimbursable or  
20 nonreimbursable basis, any personnel of the  
21 agency to the Commission to assist in carrying  
22 out the duties of the Commission;

23           (E) make grants to assist in the develop-  
24 ment and implementation of the management  
25 plan;

1           (F) negotiate and enter into any coopera-  
2           tive agreement, lease, contract, or other ar-  
3           rangement with any person, firm, association,  
4           organization, corporation, or governmental enti-  
5           ty, including Federal, State, tribal, and local  
6           government entities, that is necessary to carry  
7           out the activities of the Commission;

8           (G) seek, accept, and dispose of gifts, be-  
9           quests, grants, or donations of money, personal  
10          property, or services;

11          (H) assist in—

12               (i) developing educational, informa-  
13               tional, and interpretive programs and fa-  
14               cilities; and

15               (ii) any other activities that may pro-  
16               mote the implementation of the manage-  
17               ment plan;

18          (I) use the United States mails in the  
19          same manner as other agencies of the Federal  
20          Government;

21          (J) establish any advisory groups that the  
22          Commission determines to be necessary; and

23          (K) adopt, amend, and enforce bylaws and  
24          rules governing the manner in which—

1 (i) the business of the Commission  
2 may be conducted; and

3 (ii) the powers vested in the Commis-  
4 sion may be exercised.

5 (8) DUTIES OF THE COMMISSION.—To further  
6 the purposes of the Heritage Area, the Commission  
7 shall—

8 (A) in accordance with subsection (d), de-  
9 velop and submit to the Secretary for approval  
10 a management plan;

11 (B) assist units of local government, re-  
12 gional planning organizations, and nonprofit or-  
13 ganizations in implementing the management  
14 plan by—

15 (i) carrying out programs and projects  
16 that recognize, protect, and enhance im-  
17 portant resource values within the Herit-  
18 age Area;

19 (ii) establishing and maintaining in-  
20 terpretive exhibits and programs within the  
21 Heritage Area;

22 (iii) developing recreational and edu-  
23 cational opportunities in the Heritage  
24 Area;

1 (iv) increasing public awareness of,  
2 and appreciation for, natural, historic, sce-  
3 nic, and cultural resources of the Heritage  
4 Area;

5 (v) protecting and restoring historic  
6 sites and buildings in the Heritage Area  
7 that are consistent with the themes of the  
8 Heritage Area;

9 (vi) ensuring that clear, consistent,  
10 and appropriate signs identifying points of  
11 public access and sites of interest are post-  
12 ed throughout the Heritage Area; and

13 (vii) promoting a wide range of part-  
14 nerships among governments, organiza-  
15 tions, and individuals to further the pur-  
16 poses of the Heritage Area;

17 (C) consider the interests of diverse units  
18 of government, businesses, organizations, and  
19 individuals in the Heritage Area in the develop-  
20 ment and implementation of the management  
21 plan;

22 (D) conduct meetings open to the public  
23 regarding the development and implementation  
24 of the management plan;

1 (E) coordinate projects, activities, and pro-  
2 grams with the Erie Canalway National Herit-  
3 age Corridor;

4 (F) for any fiscal year for which Federal  
5 funds have been received by the Commission  
6 under this section—

7 (i) submit an annual report to the  
8 Secretary that describes—

9 (I) the specific performance goals  
10 and accomplishments of the local co-  
11 ordinating entity;

12 (II) the expenses and income of  
13 the local coordinating entity;

14 (III) the amounts and sources of  
15 matching funds;

16 (IV) the amounts leveraged with  
17 Federal funds and the sources of the  
18 leveraging; and

19 (V) any grants made to any other  
20 entities during the fiscal year;

21 (ii) make available to the Secretary  
22 for audit any records containing informa-  
23 tion relating to the expenditure of Federal  
24 funds and any matching funds; and

1 (iii) require, with respect to all agree-  
2 ments authorizing the expenditure of Fed-  
3 eral funds by other organizations, that the  
4 organization receiving the funds make  
5 available to the Secretary for audit all  
6 records and other information concerning  
7 the expenditure of the funds;

8 (G) encourage, by appropriate means and  
9 consistent with the purposes of the Heritage  
10 Area, the economic viability of the Heritage  
11 Area; and

12 (H) assist in the transition of the manage-  
13 ment of the Heritage Area from the Commis-  
14 sion to the local coordinating entity designated  
15 under subsection (b)(4)(A)(ii).

16 (9) COMPENSATION OF MEMBERS.—

17 (A) IN GENERAL.—A member of the Com-  
18 mission shall serve without compensation.

19 (B) TRAVEL EXPENSES.—A member of the  
20 Commission shall be allowed travel expenses, in-  
21 cluding per diem in lieu of subsistence, at rates  
22 authorized for an employee of an agency under  
23 subchapter I of chapter 57 of title 5, United  
24 States Code, while away from the home or reg-

1           ular place of business of the member in the per-  
2           formance of the duties of the Commission.

3           (10) GIFTS.—For purposes of section 170(c) of  
4           the Internal Revenue Code of 1986, any gift or char-  
5           itable contribution to the Commission shall be con-  
6           sidered to be a charitable contribution or gift to the  
7           United States.

8           (11) USE OF FEDERAL FUNDS.—Except as pro-  
9           vided for the leasing of administrative facilities  
10          under paragraph (7)(A), the Commission may not  
11          use Federal funds made available to the Commission  
12          under this section to acquire any real property or in-  
13          terest in real property.

14          (d) MANAGEMENT PLAN.—

15           (1) IN GENERAL.—Not later than 3 years after  
16          the date on which funds are first made available to  
17          carry out this section, the Commission shall submit  
18          to the Secretary for approval a management plan for  
19          the Heritage Area.

20           (2) REQUIREMENTS.—The management plan  
21          shall—

22           (A) include comprehensive policies, strate-  
23          gies, and recommendations for conserving,  
24          funding, managing, and developing the Herit-  
25          age Area;

1 (B) take into consideration existing State,  
2 county, and local plans;

3 (C) include a description of actions that  
4 governments, private organizations, and individ-  
5 uals have agreed to take to protect the natural,  
6 historic, and cultural resources of the Heritage  
7 Area;

8 (D) identify any existing and potential  
9 sources of funding or economic development  
10 strategies to protect, manage, and develop the  
11 Heritage Area;

12 (E) include an inventory of the natural,  
13 historic, scenic, cultural, educational, and rec-  
14 reational resources of the Heritage Area relat-  
15 ing to the themes of the Heritage Area that  
16 should be preserved, restored, managed, devel-  
17 oped, or maintained;

18 (F) establish criteria and identify themati-  
19 cally related sites in Niagara and Erie Coun-  
20 ties, New York, that—

21 (i) may participate in the Heritage  
22 Area; and

23 (ii) shall be included in the boundary  
24 of the Heritage Area;

1 (G) include recommended policies and  
2 strategies for resource management that con-  
3 sider the application of appropriate land and  
4 water management techniques, including the de-  
5 velopment of intergovernmental and interagency  
6 cooperative agreements to protect the natural,  
7 historic, scenic, cultural, educational, and rec-  
8 reational resources of the Heritage Area;

9 (H) describe a program of implementation  
10 for the management plan, including a descrip-  
11 tion of—

12 (i) performance goals;

13 (ii) plans for resource protection, res-  
14 toration, interpretation, enhancement,  
15 management, and development; and

16 (iii) any specific commitments for im-  
17 plementation that have been made by the  
18 local coordinating entity or any govern-  
19 ment, organization, or individual;

20 (I) include an analysis of, and rec-  
21 ommendations for ways in which, Federal,  
22 State, tribal, and local programs would best be  
23 coordinated to further the purposes of this sec-  
24 tion, including an analysis of the role of the  
25 National Park Service in the Heritage Area;

- 1           (J) include an interpretive plan for the  
2 Heritage Area;
- 3           (K) include a business plan that—
- 4               (i) describes the role, operation, fi-  
5 nancing, and functions of—
- 6                   (I) the local coordinating entity;
- 7               and
- 8                   (II) each of the major activities  
9 addressed in the management plan;
- 10              and
- 11              (ii) provides adequate assurances that  
12 the local coordinating entity has the part-  
13 nerships and financial and other resources  
14 necessary to implement the management  
15 plan; and
- 16           (L) includes provisions for—
- 17               (i) the designation under subsection  
18 (b)(4)(A)(ii) of a nonprofit or govern-  
19 mental organization as the local coordi-  
20 nating entity to administer the Heritage  
21 Area consistent with the management plan;
- 22              and
- 23               (ii) the transition of the management  
24 of the Heritage Area from the Commission  
25 to the organization designated as the local

1 coordinating entity at the end of the 5-year  
2 period specified in subsection (b)(4)(A)(i).

3 (3) TERMINATION OF FUNDING.—If the Com-  
4 mission does not submit the management plan to the  
5 Secretary by the date that is 3 years after the date  
6 on which funds are first made available to carry out  
7 this section, the local coordinating entity shall be in-  
8 eligible to receive additional funding under this sec-  
9 tion until the date on which the management plan  
10 is submitted to and approved by the Secretary.

11 (4) APPROVAL AND DISAPPROVAL OF MANAGE-  
12 MENT PLAN.—

13 (A) IN GENERAL.—Not later than 180  
14 days after the date of receipt of the manage-  
15 ment plan under paragraph (1), the Secretary  
16 shall approve or disapprove the management  
17 plan.

18 (B) CONSIDERATIONS.—In determining  
19 whether to approve or disapprove the manage-  
20 ment plan under subparagraph (A), the Sec-  
21 retary shall consider whether—

22 (i) the organization proposed to suc-  
23 ceed the Commission as the local coordi-  
24 nating entity would be representative of  
25 the diverse interests of the Heritage Area,

1 including governments, natural and his-  
2 toric resource protection organizations,  
3 educational institutions, businesses, and  
4 recreational organizations;

5 (ii) the local coordinating entity has  
6 afforded adequate opportunity for public  
7 and governmental involvement, including  
8 public meetings, in the preparation of the  
9 management plan;

10 (iii) the resource protection and inter-  
11 pretation strategies contained in the man-  
12 agement plan, if implemented, would ade-  
13 quately protect the natural, historic, and  
14 cultural resources of the Heritage Area;

15 (iv) the Secretary has received ade-  
16 quate assurances from the appropriate  
17 State, tribal, and local officials whose sup-  
18 port is needed to ensure the effective im-  
19 plementation of the State, tribal, and local  
20 aspects of the management plan; and

21 (v) the local coordinating entity has  
22 demonstrated the financial capability, in  
23 partnership with others, to carry out the  
24 plan.

1 (C) ACTION FOLLOWING DISAPPROVAL.—If  
2 the Secretary disapproves the management plan  
3 under subparagraph (A), the Secretary shall—

4 (i) advise the local coordinating entity  
5 in writing of the reasons for the dis-  
6 approval;

7 (ii) make recommendations for revi-  
8 sions to the management plan; and

9 (iii) not later than 180 days after the  
10 receipt of any proposed revision of the  
11 management plan, approve or disapprove  
12 the proposed revision.

13 (5) AMENDMENTS.—

14 (A) IN GENERAL.—The Secretary shall re-  
15 view and approve any substantial amendments  
16 to the management plan in accordance with  
17 paragraph (4).

18 (B) USE OF FUNDS.—Funds made avail-  
19 able under this section shall not be expended by  
20 the local coordinating entity to implement any  
21 changes made by an amendment described in  
22 subparagraph (A) until the Secretary approves  
23 the amendment.

24 (e) DUTIES AND AUTHORITIES OF THE SEC-  
25 RETARY.—

1 (1) TECHNICAL AND FINANCIAL ASSISTANCE.—

2 (A) IN GENERAL.—On request of the local  
3 coordinating entity, the Secretary may provide  
4 technical and financial assistance, on a reim-  
5 bursable or nonreimbursable basis, to the Herit-  
6 age Area for the development and implementa-  
7 tion of the management plan.

8 (B) COOPERATIVE AGREEMENTS.—The  
9 Secretary may enter into cooperative agree-  
10 ments with the local coordinating entity and  
11 other public or private entities to provide assist-  
12 ance under subparagraph (A).

13 (C) PRIORITY FOR ASSISTANCE.—In pro-  
14 viding assistance under subparagraph (A), the  
15 Secretary shall give priority to actions that as-  
16 sist in—

17 (i) conserving the significant natural,  
18 historic, scenic, and cultural resources of  
19 the Heritage Area; and

20 (ii) providing educational, interpretive,  
21 and recreational opportunities, consistent  
22 with the purposes of the Heritage Area.

23 (2) DETAIL OF DEPARTMENT OF THE INTERIOR  
24 EMPLOYEES.—

1 (A) IN GENERAL.—On request of the Com-  
2 mission, the Secretary may detail to the Com-  
3 mission for each fiscal year in which the Com-  
4 mission is in existence, on a nonreimbursable  
5 basis, 2 employees of the Department of the In-  
6 terior to enable the Commission to carry out  
7 the duties of the Commission.

8 (B) CIVIL SERVICE STATUS.—The detail of  
9 an employee under subparagraph (A) shall be  
10 without interruption or loss of civil service sta-  
11 tus or privilege.

12 (f) RELATIONSHIP TO OTHER FEDERAL AGEN-  
13 CIES.—

14 (1) IN GENERAL.—Nothing in this section af-  
15 fects the authority of a Federal agency to provide  
16 technical or financial assistance under any other law.

17 (2) CONSULTATION AND COORDINATION.—The  
18 head of any Federal agency planning to conduct ac-  
19 tivities that may have an impact on the Heritage  
20 Area is encouraged to consult and coordinate the ac-  
21 tivities with the Secretary and the local coordinating  
22 entity to the maximum extent practicable.

23 (3) OTHER FEDERAL AGENCIES.—Nothing in  
24 this section—

1 (A) modifies, alters, or amends any law or  
2 regulation authorizing a Federal agency to  
3 manage Federal land under the jurisdiction of  
4 the Federal agency;

5 (B) limits the discretion of a Federal land  
6 manager to implement an approved land use  
7 plan within the boundaries of the Heritage  
8 Area; or

9 (C) modifies, alters, or amends any author-  
10 ized use of Federal land under the jurisdiction  
11 of a Federal agency.

12 (g) PRIVATE PROPERTY AND REGULATORY PROTEC-  
13 TIONS.—Nothing in this section—

14 (1) abridges the rights of any property owner  
15 (whether public or private), including the right to re-  
16 frain from participating in any plan, project, pro-  
17 gram, or activity conducted within the Heritage  
18 Area;

19 (2) requires any property owner to permit pub-  
20 lic access (including access by Federal, State, or  
21 local agencies) to the property of the property  
22 owner, or to modify public access or use of property  
23 of the property owner under any other Federal,  
24 State, or local law;

1           (3) alters any duly adopted land use regulation,  
2 approved land use plan, or other regulatory author-  
3 ity of any Federal, State, or local agency, or conveys  
4 any land use or other regulatory authority to the  
5 local coordinating entity;

6           (4) authorizes or implies the reservation or ap-  
7 propriation of water or water rights;

8           (5) diminishes the authority of the State to  
9 manage fish and wildlife, including the regulation of  
10 fishing and hunting within the Heritage Area; or

11           (6) creates any liability, or affects any liability  
12 under any other law, of any private property owner  
13 with respect to any person injured on the private  
14 property.

15 (h) EVALUATION; REPORT.—

16           (1) IN GENERAL.—Not later than 3 years be-  
17 fore the date on which authority for Federal funding  
18 terminates for the Heritage Area, the Secretary  
19 shall—

20                   (A) conduct an evaluation of the accom-  
21 plishments of the Heritage Area; and

22                   (B) prepare a report in accordance with  
23 paragraph (3).

24           (2) EVALUATION.—An evaluation conducted  
25 under paragraph (1)(A) shall—

1 (A) assess the progress of the local coordi-  
2 nating entity with respect to—

3 (i) accomplishing the purposes of this  
4 section for the Heritage Area; and

5 (ii) achieving the goals and objectives  
6 of the approved management plan for the  
7 Heritage Area;

8 (B) analyze the Federal, State, local, and  
9 private investments in the Heritage Area to de-  
10 termine the leverage and impact of the invest-  
11 ments; and

12 (C) review the management structure,  
13 partnership relationships, and funding of the  
14 Heritage Area for purposes of identifying the  
15 critical components for sustainability of the  
16 Heritage Area.

17 (3) REPORT.—

18 (A) IN GENERAL.—Based on the evalua-  
19 tion conducted under paragraph (1)(A), the  
20 Secretary shall prepare a report that includes  
21 recommendations for the future role of the Na-  
22 tional Park Service, if any, with respect to the  
23 Heritage Area.

24 (B) REQUIRED ANALYSIS.—If the report  
25 prepared under subparagraph (A) recommends

1 that Federal funding for the Heritage Area be  
2 reauthorized, the report shall include an anal-  
3 ysis of—

4 (i) ways in which Federal funding for  
5 the Heritage Area may be reduced or  
6 eliminated; and

7 (ii) the appropriate time period nec-  
8 essary to achieve the recommended reduc-  
9 tion or elimination.

10 (C) SUBMISSION TO CONGRESS.—On com-  
11 pletion of the report, the Secretary shall submit  
12 the report to—

13 (i) the Committee on Energy and  
14 Natural Resources of the Senate; and

15 (ii) the Committee on Natural Re-  
16 sources of the House of Representatives.

17 (i) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There is authorized to be  
19 appropriated to carry out this section \$10,000,000,  
20 of which not more than \$1,000,000 may be appro-  
21 priated for any fiscal year.

22 (2) COST-SHARING REQUIREMENT.—The Fed-  
23 eral share of the cost of any activity carried out  
24 using any assistance made available under this sec-  
25 tion shall be not more than 50 percent.

1 (j) TERMINATION OF AUTHORITY.—The authority of  
2 the Secretary to provide financial assistance under this  
3 section terminates on the date that is 15 years after the  
4 date of enactment of this Act.

5 **SEC. 238. ABRAHAM LINCOLN NATIONAL HERITAGE AREA.**

6 (a) DEFINITIONS.—In this section:

7 (1) HERITAGE AREA.—The term “Heritage  
8 Area” means the Abraham Lincoln National Herit-  
9 age Area established by subsection (b)(1).

10 (2) MANAGEMENT ENTITY.—The term “man-  
11 agement entity” means the management entity for  
12 the Heritage Area designated by subsection (c)(1).

13 (3) MANAGEMENT PLAN.—The term “manage-  
14 ment plan” means the plan developed by the man-  
15 agement entity under subsection (d)(1).

16 (4) SECRETARY.—The term “Secretary” means  
17 the Secretary of the Interior.

18 (5) STATE.—The term “State” means the State  
19 of Illinois.

20 (b) ESTABLISHMENT OF ABRAHAM LINCOLN NA-  
21 TIONAL HERITAGE AREA.—

22 (1) IN GENERAL.—There is established in the  
23 State the Abraham Lincoln National Heritage Area.

24 (2) BOUNDARIES.—The Heritage Area shall in-  
25 clude—

1 (A) a core area located in central Illinois,  
2 consisting of Adams, Brown, Calhoun, Cass,  
3 Champaign, Christian, Clark, Coles, Cum-  
4 berland, Dewitt, Douglas, Edgar, Fayette, Ful-  
5 ton, Greene, Hancock, Henderson, Jersey,  
6 Knox, LaSalle, Logan, Macon, Macoupin, Madi-  
7 son, Mason, McDonough, McLean, Menard,  
8 Montgomery, Morgan, Moultrie, Peoria, Piatt,  
9 Pike, Sangamon, Schuyler, Scott, Shelby,  
10 Tazwell, Vermillion, Warren, and Woodford  
11 counties;

12 (B) any sites, buildings, and districts with-  
13 in the core area that are recommended in the  
14 management plan; and

15 (C) each of the following sites:

16 (i) Lincoln Home National Historic  
17 Site.

18 (ii) Lincoln Tomb State Historic Site.

19 (iii) Lincoln's New Salem State His-  
20 toric Site.

21 (iv) Abraham Lincoln Presidential Li-  
22 brary & Museum.

23 (v) Thomas and Sara Bush Lincoln  
24 Log Cabin and Living History Farm State  
25 Historic Site.

1 (vi) Mt. Pulaski, Postville State His-  
2 toric Sites and Metamora Courthouse.

3 (vii) Lincoln-Herndon Law Offices  
4 State Historic Site.

5 (viii) David Davis Mansion State His-  
6 toric Site.

7 (ix) Vandalia Statehouse State His-  
8 toric Site.

9 (x) Lincoln Douglas Debate Museum.

10 (xi) Macon County Log Court House.

11 (xii) Richard J. Oglesby Mansion.

12 (xiii) Lincoln Trail Homestead State  
13 Memorial.

14 (xiv) Governor John Wood Mansion.

15 (xv) Beardstown Courthouse.

16 (xvi) Old Main at Knox College.

17 (xvii) Carl Sandburg Home State His-  
18 toric Site.

19 (xviii) Bryant Cottage State Historic  
20 Site.

21 (xix) Dr. William Fithian Home.

22 (xx) Vermillion County Museum.

23 (3) MAP.—A map of the Heritage Area shall  
24 be—

25 (A) included in the management plan; and

1 (B) on file in the appropriate offices of the  
2 National Park Service.

3 (c) DESIGNATION OF COALITION AS MANAGEMENT  
4 ENTITY.—

5 (1) MANAGEMENT ENTITY.—The Looking for  
6 Lincoln Heritage Coalition shall be the management  
7 entity for the Heritage Area.

8 (2) AUTHORITIES OF MANAGEMENT ENTITY.—  
9 The management entity may, for purposes of pre-  
10 paring and implementing the management plan, use  
11 Federal funds made available under this section—

12 (A) to prepare reports, studies, interpretive  
13 exhibits and programs, historic preservation  
14 projects, and other activities recommended in  
15 the management plan for the Heritage Area;

16 (B) to pay for operational expenses of the  
17 management entity;

18 (C) to make grants to the State, political  
19 subdivisions of the State, nonprofit organiza-  
20 tions, and other persons;

21 (D) to enter into cooperative agreements  
22 with the State, political subdivisions of the  
23 State, nonprofit organizations, and other orga-  
24 nizations;

25 (E) to hire and compensate staff;

1 (F) to obtain funds or services from any  
2 source, including funds and services provided  
3 under any other Federal program or law; and

4 (G) to contract for goods and services.

5 (3) DUTIES OF MANAGEMENT ENTITY.—To fur-  
6 ther the purposes of the Heritage Area, the manage-  
7 ment entity shall—

8 (A) prepare a management plan for the  
9 Heritage Area in accordance with subsection  
10 (d);

11 (B) give priority to the implementation of  
12 actions, goals, and strategies set forth in the  
13 management plan, including assisting units of  
14 government and other persons in—

15 (i) carrying out programs and projects  
16 that recognize and protect important re-  
17 source values in the Heritage Area;

18 (ii) encouraging economic viability in  
19 the Heritage Area in accordance with the  
20 goals of the management plan;

21 (iii) establishing and maintaining in-  
22 terpretive exhibits in the Heritage Area;

23 (iv) developing heritage-based rec-  
24 reational and educational opportunities for  
25 residents and visitors in the Heritage Area;

- 1 (v) increasing public awareness of and  
2 appreciation for the natural, historic, and  
3 cultural resources of the Heritage Area;
- 4 (vi) restoring historic buildings that  
5 are—
- 6 (I) located in the Heritage Area;  
7 and  
8 (II) related to the themes of the  
9 Heritage Area; and
- 10 (vii) installing throughout the Herit-  
11 age Area clear, consistent, and appropriate  
12 signs identifying public access points and  
13 sites of interest;
- 14 (C) consider the interests of diverse units  
15 of government, businesses, tourism officials,  
16 private property owners, and nonprofit groups  
17 within the Heritage Area in developing and im-  
18 plementing the management plan;
- 19 (D) conduct public meetings at least semi-  
20 annually regarding the development and imple-  
21 mentation of the management plan; and
- 22 (E) for any fiscal year for which Federal  
23 funds are received under this section—
- 24 (i) submit to the Secretary an annual  
25 report that describes—

1 (I) the accomplishments of the  
2 management entity;

3 (II) the expenses and income of  
4 the management entity; and

5 (III) the entities to which the  
6 management entity made any grants;

7 (ii) make available for audit all  
8 records relating to the expenditure of the  
9 Federal funds and any matching funds;  
10 and

11 (iii) require, with respect to all agree-  
12 ments authorizing the expenditure of Fed-  
13 eral funds by other organizations, that the  
14 receiving organizations make available for  
15 audit all records relating to the expendi-  
16 ture of the Federal funds.

17 (4) PROHIBITION ON ACQUISITION OF REAL  
18 PROPERTY.—

19 (A) IN GENERAL.—The management entity  
20 shall not use Federal funds received under this  
21 section to acquire real property or any interest  
22 in real property.

23 (B) OTHER SOURCES.—Nothing in this  
24 section precludes the management entity from  
25 using Federal funds from other sources for au-

1           thorized purposes, including the acquisition of  
2           real property or any interest in real property.

3           (d) MANAGEMENT PLAN.—

4           (1) IN GENERAL.—Not later than 3 years after  
5           the date on which funds are first made available to  
6           carry out this section, the management entity shall  
7           prepare and submit for review to the Secretary a  
8           management plan for the Heritage Area.

9           (2) CONTENTS.—The management plan for the  
10          Heritage Area shall—

11           (A) include comprehensive policies, strate-  
12           gies, and recommendations for the conservation,  
13           funding, management, and development of the  
14           Heritage Area;

15           (B) take into consideration existing State,  
16           county, and local plans;

17           (C) specify the existing and potential  
18           sources of funding to protect, manage, and de-  
19           velop the Heritage Area during the first 5 years  
20           of implementation of the management plan;

21           (D) include—

22           (i) a description of actions that gov-  
23           ernments, private organizations, and indi-  
24           viduals have agreed to take to protect the

1 natural, historic, and cultural resources of  
2 the Heritage Area;

3 (ii) an inventory of the natural, his-  
4 toric, cultural, education, scenic, and rec-  
5 reational resources of the Heritage Area  
6 relating to the themes of the Heritage  
7 Area that should be preserved, restored,  
8 managed, developed or maintained; and

9 (iii) an interpretive plan for the Herit-  
10 age Area; and

11 (E) describe a program of implementation  
12 for the management plan, including—

13 (i) plans for resource protection, res-  
14 toration, and construction; and

15 (ii) specific commitments for imple-  
16 mentation during the first 5 years of im-  
17 plementation.

18 (3) DISQUALIFICATION FROM FUNDING.—If a  
19 proposed management plan is not submitted to the  
20 Secretary by the date that is 3 years after the date  
21 on which funds are first made available to carry out  
22 this section, the management entity may not receive  
23 additional funding under this section until the date  
24 on which the Secretary receives and approves the  
25 proposed management plan.

1           (4) APPROVAL AND DISAPPROVAL OF MANAGE-  
2           MENT PLAN.—

3           (A) IN GENERAL.—Not later than 180  
4           days after the date on which the management  
5           entity submits the management plan to the Sec-  
6           retary, the Secretary shall approve or dis-  
7           approve the proposed management plan.

8           (B) CONSIDERATIONS.—In determining  
9           whether to approve or disapprove the manage-  
10          ment plan, the Secretary shall consider wheth-  
11          er—

12           (i) the management entity is rep-  
13           resentative of the diverse interests of the  
14           Heritage Area, including governments, nat-  
15           ural and historic resource protection orga-  
16           nizations, educational institutions, busi-  
17           nesses, and recreational organizations;

18           (ii) the management entity has pro-  
19           vided adequate opportunities (including  
20           public hearings) for public and govern-  
21           mental involvement in the preparation of  
22           the management plan;

23           (iii) the resource protection and inter-  
24           pretation strategies contained in the man-  
25           agement plan, if implemented, would ade-

1           quately protect the natural, historic, and  
2           cultural resources of the Heritage Area;  
3           and

4           (iv) the management plan is sup-  
5           ported by the appropriate State and local  
6           officials, the cooperation of which is needed  
7           to ensure the effective implementation of  
8           the State and local aspects of the manage-  
9           ment plan.

10           (C) DISAPPROVAL AND REVISIONS.—

11           (i) IN GENERAL.—If the Secretary  
12           disapproves a proposed management plan,  
13           the Secretary shall—

14                   (I) advise the management enti-  
15                   ty, in writing, of the reasons for the  
16                   disapproval; and

17                   (II) make recommendations for  
18                   revision of the proposed management  
19                   plan.

20           (ii) APPROVAL OR DISAPPROVAL.—  
21           The Secretary shall approve or disapprove  
22           a revised management plan not later than  
23           180 days after the date on which the re-  
24           vised management plan is submitted.

25           (5) APPROVAL OF AMENDMENTS.—

1           (A) IN GENERAL.—The Secretary shall re-  
2 view and approve or disapprove substantial  
3 amendments to the management plan in accord-  
4 ance with paragraph (4).

5           (B) FUNDING.—Funds appropriated under  
6 this section may not be expended to implement  
7 any changes made by an amendment to the  
8 management plan until the Secretary approves  
9 the amendment.

10       (e) RELATIONSHIP TO OTHER FEDERAL AGEN-  
11 CIES.—

12           (1) IN GENERAL.—Nothing in this section af-  
13 fects the authority of a Federal agency to provide  
14 technical or financial assistance under any other law.

15           (2) CONSULTATION AND COORDINATION.—The  
16 head of any Federal agency planning to conduct ac-  
17 tivities that may have an impact on the Heritage  
18 Area is encouraged to consult and coordinate the ac-  
19 tivities with the Secretary and the management enti-  
20 ty to the maximum extent practicable.

21           (3) OTHER FEDERAL AGENCIES.—Nothing in  
22 this section—

23           (A) modifies, alters, or amends any law or  
24 regulation authorizing a Federal agency to

1 manage Federal land under the jurisdiction of  
2 the Federal agency;

3 (B) limits the discretion of a Federal land  
4 manager to implement an approved land use  
5 plan within the boundaries of the Heritage  
6 Area; or

7 (C) modifies, alters, or amends any author-  
8 ized use of Federal land under the jurisdiction  
9 of a Federal agency.

10 (f) PRIVATE PROPERTY AND REGULATORY PROTEC-  
11 TIONS.—Nothing in this section—

12 (1) abridges the rights of any property owner  
13 (whether public or private), including the right to re-  
14 frain from participating in any plan, project, pro-  
15 gram, or activity conducted within the Heritage  
16 Area;

17 (2) requires any property owner to permit pub-  
18 lic access (including access by Federal, State, or  
19 local agencies) to the property of the property  
20 owner, or to modify public access or use of property  
21 of the property owner under any other Federal,  
22 State, or local law;

23 (3) alters any duly adopted land use regulation,  
24 approved land use plan, or other regulatory author-  
25 ity of any Federal, State, or local agency, or conveys

1 any land use or other regulatory authority to the  
2 management entity;

3 (4) authorizes or implies the reservation or ap-  
4 propriation of water or water rights;

5 (5) diminishes the authority of the State to  
6 manage fish and wildlife, including the regulation of  
7 fishing and hunting within the Heritage Area; or

8 (6) creates any liability, or affects any liability  
9 under any other law, of any private property owner  
10 with respect to any person injured on the private  
11 property.

12 (g) EVALUATION; REPORT.—

13 (1) IN GENERAL.—Not later than 3 years be-  
14 fore the date on which authority for Federal funding  
15 terminates for the Heritage Area, the Secretary  
16 shall—

17 (A) conduct an evaluation of the accom-  
18 plishments of the Heritage Area; and

19 (B) prepare a report in accordance with  
20 paragraph (3).

21 (2) EVALUATION.—An evaluation conducted  
22 under paragraph (1)(A) shall—

23 (A) assess the progress of the management  
24 entity with respect to—

1 (i) accomplishing the purposes of this  
2 section for the Heritage Area; and

3 (ii) achieving the goals and objectives  
4 of the approved management plan for the  
5 Heritage Area;

6 (B) analyze the Federal, State, local, and  
7 private investments in the Heritage Area to de-  
8 termine the leverage and impact of the invest-  
9 ments; and

10 (C) review the management structure,  
11 partnership relationships, and funding of the  
12 Heritage Area for purposes of identifying the  
13 critical components for sustainability of the  
14 Heritage Area.

15 (3) REPORT.—

16 (A) IN GENERAL.—Based on the evalua-  
17 tion conducted under paragraph (1)(A), the  
18 Secretary shall prepare a report that includes  
19 recommendations for the future role of the Na-  
20 tional Park Service, if any, with respect to the  
21 Heritage Area.

22 (B) REQUIRED ANALYSIS.—If the report  
23 prepared under subparagraph (A) recommends  
24 that Federal funding for the Heritage Area be

1 reauthorized, the report shall include an anal-  
2 ysis of—

3 (i) ways in which Federal funding for  
4 the Heritage Area may be reduced or  
5 eliminated; and

6 (ii) the appropriate time period nec-  
7 essary to achieve the recommended reduc-  
8 tion or elimination.

9 (C) SUBMISSION TO CONGRESS.—On com-  
10 pletion of the report, the Secretary shall submit  
11 the report to—

12 (i) the Committee on Energy and  
13 Natural Resources of the Senate; and

14 (ii) the Committee on Natural Re-  
15 sources of the House of Representatives.

16 (h) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There is authorized to be  
18 appropriated to carry out this section \$10,000,000,  
19 of which not more than \$1,000,000 may be author-  
20 ized to be appropriated for any fiscal year.

21 (2) COST-SHARING REQUIREMENT.—The Fed-  
22 eral share of the cost of any activity carried out  
23 using funds made available under this section shall  
24 be not more than 50 percent.

1 (i) TERMINATION OF AUTHORITY.—The authority of  
2 the Secretary to provide financial assistance under this  
3 section terminates on the date that is 15 years after the  
4 date of enactment of this Act.

5 **SEC. 239. CHATTAHOOCHEE TRACE NATIONAL HERITAGE**  
6 **CORRIDOR.**

7 (a) DEFINITIONS.—In this section:

8 (1) CORRIDOR.—The term “Corridor” means  
9 the Chattahoochee Trace National Heritage Cor-  
10 ridor.

11 (2) SECRETARY.—The term “Secretary” means  
12 the Secretary of the Interior.

13 (3) STUDY AREA.—The term “study area”  
14 means the study area described in subsection (b)(2).

15 (b) STUDY.—

16 (1) IN GENERAL.—The Secretary, in consulta-  
17 tion with State historic preservation officers, State  
18 historical societies, State tourism offices, and other  
19 appropriate organizations or agencies, shall conduct  
20 a study to assess the suitability and feasibility of  
21 designating the study area as the Chattahoochee  
22 Trace National Heritage Corridor.

23 (2) STUDY AREA.—The study area includes—

24 (A) the portion of the Apalachicola-Chat-  
25 tahoochee-Flint River Basin and surrounding

1 areas, as generally depicted on the map entitled  
2 “Chattahoochee Trace National Heritage Cor-  
3 ridor, Alabama/Georgia”, numbered T05/80000,  
4 and dated July 2007; and

5 (B) any other areas in the State of Ala-  
6 bama or Georgia that—

7 (i) have heritage aspects that are  
8 similar to the areas depicted on the map  
9 described in subparagraph (A); and

10 (ii) are adjacent to, or in the vicinity  
11 of, those areas.

12 (3) REQUIREMENTS.—The study shall include  
13 analysis, documentation, and determinations on  
14 whether the study area—

15 (A) has an assemblage of natural, historic,  
16 and cultural resources that—

17 (i) represent distinctive aspects of the  
18 heritage of the United States;

19 (ii) are worthy of recognition, con-  
20 servation, interpretation, and continuing  
21 use; and

22 (iii) would be best managed—

23 (I) through partnerships among  
24 public and private entities; and

1 (II) by linking diverse and some-  
2 times noncontiguous resources and ac-  
3 tive communities;

4 (B) reflects traditions, customs, beliefs,  
5 and folklife that are a valuable part of the story  
6 of the United States;

7 (C) provides—

8 (i) outstanding opportunities to con-  
9 serve natural, historic, cultural, or scenic  
10 features; and

11 (ii) outstanding recreational and edu-  
12 cational opportunities;

13 (D) contains resources that—

14 (i) are important to any identified  
15 themes of the study area; and

16 (ii) retain a degree of integrity capa-  
17 ble of supporting interpretation;

18 (E) includes residents, business interests,  
19 nonprofit organizations, and State and local  
20 governments that—

21 (i) are involved in the planning of the  
22 Corridor;

23 (ii) have developed a conceptual finan-  
24 cial plan that outlines the roles of all par-

1                    participants in the Corridor, including the  
2                    Federal Government; and

3                    (iii) have demonstrated support for  
4                    the designation of the Corridor;

5                    (F) has a potential management entity to  
6                    work in partnership with the individuals and  
7                    entities described in subparagraph (E) to de-  
8                    velop the Corridor while encouraging State and  
9                    local economic activity; and

10                    (G) has a conceptual boundary map that is  
11                    supported by the public.

12                    (c) REPORT.—Not later than the 3rd fiscal year after  
13                    the date on which funds are first made available to carry  
14                    out this section, the Secretary shall submit to the Com-  
15                    mittee on Natural Resources of the House of Representa-  
16                    tives and the Committee on Energy and Natural Re-  
17                    sources of the Senate a report that describes—

18                    (1) the findings of the study; and

19                    (2) any conclusions and recommendations of the  
20                    Secretary.

21 **SEC. 240. STUDY OF SITES RELATING TO ABRAHAM LIN-**  
22 **COLN IN KENTUCKY.**

23                    (a) DEFINITIONS.—In this section:

1           (1) HERITAGE AREA.—The term “Heritage  
2 Area” means a National Heritage Area in the State  
3 to honor Abraham Lincoln.

4           (2) STATE.—The term “State” means the Com-  
5 monwealth of Kentucky.

6           (3) STUDY AREA.—The term “study area”  
7 means the study area described in subsection (b)(2).

8 (b) STUDY.—

9           (1) IN GENERAL.—The Secretary, in consulta-  
10 tion with the Kentucky Historical Society, other  
11 State historical societies, the State Historic Preser-  
12 vation Officer, State tourism offices, and other ap-  
13 propriate organizations and agencies, shall conduct a  
14 study to assess the suitability and feasibility of des-  
15 ignating the study area as a National Heritage Area  
16 in the State to honor Abraham Lincoln.

17           (2) DESCRIPTION OF STUDY AREA.—The study  
18 area shall include—

19           (A) Boyle, Breckinridge, Fayette, Frank-  
20 lin, Hardin, Jefferson, Jessamine, Larue, Madi-  
21 son, Mercer, and Washington Counties in the  
22 State; and

23           (B) the following sites in the State:

24           (i) The Abraham Lincoln Birthplace  
25 National Historic Site.

- 1 (ii) The Abraham Lincoln Boyhood  
2 Home Unit.
- 3 (iii) Downtown Hodgenville, Ken-  
4 tucky, including the Lincoln Museum and  
5 Adolph A. Weinman statue.
- 6 (iv) Lincoln Homestead State Park  
7 and Mordecai Lincoln House.
- 8 (v) Camp Nelson Heritage Park.
- 9 (vi) Farmington Historic Home.
- 10 (vii) The Mary Todd Lincoln House.
- 11 (viii) Ashland, which is the Henry  
12 Clay Estate.
- 13 (ix) The Old State Capitol.
- 14 (x) The Kentucky Military History  
15 Museum.
- 16 (xi) The Thomas D. Clark Center for  
17 Kentucky History.
- 18 (xii) The New State Capitol.
- 19 (xiii) Whitehall.
- 20 (xiv) Perryville Battlefield State His-  
21 toric Site.
- 22 (xv) The Joseph Holt House.
- 23 (xvi) Elizabethtown, Kentucky, includ-  
24 ing the Lincoln Heritage House.

1 (xvii) Lincoln Marriage Temple at  
2 Fort Harrod.

3 (3) REQUIREMENTS.—The study shall include  
4 analysis, documentation, and determinations on  
5 whether the study area—

6 (A) has an assemblage of natural, historic,  
7 and cultural resources that—

8 (i) interpret—

9 (I) the life of Abraham Lincoln;  
10 and

11 (II) the contributions of Abra-  
12 ham Lincoln to the United States;

13 (ii) represent distinctive aspects of the  
14 heritage of the United States;

15 (iii) are worthy of recognition, con-  
16 servation, interpretation, and continuing  
17 use; and

18 (iv) would be best managed—

19 (I) through partnerships among  
20 public and private entities; and

21 (II) by linking diverse and some-  
22 times noncontiguous resources and ac-  
23 tive communities;

1 (B) reflects traditions, customs, beliefs,  
2 and historical events that are a valuable part of  
3 the story of the United State;

4 (C) provides—

5 (i) outstanding opportunities to con-  
6 serve natural, historic, cultural, or scenic  
7 features; and

8 (ii) outstanding educational opportu-  
9 nities;

10 (D) contains resources that—

11 (i) are important to any identified  
12 themes of the study area; and

13 (ii) retain a degree of integrity capa-  
14 ble of supporting interpretation;

15 (E) includes residents, business interests,  
16 nonprofit organizations, and State and local  
17 governments that—

18 (i) are involved in the planning of the  
19 Heritage Area;

20 (ii) have developed a conceptual finan-  
21 cial plan that outlines the roles of all par-  
22 ticipants in the Heritage Area, including  
23 the Federal Government; and

24 (iii) have demonstrated support for  
25 designation of the Heritage Area;

1           (F) has a potential management entity to  
2           work in partnership with the individuals and  
3           entities described in subparagraph (E) to de-  
4           velop the Heritage Area while encouraging  
5           State and local economic activity; and

6           (G) has a conceptual boundary map that is  
7           supported by the public.

8           (c) REPORT.—Not later than the third fiscal year  
9           after the date on which funds are first made available to  
10          carry out this section, the Secretary shall submit to the  
11          Committee on Natural Resources of the House of Rep-  
12          resentatives and the Committee on Energy and Natural  
13          Resources of the Senate a report that describes—

14                 (1) the findings of the study; and

15                 (2) any conclusions and recommendations of the  
16          Secretary.

1 **TITLE III—BUREAU OF REC-**  
2 **LAMATION AND UNITED**  
3 **STATES GEOLOGICAL SURVEY**  
4 **AUTHORIZATIONS**

5 **SEC. 301. EXTENSION OF PARTICIPATION OF BUREAU OF**  
6 **RECLAMATION IN DESCHUTES RIVER CON-**  
7 **SERVANCY.**

8 Section 301 of the Oregon Resource Conservation Act  
9 of 1996 (division B of Public Law 104–208; 110 Stat.  
10 3009–534) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking  
13 “Deschutes River Basin Working Group” and  
14 inserting “Deschutes River Conservancy Work-  
15 ing Group”; and

16 (B) by striking paragraph (5) and insert-  
17 ing the following:

18 “(5) QUORUM.—The term ‘quorum’ means 8 of  
19 those qualified Working Group members appointed  
20 and eligible to serve.”;

21 (2) in subsection (b)(3), by inserting before the  
22 period at the end the following: “, and up to a total  
23 amount of \$2,000,000 during each of fiscal years  
24 2007 through 2016”; and

1           (3) in subsection (h), by inserting before the pe-  
2           riod at the end the following: “, and \$2,000,000 for  
3           each of fiscal years 2007 through 2016”.

4 **SEC. 302. WALLOWA LAKE DAM REHABILITATION PRO-**  
5 **GRAM.**

6           (a) **DEFINITIONS.**—In this section:

7           (1) **ASSOCIATED DITCH COMPANIES, INCOR-**  
8 **PORATED.**—The term “Associated Ditch Companies,  
9           Incorporated” means the nonprofit corporation es-  
10          tablished under the laws of the State of Oregon that  
11          operates Wallowa Lake Dam.

12          (2) **SECRETARY.**—The term “Secretary” means  
13          the Secretary of the Interior, acting through the  
14          Commissioner of Reclamation.

15          (3) **WALLOWA LAKE DAM REHABILITATION**  
16 **PROGRAM.**—The term “Wallowa Lake Dam Reha-  
17          bilitation Program” means the program for the re-  
18          habilitation of the Wallowa Lake Dam in Oregon, as  
19          contained in the engineering document entitled,  
20          “Phase I Dam Assessment and Preliminary Engi-  
21          neering Design”, dated December 2002, and on file  
22          with the Bureau of Reclamation.

23          (b) **AUTHORIZATION TO PARTICIPATE IN PRO-**  
24 **GRAM.**—

1           (1) GRANTS AND COOPERATIVE AGREE-  
2           MENTS.—The Secretary may provide grants to, or  
3           enter into cooperative or other agreements with,  
4           tribal, State, and local governmental entities and the  
5           Associated Ditch Companies, Incorporated, to plan,  
6           design, and construct facilities needed to implement  
7           the Wallowa Lake Dam Rehabilitation Program.

8           (2) CONDITIONS.—As a condition of providing  
9           funds under paragraph (1), the Secretary shall en-  
10          sure that—

11                   (A) the Wallowa Lake Dam Rehabilitation  
12                   Program and any activities under this section  
13                   meet the standards of the dam safety program  
14                   of the State of Oregon;

15                   (B) the Associated Ditch Companies, In-  
16                   corporated, agrees to assume liability for any  
17                   work performed, or supervised, with Federal  
18                   funds provided to Associated Ditch Companies,  
19                   Incorporated, under this section; and

20                   (C) the United States shall not be liable  
21                   for damages of any kind arising out of any act,  
22                   omission, or occurrence relating to a facility re-  
23                   habilitated or constructed with Federal funds  
24                   provided under this section, regardless of

1           whether the damages arose during or after the  
2           rehabilitation or construction.

3           (3) COST SHARING.—

4                 (A) IN GENERAL.—The Federal share of  
5           the costs of activities authorized under this sec-  
6           tion shall not exceed 50 percent.

7                 (B) EXCLUSIONS FROM FEDERAL  
8           SHARE.—There shall not be credited against  
9           the Federal share of the costs of activities au-  
10          thorized under this section—

11                     (i) any expenditure by the Bonneville  
12           Power Administration in the Wallowa  
13           River watershed; and

14                     (ii) expenditures made by individual  
15           agricultural producers in any Federal com-  
16           modity or conservation program.

17           (4) COMPLIANCE WITH STATE LAW.—In car-  
18          rying out this section, the Secretary shall comply  
19          with applicable Oregon State water law.

20           (5) PROHIBITION ON HOLDING TITLE.—The  
21          Federal Government shall not hold title to any facil-  
22          ity rehabilitated or constructed under this section.

23           (6) PROHIBITION ON OPERATION AND MAINTEN-  
24          NANCE.—The Federal Government shall not be re-  
25          sponsible for the operation and maintenance of any

1 facility constructed or rehabilitated under this sec-  
2 tion.

3 (c) RELATIONSHIP TO OTHER LAW.—Activities fund-  
4 ed under this section shall not be considered a supple-  
5 mental or additional benefit under Federal reclamation  
6 law (the Act of June 17, 1902 (32 Stat. 388, chapter  
7 1093), and Acts supplemental to and amendatory of that  
8 Act (43 U.S.C. 371 et seq.)).

9 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
10 authorized to be appropriated to the Secretary to pay the  
11 Federal share of the costs of activities authorized under  
12 this section \$6,000,000.

13 (e) TERMINATION OF AUTHORITY.—The authority of  
14 the Secretary to carry out any provisions of this section  
15 shall terminate 10 years after the date of enactment of  
16 this Act.

17 **SEC. 303. LITTLE BUTTE/BEAR CREEK SUBBASINS, OREGON,**  
18 **WATER RESOURCE STUDY.**

19 (a) AUTHORIZATION.—The Secretary of the Interior,  
20 acting through the Bureau of Reclamation, may partici-  
21 pate in the Water for Irrigation, Streams and the Econ-  
22 omy Project water management feasibility study and envi-  
23 ronmental impact statement in accordance with the  
24 “Memorandum of Agreement Between City of Medford

1 and Bureau of Reclamation for the Water for Irrigation,  
2 Streams, and the Economy Project”, dated July 2, 2004.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—There is authorized to be  
5 appropriated to the Bureau of Reclamation  
6 \$500,000 to carry out activities under this section.

7 (2) NON-FEDERAL SHARE.—

8 (A) IN GENERAL.—The non-Federal share  
9 shall be 50 percent of the total costs of the Bu-  
10 reau of Reclamation in carrying out subsection  
11 (a).

12 (B) FORM.—The non-Federal share re-  
13 quired under subparagraph (A) may be in the  
14 form of any in-kind services that the Secretary  
15 of the Interior determines would contribute sub-  
16 stantially toward the conduct and completion of  
17 the study and environmental impact statement  
18 required under subsection (a).

19 **SEC. 304. NORTH UNIT IRRIGATION DISTRICT.**

20 The Act of August 10, 1954 (68 Stat. 679, chapter  
21 663), is amended—

22 (1) in the first section—

23 (A) by inserting “(referred to in this Act  
24 as the ‘District’)” after “irrigation district”;  
25 and

1 (B) by inserting “(referred to in this Act  
2 as the ‘Contract’)” after “1953”; and

3 (2) by adding at the end the following:

4 **“SEC. 3. ADDITIONAL TERMS.**

5 “On approval of the District directors and notwith-  
6 standing project authorizing legislation to the contrary,  
7 the Contract is modified, without further action by the  
8 Secretary of the Interior, to include the following modi-  
9 fications:

10 “(1) In Article 8(a) of the Contract, by deleting  
11 ‘a maximum of 50,000’ and inserting ‘approximately  
12 59,000’ after ‘irrigation service to’.

13 “(2) In Article 11(a) of the Contract, by delet-  
14 ing ‘The classified irrigable lands within the project  
15 comprise 49,817.75 irrigable acres, of which  
16 35,773.75 acres are in Class A and 14,044.40 in  
17 Class B. These lands and the standards upon which  
18 the classification was made are described in the doc-  
19 ument entitled “Land Classification, North Unit,  
20 Deschutes Project, 1953” which is on file in the of-  
21 fice of the Regional Director, Bureau of Reclama-  
22 tion, Boise, Idaho, and in the office of the District’  
23 and inserting ‘The classified irrigable land within  
24 the project comprises 58,902.8 irrigable acres, all of  
25 which are authorized to receive irrigation water pur-

1       suant to water rights issued by the State of Oregon  
2       and have in the past received water pursuant to  
3       such State water rights.’.

4               “(3) In Article 11(c) of the Contract, by delet-  
5       ing ‘, with the approval of the Secretary,’ after ‘Dis-  
6       trict may’, by deleting ‘the 49,817.75 acre maximum  
7       limit on the irrigable area is not exceeded’ and in-  
8       serting ‘irrigation service is provided to no more  
9       than approximately 59,000 acres and no amendment  
10       to the District boundary is required’ after ‘time so  
11       long as’.

12               “(4) In Article 11(d) of the Contract, by insert-  
13       ing ‘, and may further be used for instream pur-  
14       poses, including fish or wildlife purposes, to the ex-  
15       tent that such use is required by Oregon State law  
16       in order for the District to engage in, or take advan-  
17       tage of, conserved water projects as authorized by  
18       Oregon State law’ after ‘herein provided’.

19               “(5) By adding at the end of Article 12(d) the  
20       following: ‘(e) Notwithstanding the above subsections  
21       of this Article or Article 13 below, beginning with  
22       the irrigation season immediately following the date  
23       of enactment of the Federal Land and Reclamation  
24       Resources Act of 2007, the annual installment for  
25       each year, for the District, under the Contract, on

1 account of the District’s construction charge obliga-  
2 tion, shall be a fixed and equal annual amount pay-  
3 able on June 30 the year following the year for  
4 which it is applicable, such that the District’s total  
5 construction charge obligation shall be completely  
6 paid by June 30, 2044.’.

7 “(6) In Article 14(a) of the Contract, by insert-  
8 ing ‘and for instream purposes, including fish or  
9 wildlife purposes, to the extent that such use is re-  
10 quired by Oregon State law in order for the District  
11 to engage in, or take advantage of, conserved water  
12 projects as authorized by Oregon State law,’ after  
13 ‘and incidental stock and domestic uses’, by insert-  
14 ing ‘and for instream purposes as described above,’  
15 after ‘irrigation, stock and domestic uses’, and by in-  
16 sserting ‘, including natural flow rights out of the  
17 Crooked River held by the District’ after ‘irrigation  
18 system’.

19 “(7) In Article 29(a) of the Contract, by insert-  
20 ing ‘and for instream purposes, including fish or  
21 wildlife purposes, to the extent that such use is re-  
22 quired by Oregon State law in order for the District  
23 to engage in, or take advantage of, conserved water  
24 projects as authorized by Oregon State law’ after  
25 ‘provided in article 11’.

1           “(8) In Article 34 of the Contract, by deleting  
2           ‘The District, after the election and upon the execu-  
3           tion of this contract, shall promptly secure final de-  
4           cree of the proper State court approving and con-  
5           firming this contract and decreeing and adjudging it  
6           to be a lawful, valid, and binding general obligation  
7           of the District. The District shall furnish to the  
8           United States certified copies of such decrees and of  
9           all pertinent supporting records.’ after ‘for that pur-  
10          pose.’.

11 **“SEC. 4. FUTURE AUTHORITY TO RENEGOTIATE.**

12          “The Secretary of the Interior (acting through the  
13 Commissioner of Reclamation) may in the future renego-  
14 tiate with the District such terms of the Contract as the  
15 District directors determine to be necessary, only upon the  
16 written request of the District directors and the consent  
17 of the Commissioner of Reclamation.”.

18 **SEC. 305. CENTRAL OKLAHOMA MASTER CONSERVANCY**

19                           **DISTRICT FEASIBILITY STUDY.**

20          (a) STUDY.—

21               (1) IN GENERAL.—Not later than 3 years after  
22 the date of enactment of this Act, the Secretary of  
23 the Interior, acting through the Commissioner of  
24 Reclamation (referred to in this section as the “Sec-

1       retary’”), shall conduct a feasibility study of alter-  
2       natives to augment the water supplies of—

3               (A) the Central Oklahoma Master Conserv-  
4               atory District (referred to in this section as the  
5               “District”); and

6               (B) cities served by the District.

7               (2) INCLUSIONS.—The study under paragraph  
8       (1) shall include recommendations of the Secretary,  
9       if any, relating to the alternatives studied.

10       (b) COST-SHARING REQUIREMENT.—

11               (1) IN GENERAL.—The Federal share of the  
12       total costs of the study under subsection (a) shall  
13       not exceed 50 percent.

14               (2) FORM OF NON-FEDERAL SHARE.—The non-  
15       Federal share required under paragraph (1) may be  
16       in the form of any in-kind services that the Sec-  
17       retary determines would contribute substantially to-  
18       ward the conduct and completion of the study.

19       (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
20       authorized to be appropriated to the Secretary to conduct  
21       the study under subsection (a) \$900,000.

1 **SEC. 306. AUTHORITY TO CONDUCT FEASIBILITY STUDIES**  
2 **WITHIN THE SNAKE, BOISE, AND PAYETTE**  
3 **RIVER SYSTEMS IN THE STATE OF IDAHO.**

4 (a) IN GENERAL.—The Secretary of the Interior, act-  
5 ing through the Bureau of Reclamation, may conduct fea-  
6 sibility studies on projects that address water shortages  
7 within the Snake, Boise, and Payette River systems in the  
8 State of Idaho, and are considered appropriate for further  
9 study by the Bureau of Reclamation Boise Payette water  
10 storage assessment report issued during 2006.

11 (b) BUREAU OF RECLAMATION.—A study conducted  
12 under this section shall comply with Bureau of Reclama-  
13 tion policy standards and guidelines for studies.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
15 authorized to be appropriated to the Secretary of the Inte-  
16 rior to carry out this section \$3,000,000.

17 (d) TERMINATION OF EFFECTIVENESS.—The au-  
18 thority provided by this section terminates on the date  
19 that is 10 years after the date of enactment of this Act.

20 **SEC. 307. TUMALO IRRIGATION DISTRICT WATER CON-**  
21 **SERVATION PROJECT.**

22 (a) DEFINITIONS.—In this section:

23 (1) DISTRICT.—The term “District” means the  
24 Tumalo Irrigation District, Oregon.

1           (2) PROJECT.—The term “Project” means the  
2 Tumalo Irrigation District Water Conservation  
3 Project authorized under subsection (b)(1).

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

6           (b) AUTHORIZATION TO PLAN, DESIGN AND CON-  
7 STRUCT THE TUMALO IRRIGATION DISTRICT WATER  
8 CONSERVATION PROJECT.—

9           (1) AUTHORIZATION.—The Secretary, in co-  
10 operation with the District—

11           (A) may participate in the planning, de-  
12 sign, and construction of the Tumalo Irrigation  
13 District Water Conservation Project in  
14 Deschutes County, Oregon; and

15           (B) for purposes of planning and designing  
16 the Project, shall take into account any appro-  
17 priate studies and reports prepared by the Dis-  
18 trict.

19           (2) COST-SHARING REQUIREMENT.—

20           (A) FEDERAL SHARE.—The Federal share  
21 of the total cost of the Project shall be 25 per-  
22 cent, which shall be nonreimbursable to the  
23 United States.

24           (B) CREDIT TOWARD NON-FEDERAL  
25 SHARE.—The Secretary shall credit toward the

1 non-Federal share of the Project any amounts  
2 that the District provides toward the design,  
3 planning, and construction before the date of  
4 enactment of this Act.

5 (3) TITLE.—The District shall hold title to any  
6 facilities constructed under this section.

7 (4) OPERATION AND MAINTENANCE COSTS.—  
8 The District shall pay the operation and mainte-  
9 nance costs of the Project.

10 (5) EFFECT.—Any assistance provided under  
11 this section shall not be considered to be a supple-  
12 mental or additional benefit under Federal reclama-  
13 tion law (the Act of June 17, 1902 (32 Stat. 388,  
14 chapter 1093), and Acts supplemental to and  
15 amendatory of that Act (43 U.S.C. 371 et seq.).

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
17 authorized to be appropriated to the Secretary for the  
18 Federal share of the cost of the Project \$4,000,000.

19 (d) TERMINATION OF AUTHORITY.—The authority of  
20 the Secretary to carry out this section shall expire on the  
21 date that is 10 years after the date of enactment of this  
22 Act.

23 **SEC. 308. NEW MEXICO WATER RESOURCES STUDY.**

24 (a) IN GENERAL.—The Secretary of the Interior, act-  
25 ing through the Director of the United States Geological

1 Survey (referred to in this section as the “Secretary”),  
2 in coordination with the State of New Mexico (referred  
3 to in this section as the “State”) and any other entities  
4 that the Secretary determines to be appropriate (including  
5 other Federal agencies and institutions of higher edu-  
6 cation), shall, in accordance with this section and any  
7 other applicable law, conduct a study of water resources  
8 in the State, including—

9 (1) a survey of groundwater resources, includ-  
10 ing an analysis of—

11 (A) aquifers in the State, including the  
12 quantity of water in the aquifers;

13 (B) the availability of groundwater re-  
14 sources for human use;

15 (C) the salinity of groundwater resources;

16 (D) the potential of the groundwater re-  
17 sources to recharge;

18 (E) the interaction between groundwater  
19 and surface water;

20 (F) the susceptibility of the aquifers to  
21 contamination; and

22 (G) any other relevant criteria; and

23 (2) a characterization of surface and bedrock  
24 geology, including the effect of the geology on  
25 groundwater yield and quality.

1 (b) STUDY AREAS.—The study carried out under  
2 subsection (a) shall include the Estancia Basin, Salt  
3 Basin, Tularosa Basin, Hueco Basin, and middle Rio  
4 Grande Basin in the State.

5 (c) REPORT.—Not later than 2 years after the date  
6 of enactment of this Act, the Secretary shall submit to  
7 the Committee on Energy and Natural Resources of the  
8 Senate and the Committee on Natural Resources of the  
9 House of Representatives a report that describes the re-  
10 sults of the study.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
12 are authorized to be appropriated such sums as are nec-  
13 essary to carry out this section.

14 **SEC. 309. WATER AND ENERGY RESOURCES.**

15 (a) FINDINGS.—Congress finds that—

16 (1) development of energy resources, including  
17 oil, natural gas, coalbed methane, and geothermal  
18 resources, frequently results in bringing to the sur-  
19 face water extracted from underground sources;

20 (2) some of that produced water is used for ir-  
21 rigation or other purposes, but most of the water is  
22 returned to the subsurface or otherwise disposed of  
23 as waste;

24 (3) reducing the quantity of produced water re-  
25 turned to the subsurface and increasing the quantity

1 of produced water that is made available for irriga-  
2 tion and other uses—

3 (A) would augment water supplies;

4 (B) could reduce the costs to energy devel-  
5 opers for disposing of the water; and

6 (C) in some cases, could increase the effi-  
7 ciency of energy development activities; and

8 (4) it is in the national interest—

9 (A) to limit the quantity of produced water  
10 disposed of as waste;

11 (B) to optimize the production of energy  
12 resources; and

13 (C) to remove or reduce obstacles to use of  
14 produced water for irrigation or other purposes  
15 in ways that will not adversely affect water  
16 quality or the environment.

17 (5) PURPOSES.—The purposes of this section  
18 are—

19 (A) to optimize the production of energy  
20 resources—

21 (i) by minimizing the quantity of pro-  
22 duced water; and

23 (ii) by facilitating the use of produced  
24 water for irrigation and other purposes

1                   without adversely affecting water quality  
2                   or the environment; and

3                   (B) to demonstrate means of accom-  
4                   plishing those results.

5           (b) DEFINITIONS.—In this section:

6                   (1) LOWER BASIN STATE.—The term “Lower  
7                   Basin State” means any of the States of—

8                           (A) Arizona;

9                           (B) California; and

10                           (C) Nevada.

11                   (2) PRODUCED WATER.—The term “produced  
12                   water” means water from an underground source  
13                   that is brought to the surface as part of the process  
14                   of exploration for, or development of—

15                           (A) oil;

16                           (B) natural gas;

17                           (C) coalbed methane; or

18                           (D) any other substance to be used as an  
19                   energy source.

20                   (3) SECRETARY.—The term “Secretary” means  
21                   the Secretary of the Interior.

22                   (4) UPPER BASIN STATE.—The term “Upper  
23                   Basin State” means any of the States of—

24                           (A) Colorado;

25                           (B) New Mexico;

1 (C) Utah; and

2 (D) Wyoming.

3 (c) IDENTIFICATION OF PROBLEMS AND SOLU-  
4 TIONS.—

5 (1) STUDY.—The Secretary shall conduct a  
6 study to identify—

7 (A) the technical, economic, environmental,  
8 and other obstacles to reducing the quantity of  
9 produced water;

10 (B) the technical, economic, environmental,  
11 legal, and other obstacles to increasing the ex-  
12 tent to which produced water can be used for  
13 irrigation and other purposes without adversely  
14 affecting water quality, public health, or the en-  
15 vironment;

16 (C) the legislative, administrative, and  
17 other actions that could reduce or eliminate the  
18 obstacles identified in subparagraphs (A) and  
19 (B); and

20 (D) the costs and benefits associated with  
21 reducing or eliminating the obstacles identified  
22 in subparagraphs (A) and (B).

23 (2) REPORT.—Not later than 1 year after the  
24 date of enactment of this Act, the Secretary shall  
25 submit to the Committee on Natural Resources of

1 the House of Representatives and the Committee on  
2 Energy and Natural Resources of the Senate a re-  
3 port describing the results of the study under para-  
4 graph (1).

5 (d) IMPLEMENTATION.—

6 (1) GRANTS.—Subject to the availability of ap-  
7 propriations, the Secretary shall provide financial as-  
8 sistance for the development of facilities, tech-  
9 nologies, and processes to demonstrate the feasi-  
10 bility, effectiveness, and safety of—

11 (A) optimizing energy resource production  
12 by reducing the quantity of produced water  
13 generated; or

14 (B) increasing the extent to which pro-  
15 duced water may be recovered and made suit-  
16 able for use for irrigation, municipal, or indus-  
17 trial uses, or other purposes without adversely  
18 affecting water quality or the environment.

19 (2) LIMITATIONS.—Assistance under this sub-  
20 section—

21 (A) shall be provided for—

22 (i) at least 1 project in each of the  
23 Upper Basin States; and

24 (ii) at least 1 project in at least 1 of  
25 the Lower Basin States;

1 (B) shall not exceed \$1,000,000 for any  
2 project;

3 (C) shall be used to pay not more than 50  
4 percent of the total cost of a project;

5 (D) shall not be used for the operation or  
6 maintenance of any facility; and

7 (E) may be in addition to assistance pro-  
8 vided by the Federal Government pursuant to  
9 other provisions of law.

10 (e) CONSULTATION, ADVICE, AND COMMENTS.—In  
11 carrying out this section, including in preparing the report  
12 under subsection (c)(2) and establishing criteria to be  
13 used in connection with an award of financial assistance  
14 under subsection (d), the Secretary shall—

15 (1) consult with the Secretary of Energy, the  
16 Administrator of the Environmental Protection  
17 Agency, and appropriate Governors and local offi-  
18 cials;

19 (2)(A) review any relevant information devel-  
20 oped in connection with research carried out by oth-  
21 ers, including research carried out pursuant to sub-  
22 title J of title IX of the Energy Policy Act of 2005  
23 (42 U.S.C. 16371 et seq.); and

1 (B) to the extent the Secretary determines to  
2 be advisable, include that information in the report  
3 under subsection (c)(2);

4 (3) seek the advice of—

5 (A) individuals with relevant professional  
6 or academic expertise; and

7 (B) individuals or representatives of enti-  
8 ties with industrial experience, particularly ex-  
9 perience relating to production of oil, natural  
10 gas, coalbed methane, or other energy resources  
11 (including geothermal resources); and

12 (4) solicit comments and suggestions from the  
13 public.

14 (f) RELATION TO OTHER LAWS.—Nothing in this  
15 section supersedes, modifies, abrogates, or limits—

16 (1) the effect of any State law or any interstate  
17 authority or compact relating to—

18 (A) any use of water; or

19 (B) the regulation of water quantity or  
20 quality; or

21 (2) the applicability or effect of any Federal law  
22 (including regulations).

23 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
24 are authorized to be appropriated—

25 (1) \$1,000,000 to carry out subsection (c); and

1           (2) \$7,500,000 to carry out subsection (d).

2   **SEC. 310. REAUTHORIZATION OF THE NATIONAL GEOLOGIC**  
3                   **MAPPING ACT OF 1992.**

4           (a) FINDINGS.—Section 2(a) of the National Geologic  
5 Mapping Act of 1992 (43 U.S.C. 31a(a)) is amended—

6           (1) by striking paragraph (1) and inserting the  
7 following:

8           “(1) although significant progress has been  
9 made in the production of geologic maps since the  
10 establishment of the national cooperative geologic  
11 mapping program in 1992, no modern, digital, geo-  
12 logic map exists for approximately 75 percent of the  
13 United States;” and

14           (2) in paragraph (2)—

15           (A) in subparagraph (C), by inserting  
16 “homeland and” after “planning for”;

17           (B) in subparagraph (E), by striking “pre-  
18 dicting” and inserting “identifying”;

19           (C) in subparagraph (I), by striking “and”  
20 after the semicolon at the end;

21           (D) by redesignating subparagraph (J) as  
22 subparagraph (K); and

23           (E) by inserting after subparagraph (I) the  
24 following:

1           “(J) recreation and public awareness;  
2           and”;

3           (3) in paragraph (9), by striking “important”  
4           and inserting “available”.

5           (b) PURPOSE.—Section 2(b) of the National Geologic  
6 Mapping Act of 1992 (43 U.S.C. 31a(b)) is amended by  
7 inserting “and management” before the period at the end.

8           (c) DEADLINES FOR ACTIONS BY THE UNITED  
9 STATES GEOLOGICAL SURVEY.—Section 4(b)(1) of the  
10 National Geologic Mapping Act of 1992 (43 U.S.C.  
11 31c(b)(1)) is amended in the second sentence—

12           (1) in subparagraph (A), by striking “not later  
13 than” and all that follows through the semicolon and  
14 inserting “not later than 1 year after the date of en-  
15 actment of the Natural Resource Projects and Pro-  
16 grams Authorization Act of 2007;”;

17           (2) in subparagraph (B), by striking “not later  
18 than” and all that follows through “in accordance”  
19 and inserting “not later than 1 year after the date  
20 of enactment of the Natural Resource Projects and  
21 Programs Authorization Act of 2007 in accordance”;  
22 and

23           (3) in the matter preceding clause (i) of sub-  
24 paragraph (C), by striking “not later than” and all

1 that follows through “submit” and inserting “submit  
2 biennially”.

3 (d) GEOLOGIC MAPPING PROGRAM OBJECTIVES.—  
4 Section 4(c)(2) of the National Geologic Mapping Act of  
5 1992 (43 U.S.C. 31c(c)(2)) is amended—

6 (1) by striking “geophysical-map data base,  
7 geochemical-map data base, and a”; and

8 (2) by striking “provide” and inserting “pro-  
9 vides”.

10 (e) GEOLOGIC MAPPING PROGRAM COMPONENTS.—  
11 Section 4(d)(1)(B)(ii) of the National Geologic Mapping  
12 Act of 1992 (43 U.S.C. 31c(d)(1)(B)(ii)) is amended—

13 (1) in subclause (I), by striking “and” after the  
14 semicolon at the end;

15 (2) in subclause (II), by striking the period at  
16 the end and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(III) the needs of land manage-  
19 ment agencies of the Department of  
20 the Interior.”.

21 (f) GEOLOGIC MAPPING ADVISORY COMMITTEE.—

22 (1) MEMBERSHIP.—Section 5(a) of the Na-  
23 tional Geologic Mapping Act of 1992 (43 U.S.C.  
24 31d(a)) is amended—

25 (A) in paragraph (2)—

1 (i) by inserting “the Secretary of the  
2 Interior or a designee from a land manage-  
3 ment agency of the Department of the In-  
4 terior,” after “Administrator of the Envi-  
5 ronmental Protection Agency or a des-  
6 ignee,”;

7 (ii) by inserting “and” after “Energy  
8 or a designee,”; and

9 (iii) by striking “, and the Assistant  
10 to the President for Science and Tech-  
11 nology or a designee”; and

12 (B) in paragraph (3)—

13 (i) by striking “Not later than” and  
14 all that follows through “consultation” and  
15 inserting “In consultation”;

16 (ii) by striking “Chief Geologist, as  
17 Chairman” and inserting “Associate Direc-  
18 tor for Geology, as Chair”; and

19 (iii) by striking “one representative  
20 from the private sector” and inserting “2  
21 representatives from the private sector”.

22 (2) DUTIES.—Section 5(b) of the National Geo-  
23 logic Mapping Act of 1992 (43 U.S.C. 31d(b)) is  
24 amended—

1 (A) in paragraph (2), by striking “and” at  
2 the end;

3 (B) by redesignating paragraph (3) as  
4 paragraph (4); and

5 (C) by inserting after paragraph (2) the  
6 following:

7 “(3) provide a scientific overview of geologic  
8 maps (including maps of geologic-based hazards)  
9 used or disseminated by Federal agencies for regula-  
10 tion or land-use planning; and”.

11 (3) CONFORMING AMENDMENT.—Section  
12 5(a)(1) of the National Geologic Mapping Act of  
13 1992 (43 U.S.C. 31d(a)(1)) is amended by striking  
14 “10-member” and inserting “11-member”.

15 (g) FUNCTIONS OF NATIONAL GEOLOGIC-MAP DATA-  
16 BASE.—Section 7(a) of the National Geologic Mapping  
17 Act of 1992 (43 U.S.C. 31f(a)) is amended—

18 (1) in paragraph (1), by striking “geologic  
19 map” and inserting “geologic-map”; and

20 (2) in paragraph (2), by striking subparagraph  
21 (A) and inserting the following:

22 “(A) all maps developed with funding pro-  
23 vided by the National Cooperative Geologic  
24 Mapping Program, including under the Federal,  
25 State, and education components;”.

1 (h) BIENNIAL REPORT.—Section 8 of the National  
2 Geologic Mapping Act of 1992 (43 U.S.C. 31g) is amend-  
3 ed by striking “Not later” and all that follows through  
4 “biennially” and inserting “Not later than 3 years after  
5 the date of enactment of the Natural Resource Projects  
6 and Programs Authorization Act of 2007 and biennially”.

7 (i) AUTHORIZATION OF APPROPRIATIONS; ALLOCA-  
8 TION.—Section 9 of the National Geologic Mapping Act  
9 of 1992 (43 U.S.C. 31h) is amended—

10 (1) by striking subsection (a) and inserting the  
11 following:

12 “(a) IN GENERAL.—There is authorized to be appro-  
13 priated to carry out this Act \$64,000,000 for each of fiscal  
14 years 2007 through 2016.”; and

15 (2) in subsection (b)—

16 (A) in the matter preceding paragraph (1),  
17 by striking “2000” and inserting “2005”;

18 (B) in paragraph (1), by striking “48” and  
19 inserting “50”; and

20 (C) in paragraph (2), by striking 2 and in-  
21 serting “4”.

1           **TITLE IV—FOREST SERVICE**  
2                   **AUTHORIZATIONS**  
3                   **Subtitle A—Authorizations**

4   **SEC. 401. COFFMAN COVE ADMINISTRATIVE SITE CONVEY-**  
5                   **ANCE.**

6           (a) DEFINITIONS.—In this section:

7               (1) CITY.—The term “City” means the city of  
8           Coffman Cove, Alaska.

9               (2) SECRETARY.—The term “Secretary” means  
10          the Secretary of Agriculture.

11          (b) CONVEYANCE.—

12               (1) IN GENERAL.—Subject to valid existing  
13          rights, the Secretary shall convey to the City, with-  
14          out consideration and by quitclaim deed all right,  
15          title, and interest of the United States, except as  
16          provided in paragraphs (3) and (4), in and to the  
17          parcel of National Forest System land described in  
18          paragraph (2).

19               (2) DESCRIPTION OF LAND.—

20                   (A) IN GENERAL.—The parcel of National  
21          Forest System land referred to in paragraph  
22          (1) is the approximately 12 acres of land identi-  
23          fied in U.S. Survey 10099, as depicted on the  
24          plat entitled “Subdivision of U.S. Survey No.  
25          10099” and recorded as Plat 2003–1 on Janu-

1           ary 21, 2003, Petersburg Recording District,  
2           Alaska.

3           (B) EXCLUDED LAND.—The parcel of Na-  
4           tional Forest System land conveyed under para-  
5           graph (1) does not include the portion of U.S.  
6           Survey 10099 that is north of the right-of-way  
7           for Forest Development Road 3030–295 and  
8           southeast of Tract CC–8.

9           (3) RIGHT-OF-WAY.—The United States may  
10          reserve a right-of-way to provide access to the Na-  
11          tional Forest System land excluded from the convey-  
12          ance to the City under paragraph (2)(B).

13          (4) REVERSION.—If any portion of the land  
14          conveyed under paragraph (1) (other than a portion  
15          of land sold under paragraph (5)) ceases to be used  
16          for public purposes, the land shall, at the option of  
17          the Secretary, revert to the United States.

18          (5) CONDITIONS ON SUBSEQUENT CONVEY-  
19          ANCES.—If the City sells any portion of the land  
20          conveyed to the City under paragraph (1)—

21                (A) the amount of consideration for the  
22                sale shall reflect fair market value, as deter-  
23                mined by an appraisal; and

24                (B) the City shall pay to the Secretary an  
25                amount equal to the gross proceeds of the sale,

1           which shall be available, without further appro-  
2           priation, for the Tongass National Forest.

3 **SEC. 402. PECOS NATIONAL HISTORICAL PARK.**

4           (a) DEFINITIONS.—In this section:

5           (1) FEDERAL LAND.—The term “Federal land”  
6           means the approximately 160 acres of Federal land  
7           within the Santa Fe National Forest in the State,  
8           as depicted on the map.

9           (2) LANDOWNER.—The term “landowner”  
10          means the 1 or more owners of the non-Federal  
11          land.

12          (3) MAP.—The term “map” means the map en-  
13          titled “Proposed Land Exchange for Pecos National  
14          Historical Park”, numbered 430/80,054, dated No-  
15          vember 19, 1999, and revised September 18, 2000.

16          (4) NON-FEDERAL LAND.—The term “non-Fed-  
17          eral land” means the approximately 154 acres of  
18          non-Federal land in the Park, as depicted on the  
19          map.

20          (5) PARK.—The term “Park” means the Pecos  
21          National Historical Park in the State.

22          (6) SECRETARIES.—The term “Secretaries”  
23          means the Secretary of the Interior and the Sec-  
24          retary of Agriculture, acting jointly.

1           (7) STATE.—The term “State” means the State  
2 of New Mexico.

3           (b) LAND EXCHANGE.—

4           (1) IN GENERAL.—On conveyance by the land-  
5 owner to the Secretary of the Interior of the non-  
6 Federal land, title to which is acceptable to the Sec-  
7 retary of the Interior—

8                   (A) the Secretary of Agriculture shall, sub-  
9 ject to the conditions of this section, convey to  
10 the landowner the Federal land; and

11                   (B) the Secretary of the Interior shall,  
12 subject to the conditions of this section, grant  
13 to the landowner the easement described in  
14 paragraph (2).

15           (2) EASEMENT.—

16                   (A) IN GENERAL.—The easement referred  
17 to in paragraph (1)(B) is an easement (includ-  
18 ing an easement for service access) for water  
19 pipelines to 2 well sites located in the Park, as  
20 generally depicted on the map.

21                   (B) ROUTE.—The Secretary of the Inte-  
22 rior, in consultation with the landowner, shall  
23 determine the appropriate route of the ease-  
24 ment through the Park.

1           (C) TERMS AND CONDITIONS.—The ease-  
2           ment shall include such terms and conditions  
3           relating to the use of, and access to, the well  
4           sites and pipeline, as the Secretary of the Inte-  
5           rior, in consultation with the landowner, deter-  
6           mines to be appropriate.

7           (D) APPLICABLE LAW.—The easement  
8           shall be established, operated, and maintained  
9           in compliance with applicable Federal law.

10          (3) VALUATION, APPRAISALS, AND EQUALI-  
11          ZATION.—

12           (A) IN GENERAL.—The value of the Fed-  
13           eral land and non-Federal land—

14           (i) shall be equal, as determined by  
15           appraisals conducted in accordance with  
16           subparagraph (B); or

17           (ii) if the value is not equal, shall be  
18           equalized in accordance with subparagraph  
19           (C).

20           (B) APPRAISALS.—

21           (i) IN GENERAL.—The Federal land  
22           and non-Federal land shall be appraised by  
23           an independent appraiser selected by the  
24           Secretaries.

1 (ii) REQUIREMENTS.—An appraisal  
2 conducted under clause (i) shall be con-  
3 ducted in accordance with—

4 (I) the Uniform Appraisal Stand-  
5 ards for Federal Land Acquisition;  
6 and

7 (II) the Uniform Standards of  
8 Professional Appraisal Practice.

9 (iii) APPROVAL.—The appraisals con-  
10 ducted under this subparagraph shall be  
11 submitted to the Secretaries for approval.

12 (C) EQUALIZATION OF VALUES.—

13 (i) IN GENERAL.—If the values of the  
14 non-Federal land and the Federal land are  
15 not equal, the values may be equalized  
16 by—

17 (I) the Secretary of the Interior  
18 making a cash equalization payment  
19 to the landowner;

20 (II) the landowner making a cash  
21 equalization payment to the Secretary  
22 of Agriculture; or

23 (III) reducing the acreage of the  
24 non-Federal land or the Federal land,  
25 as appropriate.

1                   (ii) CASH EQUALIZATION PAY-  
2                   MENTS.—Any amounts received by the  
3                   Secretary of Agriculture as a cash equali-  
4                   zation payment under section 206(b) of the  
5                   Federal Land Policy and Management Act  
6                   of 1976 (43 U.S.C. 1716(b)) shall—

7                   (I) be deposited in the fund es-  
8                   tablished by Public Law 90–171  
9                   (commonly known as the “Sisk Act”)  
10                  (16 U.S.C. 484a); and

11                  (II) be available for expenditure,  
12                  without further appropriation, for the  
13                  acquisition of land and interests in  
14                  land in the State.

15                  (4) COSTS.—Before the completion of the ex-  
16                  change under this subsection, the Secretaries and  
17                  the landowner shall enter into an agreement that al-  
18                  locates the costs of the exchange among the Secre-  
19                  taries and the landowner.

20                  (5) APPLICABLE LAW.—Except as otherwise  
21                  provided in this section, the exchange of land and in-  
22                  terests in land under this section shall be in accord-  
23                  ance with—

1 (A) section 206 of the Federal Land Policy  
2 and Management Act of 1976 (43 U.S.C.  
3 1716); and

4 (B) other applicable laws, including the  
5 National Environmental Policy Act of 1969 (42  
6 U.S.C. 4321 et seq.).

7 (6) ADDITIONAL TERMS AND CONDITIONS.—  
8 The Secretaries may require, in addition to any re-  
9 quirements under this section, such terms and condi-  
10 tions relating to the exchange of Federal land and  
11 non-Federal land and the granting of easements  
12 under this section as the Secretaries determine to be  
13 appropriate to protect the interests of the United  
14 States.

15 (7) COMPLETION OF THE EXCHANGE.—

16 (A) IN GENERAL.—The exchange of Fed-  
17 eral land and non-Federal land shall be com-  
18 pleted not later than 180 days after the later  
19 of—

20 (i) the date on which the requirements  
21 of the National Environmental Policy Act  
22 of 1969 (42 U.S.C. 4321 et seq.) have  
23 been met;

1 (ii) the date on which the Secretary of  
2 the Interior approves the appraisals under  
3 paragraph (3)(B)(iii); or

4 (iii) the date on which the Secretaries  
5 and the landowner agree on the costs of  
6 the exchange and any other terms and con-  
7 ditions of the exchange under this sub-  
8 section.

9 (B) NOTICE.—The Secretaries shall sub-  
10 mit to the Committee on Energy and Natural  
11 Resources of the Senate and the Committee on  
12 Natural Resources of the House of Representa-  
13 tives notice of the completion of the exchange of  
14 Federal land and non-Federal land under this  
15 section.

16 (c) ADMINISTRATION.—

17 (1) IN GENERAL.—The Secretary of the Inte-  
18 rior shall administer the non-Federal land acquired  
19 under this section in accordance with the laws gen-  
20 erally applicable to units of the National Park Sys-  
21 tem, including the Act of August 25, 1916 (com-  
22 monly known as the “National Park Service Organic  
23 Act”) (16 U.S.C. 1 et seq.).

24 (2) MAPS.—

1 (A) IN GENERAL.—The map shall be on  
2 file and available for public inspection in the  
3 appropriate offices of the Secretaries.

4 (B) TRANSMITTAL OF REVISED MAP TO  
5 CONGRESS.—Not later than 180 days after  
6 completion of the exchange, the Secretaries  
7 shall transmit to the Committee on Energy and  
8 Natural Resources of the Senate and the Com-  
9 mittee on Natural Resources of the House of  
10 Representatives a revised map that depicts—

11 (i) the Federal land and non-Federal  
12 land exchanged under this section; and

13 (ii) the easement described in sub-  
14 section (b)(2).

15 **SEC. 403. WATERSHED RESTORATION AND ENHANCEMENT**  
16 **AGREEMENTS.**

17 Section 323 of the Department of the Interior and  
18 Related Agencies Appropriations Act, 1999 (16 U.S.C.  
19 1011 note; Public Law 105–277), is amended—

20 (1) in subsection (a), by striking “each of fiscal  
21 years 2006 through 2011” and inserting “fiscal year  
22 2006 and each fiscal year thereafter”;

23 (2) by redesignating subsection (d) as sub-  
24 section (e); and

1           (3) by inserting after subsection (c) the fol-  
2           lowing:

3           “(d) APPLICABLE LAW.—Chapter 63 of title 31,  
4 United States Code, shall not apply to—

5           “(1) a watershed restoration and enhancement  
6           agreement entered into under this section; or

7           “(2) an agreement entered into under the first  
8           section of Public Law 94–148 (16 U.S.C. 565a–1).”.

9 **SEC. 404. WILDLAND FIREFIGHTER SAFETY.**

10          (a) DEFINITIONS.—In this section:

11           (1) SECRETARIES.—The term “Secretaries”  
12          means—

13           (A) the Secretary of the Interior, acting  
14           through the Directors of the Bureau of Land  
15           Management, the United States Fish and Wild-  
16           life Service, the National Park Service, and the  
17           Bureau of Indian Affairs; and

18           (B) the Secretary of Agriculture, acting  
19           through the Chief of the Forest Service.

20           (2) WILDLAND FIREFIGHTER.—The term  
21          “wildland firefighter” means any person who partici-  
22          pates in wildland firefighting activities—

23           (A) under the direction of either of the  
24          Secretaries; or

1 (B) under a contract or compact with a  
2 federally recognized Indian tribe.

3 (b) ANNUAL REPORT TO CONGRESS.—

4 (1) IN GENERAL.—The Secretaries shall jointly  
5 submit to Congress an annual report on the wildland  
6 firefighter safety practices of the Secretaries, includ-  
7 ing training programs and activities for wildland fire  
8 suppression, prescribed burning, and wildland fire  
9 use, during the preceding calendar year.

10 (2) TIMELINE.—Each report under paragraph  
11 (1) shall—

12 (A) be submitted by not later than March  
13 of the year following the calendar year covered  
14 by the report; and

15 (B) include—

16 (i) a description of, and any changes  
17 to, wildland firefighter safety practices, includ-  
18 ing training programs and activities  
19 for wildland fire suppression, prescribed  
20 burning, and wildland fire use;

21 (ii) statistics and trend analyses;

22 (iii) an estimate of the amount of  
23 Federal funds expended by the Secretaries  
24 on wildland firefighter safety practices, includ-  
25 ing training programs and activities

1 for wildland fire suppression, prescribed  
2 burning, and wildland fire use;

3 (iv) progress made in implementing  
4 recommendations from the Inspector Gen-  
5 eral, the Government Accountability Office,  
6 the Occupational Safety and Health Ad-  
7 ministration, or an agency report relating  
8 to a wildland firefighting fatality issued  
9 during the preceding 10 years; and

10 (v) a description of—

11 (I) the provisions relating to  
12 wildland firefighter safety practices in  
13 any Federal contract or other agree-  
14 ment governing the provision of  
15 wildland firefighters by a non-Federal  
16 entity;

17 (II) a summary of any actions  
18 taken by the Secretaries to ensure  
19 that the provisions relating to safety  
20 practices, including training, are com-  
21 plied with by the non-Federal entity;  
22 and

23 (III) the results of those actions.

1 **Subtitle B—Lewis and Clark Mount**  
2 **Hood Wilderness Area**

3 **SEC. 411. DEFINITIONS.**

4 In this subtitle:

5 (1) SECRETARY.—The term “Secretary” means  
6 the Secretary of Agriculture.

7 (2) STATE.—The term “State” means the State  
8 of Oregon.

9 **SEC. 412. DESIGNATION OF WILDERNESS AREAS.**

10 (a) DESIGNATION OF LEWIS AND CLARK MOUNT  
11 HOOD WILDERNESS AREAS.—In accordance with the Wil-  
12 derness Act (16 U.S.C. 1131 et seq.), the following areas  
13 in the State of Oregon are designated as wilderness areas  
14 and as components of the National Wilderness Preserva-  
15 tion System:

16 (1) BADGER CREEK WILDERNESS ADDITIONS.—  
17 Certain Federal land managed by the Forest Serv-  
18 ice, comprising approximately 4,140 acres, as gen-  
19 erally depicted on the maps entitled “Badger Creek  
20 Wilderness—Badger Creek Additions” and “Badger  
21 Creek Wilderness—Bonney Butte”, dated July 16,  
22 2007, which is incorporated in, and considered to be  
23 a part of, the Badger Creek Wilderness, as des-  
24 ignated by section 3(3) of the Oregon Wilderness  
25 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

1           (2) BULL OF THE WOODS WILDERNESS ADDI-  
2           TION.—Certain Federal land managed by the Forest  
3           Service, comprising approximately 10,180 acres, as  
4           generally depicted on the map entitled “Bull of the  
5           Woods Wilderness—Bull of the Woods Additions”,  
6           dated July 16, 2007, which is incorporated in, and  
7           considered to be a part of, the Bull of the Woods  
8           Wilderness, as designated by section 3(4) of the Or-  
9           regon Wilderness Act of 1984 (16 U.S.C. 1132 note;  
10          98 Stat. 273).

11          (3) CLACKAMAS WILDERNESS.—Certain Federal  
12          land managed by the Forest Service, comprising ap-  
13          proximately 9,470 acres, as generally depicted on the  
14          maps entitled “Clackamas Wilderness—Big Bot-  
15          tom”, “Clackamas Wilderness—Clackamas Canyon”,  
16          “Clackamas Wilderness—Memaloose Lake”,  
17          “Clackamas Wilderness—Sisi Butte”, and  
18          “Clackamas Wilderness—South Fork Clackamas”,  
19          dated July 16, 2007, which shall be known as the  
20          “Clackamas Wilderness”.

21          (4) MARK O. HATFIELD WILDERNESS ADDI-  
22          TIONS.—Certain Federal land managed by the For-  
23          est Service, comprising approximately 25,960 acres,  
24          as generally depicted on the maps entitled “Mark O.  
25          Hatfield Wilderness—Gorge Face” and “Mark O.

1 Hatfield Wilderness—Larch Mountain”, dated July  
2 16, 2007, which is incorporated in, and considered  
3 to be a part of, the Mark O. Hatfield Wilderness, as  
4 designated by section 3(1) of the Oregon Wilderness  
5 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

6 (5) MOUNT HOOD WILDERNESS ADDITIONS.—  
7 Certain Federal land managed by the Forest Serv-  
8 ice, comprising approximately 18,450 acres, as gen-  
9 erally depicted on the maps entitled “Mount Hood  
10 Wilderness—Barlow Butte”, “Mount Hood Wilder-  
11 ness—Elk Cove/Mazama”, “Mount Hood Wilder-  
12 ness—Richard L. Kohnstamm Memorial Area”,  
13 “Mount Hood Wilderness—Sand Canyon”, “Mount  
14 Hood Wilderness—Sandy Additions”, “Mount Hood  
15 Wilderness—Twin Lakes”, and “Mount Hood Wil-  
16 derness—White River”, dated July 16, 2007, and  
17 the map entitled “Mount Hood Wilderness—Cloud  
18 Cap”, dated July 20, 2007, which is incorporated in,  
19 and considered to be a part of, the Mount Hood Wil-  
20 derness, as designated under section 3(a) of the Wil-  
21 derness Act (16 U.S.C. 1132(a)) and enlarged by  
22 section 3(d) of the Endangered American Wilderness  
23 Act of 1978 (16 U.S.C. 1132 note; 92 Stat. 43).

24 (6) ROARING RIVER WILDERNESS.—Certain  
25 Federal land managed by the Forest Service, com-

1 prising approximately 36,550 acres, as generally de-  
2 picted on the map entitled “Roaring River Wilder-  
3 ness—Roaring River Wilderness”, dated July 16,  
4 2007, which shall be known as the “Roaring River  
5 Wilderness”.

6 (7) SALMON-HUCKLEBERRY WILDERNESS ADDI-  
7 TIONS.—Certain Federal land managed by the For-  
8 est Service, comprising approximately 16,620 acres,  
9 as generally depicted on the maps entitled “Salmon-  
10 Huckleberry Wilderness—Alder Creek Additions”,  
11 “Salmon-Huckleberry Wilderness—Eagle Creek Ad-  
12 dition”, “Salmon-Huckleberry Wilderness—Hunch-  
13 back Mountain”, “Salmon-Huckleberry Wilder-  
14 ness—Inch Creek”, “Salmon-Huckleberry Wilder-  
15 ness—Mirror Lake”, and “Salmon-Huckleberry Wil-  
16 derness—Salmon River Meadows”, dated July 16,  
17 2007, which is incorporated in, and considered to be  
18 a part of, the Salmon-Huckleberry Wilderness, as  
19 designated by section 3(2) of the Oregon Wilderness  
20 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

21 (8) LOWER WHITE RIVER WILDERNESS.—Cer-  
22 tain Federal land managed by the Forest Service  
23 and Bureau of Land Management, comprising ap-  
24 proximately 2,870 acres, as generally depicted on the  
25 map entitled “Lower White River Wilderness—

1 Lower White River”, dated July 16, 2007, which  
2 shall be known as the “Lower White River Wilder-  
3 ness”.

4 (b) RICHARD L. KOHNSTAMM MEMORIAL AREA.—  
5 Certain Federal land managed by the Forest Service, as  
6 generally depicted on the map entitled “Mount Hood Wil-  
7 derness—Richard L. Kohnstamm Memorial Area”, dated  
8 July 16, 2007, is designated as the “Richard L.  
9 Kohnstamm Memorial Area”.

10 (c) POTENTIAL WILDERNESS AREA; ADDITIONS TO  
11 WILDERNESS AREAS.—

12 (1) ROARING RIVER POTENTIAL WILDERNESS  
13 AREA.—

14 (A) IN GENERAL.—In furtherance of the  
15 purposes of the Wilderness Act (16 U.S.C.  
16 1131 et seq.), certain Federal land managed by  
17 the Forest Service, comprising approximately  
18 900 acres identified as “Potential Wilderness”  
19 on the map entitled “Roaring River Wilder-  
20 ness”, dated July 16, 2007, is designated as a  
21 potential wilderness area.

22 (B) MANAGEMENT.—The potential wilder-  
23 ness area designated by subparagraph (A) shall  
24 be managed in accordance with section 4 of the  
25 Wilderness Act (16 U.S.C. 1133).

1 (C) DESIGNATION AS WILDERNESS.—On  
2 the date on which the Secretary publishes in  
3 the Federal Register notice that the conditions  
4 in the potential wilderness area designated by  
5 subparagraph (A) are compatible with the Wil-  
6 derness Act (16 U.S.C. 1131 et seq.), the po-  
7 tential wilderness shall be—

8 (i) designated as wilderness and as a  
9 component of the National Wilderness  
10 Preservation System; and

11 (ii) incorporated into the Roaring  
12 River Wilderness designated by subsection  
13 (a)(6).

14 (2) ADDITION TO THE MOUNT HOOD WILDER-  
15 NESS.—On completion of the land exchange under  
16 section 416(a)(2), certain Federal land managed by  
17 the Forest Service, comprising approximately 1,710  
18 acres, as generally depicted on the map entitled  
19 “Mount Hood Wilderness—Tilly Jane”, dated July  
20 20, 2007, shall be incorporated in, and considered to  
21 be a part of, the Mount Hood Wilderness, as des-  
22 ignated under section 3(a) of the Wilderness Act (16  
23 U.S.C. 1132(a)) and enlarged by section 3(d) of the  
24 Endangered American Wilderness Act of 1978 (16

1 U.S.C. 1132 note; 92 Stat. 43) and subsection  
2 (a)(5).

3 (3) ADDITION TO THE SALMON-HUCKLEBERRY  
4 WILDERNESS.—On acquisition by the United States,  
5 the approximately 160 acres of land identified as  
6 “Land to be acquired by USFS” on the map entitled  
7 “Hunchback Mountain Land Exchange, Clackamas  
8 County”, dated June 2006, shall be incorporated in,  
9 and considered to be a part of, the Salmon-  
10 Huckleberry Wilderness, as designated by section  
11 3(2) of the Oregon Wilderness Act of 1984 (16  
12 U.S.C. 1132 note; 98 Stat. 273) and enlarged by  
13 subsection (a)(7).

14 (d) MAPS AND LEGAL DESCRIPTIONS.—

15 (1) IN GENERAL.—As soon as practicable after  
16 the date of enactment of this Act, the Secretary  
17 shall file a map and a legal description of each wil-  
18 derness area and potential wilderness area des-  
19 igned by this section, with—

20 (A) the Committee on Energy and Natural  
21 Resources of the Senate; and

22 (B) the Committee on Natural Resources  
23 of the House of Representatives.

24 (2) FORCE OF LAW.—The maps and legal de-  
25 scriptions filed under paragraph (1) shall have the

1 same force and effect as if included in this subtitle,  
2 except that the Secretary may correct typographical  
3 errors in the maps and legal descriptions.

4 (3) PUBLIC AVAILABILITY.—Each map and  
5 legal description filed under paragraph (1) shall be  
6 on file and available for public inspection in the ap-  
7 propriate offices of the Forest Service and Bureau  
8 of Land Management.

9 (4) DESCRIPTION OF LAND.—The boundaries of  
10 the areas designated as wilderness by subsection (a)  
11 that are immediately adjacent to a utility right-of-  
12 way or a Federal Energy Regulatory Commission  
13 project boundary shall be 100 feet from the bound-  
14 ary of the right-of-way or the project boundary.

15 (e) ADMINISTRATION.—

16 (1) IN GENERAL.—Subject to valid existing  
17 rights, each area designated as wilderness by this  
18 section shall be administered by the Secretary that  
19 has jurisdiction over the land within the wilderness,  
20 in accordance with the Wilderness Act (16 U.S.C.  
21 1131 et seq.), except that—

22 (A) any reference in that Act to the effec-  
23 tive date shall be considered to be a reference  
24 to the date of enactment of this Act; and

1 (B) any reference in that Act to the Sec-  
2 retary of Agriculture shall be considered to be  
3 a reference to the Secretary that has jurisdic-  
4 tion over the land within the wilderness.

5 (2) INCORPORATION OF ACQUIRED LAND AND  
6 INTERESTS.—Any land within the boundary of a wil-  
7 derness area designated by this section that is ac-  
8 quired by the United States shall—

9 (A) become part of the wilderness area in  
10 which the land is located; and

11 (B) be managed in accordance with this  
12 section, the Wilderness Act (16 U.S.C. 1131 et  
13 seq.), and any other applicable law.

14 (f) BUFFER ZONES.—

15 (1) IN GENERAL.—As provided in the Oregon  
16 Wilderness Act of 1984 (16 U.S.C. 1132 note; Pub-  
17 lic Law 98–328), Congress does not intend for des-  
18 ignation of wilderness areas in the State under this  
19 section to lead to the creation of protective perim-  
20 eters or buffer zones around each wilderness area.

21 (2) ACTIVITIES OR USES UP TO BOUNDARIES.—  
22 The fact that nonwilderness activities or uses can be  
23 seen or heard from within a wilderness area shall  
24 not, of itself, preclude the activities or uses up to the  
25 boundary of the wilderness area.

1 (g) FISH AND WILDLIFE.—Nothing in this section  
2 affects the jurisdiction or responsibilities of the State with  
3 respect to fish and wildlife.

4 (h) FIRE, INSECTS, AND DISEASES.—As provided in  
5 section 4(d)(1) of the Wilderness Act (16 U.S.C.  
6 1133(d)(1)), within the wilderness areas designated by  
7 this section, the Secretary that has jurisdiction over the  
8 land within the wilderness (referred to in this subsection  
9 as the “Secretary”) may take such measures as are nec-  
10 essary to control fire, insects, and diseases, subject to such  
11 terms and conditions as the Secretary determines to be  
12 desirable and appropriate.

13 (i) WITHDRAWAL.—Subject to valid rights in exist-  
14 ence on the date of enactment of this Act, the Federal  
15 land designated as wilderness by this section is withdrawn  
16 from all forms of—

17 (1) entry, appropriation, or disposal under the  
18 public land laws;

19 (2) location, entry, and patent under the mining  
20 laws; and

21 (3) disposition under all laws pertaining to min-  
22 eral and geothermal leasing or mineral materials.

1 **SEC. 413. DESIGNATION OF STREAMS FOR WILD AND SCE-**  
2 **NIC RIVER PROTECTION IN THE MOUNT**  
3 **HOOD AREA.**

4 (a) WILD AND SCENIC RIVER DESIGNATIONS,  
5 MOUNT HOOD NATIONAL FOREST.—

6 (1) IN GENERAL.—Section 3(a) of the Wild and  
7 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

8 (A) by redesignating paragraph (167) (re-  
9 lating to the Musconetcong River, New Jersey)  
10 as paragraph (169);

11 (B) by designating the undesignated para-  
12 graph relating to the White Salmon River,  
13 Washington, as paragraph (167);

14 (C) by designating the undesignated para-  
15 graph relating to the Black Butte River, Cali-  
16 fornia, as paragraph (168); and

17 (D) by adding at the end the following:

18 “(170) SOUTH FORK CLACKAMAS RIVER.—The  
19 4.2-mile segment of the South Fork Clackamas  
20 River from its confluence with the East Fork of the  
21 South Fork Clackamas to its confluence with the  
22 Clackamas River, to be administered by the Sec-  
23 retary of Agriculture as a wild river.

24 “(171) EAGLE CREEK.—The 8.3-mile segment  
25 of Eagle Creek from its headwaters to the Mount

1 Hood National Forest boundary, to be administered  
2 by the Secretary of Agriculture as a wild river.

3 “(172) MIDDLE FORK HOOD RIVER.—The 3.7-  
4 mile segment of the Middle Fork Hood River from  
5 the confluence of Clear and Coe Branches to the  
6 north section line of section 11, township 1 south,  
7 range 9 east, to be administered by the Secretary of  
8 Agriculture as a scenic river.

9 “(173) SOUTH FORK ROARING RIVER.—The  
10 4.6-mile segment of the South Fork Roaring River  
11 from its headwaters to its confluence with Roaring  
12 River, to be administered by the Secretary of Agri-  
13 culture as a wild river.

14 “(174) ZIG ZAG RIVER.—The 4.3-mile segment  
15 of the Zig Zag River from its headwaters to the  
16 Mount Hood Wilderness boundary, to be adminis-  
17 tered by the Secretary of Agriculture as a wild river.

18 “(175) FIFTEENMILE CREEK.—

19 “(A) IN GENERAL.—The 11.1-mile seg-  
20 ment of Fifteenmile Creek from its source at  
21 Senecal Spring to the southern edge of the  
22 northwest quarter of the northwest quarter of  
23 section 20, township 2 south, range 12 east, to  
24 be administered by the Secretary of Agriculture  
25 in the following classes:

1           “(i) The 2.6-mile segment from its  
2           source at Senecal Spring to the Badger  
3           Creek Wilderness boundary, as a wild  
4           river.

5           “(ii) The 0.4-mile segment from the  
6           Badger Creek Wilderness boundary to the  
7           point 0.4 miles downstream, as a scenic  
8           river.

9           “(iii) The 7.9-mile segment from the  
10          point 0.4 miles downstream of the Badger  
11          Creek Wilderness boundary to the western  
12          edge of section 20, township 2 south,  
13          range 12 east as a wild river.

14          “(iv) The 0.2-mile segment from the  
15          western edge of section 20, township 2  
16          south, range 12 east, to the southern edge  
17          of the northwest quarter of the northwest  
18          quarter of section 20, township 2 south,  
19          range 12 east as a scenic river.

20          “(B) INCLUSIONS.—Notwithstanding sec-  
21          tion 3(b), the lateral boundaries of both the  
22          wild river area and the scenic river area along  
23          Fifteenmile Creek shall include an average of  
24          not more than 640 acres per mile measured

1 from the ordinary high water mark on both  
2 sides of the river.

3 “(176) EAST FORK HOOD RIVER.—The 13.5-  
4 mile segment of the East Fork Hood River from Or-  
5 egon State Highway 35 to the Mount Hood National  
6 Forest boundary, to be administered by the Sec-  
7 retary of Agriculture as a recreational river.

8 “(177) COLLAWASH RIVER.—The 17.8-mile  
9 segment of the Collawash River from the headwaters  
10 of the East Fork Collawash to the confluence of the  
11 mainstream of the Collawash River with the  
12 Clackamas River, to be administered by the Sec-  
13 retary of Agriculture in the following classes:

14 “(A) The 11.0-mile segment from the  
15 headwaters of the East Fork Collawash River  
16 to Buckeye Creek, as a scenic river.

17 “(B) The 6.8-mile segment from Buckeye  
18 Creek to the Clackamas River, as a recreational  
19 river.

20 “(178) FISH CREEK.—The 13.5-mile segment  
21 of Fish Creek from its headwaters to the confluence  
22 with the Clackamas River, to be administered by the  
23 Secretary of Agriculture as a recreational river.”.

24 (2) EFFECT.—The amendments made by para-  
25 graph (1) do not affect valid existing water rights.

1 (b) PROTECTION FOR HOOD RIVER, OREGON.—Sec-  
2 tion 13(a)(4) of the “Columbia River Gorge National Sce-  
3 nic Area Act” (16 U.S.C. 544k(a)(4)) is amended by strik-  
4 ing “for a period not to exceed twenty years from the date  
5 of enactment of this Act,”.

6 **SEC. 414. MOUNT HOOD NATIONAL RECREATION AREA.**

7 (a) DESIGNATION.—To provide for the protection,  
8 preservation, and enhancement of recreational, ecological,  
9 scenic, cultural, watershed, and fish and wildlife values,  
10 there is established the Mount Hood National Recreation  
11 Area within the Mount Hood National Forest.

12 (b) BOUNDARY.—The Mount Hood National Recre-  
13 ation Area shall consist of certain Federal land managed  
14 by the Forest Service and Bureau of Land Management,  
15 comprising approximately 34,550 acres, as generally de-  
16 picted on the maps entitled “National Recreation Areas—  
17 Mount Hood NRA”, “National Recreation Areas—  
18 Fifteenmile Creek NRA”, and “National Recreation  
19 Areas—Shellrock Mountain”, dated February 2007.

20 (c) MAP AND LEGAL DESCRIPTION.—

21 (1) SUBMISSION OF LEGAL DESCRIPTION.—As  
22 soon as practicable after the date of enactment of  
23 this Act, the Secretary shall file a map and a legal  
24 description of the Mount Hood National Recreation  
25 Area with—

1 (A) the Committee on Energy and Natural  
2 Resources of the Senate; and

3 (B) the Committee on Natural Resources  
4 of the House of Representatives.

5 (2) FORCE OF LAW.—The map and legal de-  
6 scription filed under paragraph (1) shall have the  
7 same force and effect as if included in this subtitle,  
8 except that the Secretary may correct typographical  
9 errors in the map and the legal description.

10 (3) PUBLIC AVAILABILITY.—The map and legal  
11 description filed under paragraph (1) shall be on file  
12 and available for public inspection in the appropriate  
13 offices of the Forest Service.

14 (d) ADMINISTRATION.—

15 (1) IN GENERAL.—The Secretary shall—

16 (A) administer the Mount Hood National  
17 Recreation Area—

18 (i) in accordance with the laws (in-  
19 cluding regulations) and rules applicable to  
20 the National Forest System; and

21 (ii) consistent with the purposes de-  
22 scribed in subsection (a); and

23 (B) only allow uses of the Mount Hood  
24 National Recreation Area that are consistent  
25 with the purposes described in subsection (a).

1           (2) APPLICABLE LAW.—Any portion of a wil-  
2           derness area designated by section 412 that is lo-  
3           cated within the Mount Hood National Recreation  
4           Area shall be administered in accordance with the  
5           Wilderness Act (16 U.S.C. 1131 et seq.).

6           (e) TIMBER.—The cutting, sale, or removal of timber  
7           within the Mount Hood National Recreation Area may be  
8           permitted—

9           (1) to the extent necessary to improve the  
10          health of the forest in a manner that—

11          (A) maximizes the retention of large  
12          trees—

13                  (i) as appropriate to the forest type;

14                  and

15                  (ii) to the extent that the trees pro-  
16          mote stands that are fire-resilient and  
17          healthy;

18          (B) improves the habitats of threatened,  
19          endangered, or sensitive species; or

20          (C) maintains or restores the composition  
21          and structure of the ecosystem by reducing the  
22          risk of uncharacteristic wildfire;

23          (2) to accomplish an approved management ac-  
24          tivity in furtherance of the purposes established by

1 this section, if the cutting, sale, or removal of timber  
2 is incidental to the management activity; or

3 (3) for de minimus personal or administrative  
4 use within the Mount Hood National Recreation  
5 Area, where such use will not impair the purposes  
6 established by this section.

7 (f) ROAD CONSTRUCTION.—No new or temporary  
8 roads shall be constructed or reconstructed within the  
9 Mount Hood National Recreation Area except as nec-  
10 essary—

11 (1) to protect the health and safety of individ-  
12 uals in cases of an imminent threat of flood, fire, or  
13 any other catastrophic event that, without interven-  
14 tion, would cause the loss of life or property;

15 (2) to conduct environmental cleanup required  
16 by the United States;

17 (3) to allow for the exercise of reserved or out-  
18 standing rights provided for by a statute or treaty;

19 (4) to prevent irreparable resource damage by  
20 an existing road; or

21 (5) to rectify a hazardous road condition.

22 (g) WITHDRAWAL.—Subject to valid existing rights,  
23 all Federal land within the Mount Hood National Recre-  
24 ation Area is withdrawn from—

1 (1) all forms of entry, appropriation, or disposal  
2 under the public land laws;

3 (2) location, entry, and patent under the mining  
4 laws; and

5 (3) disposition under all laws relating to min-  
6 eral and geothermal leasing.

7 (h) TRANSFER OF ADMINISTRATIVE JURISDIC-  
8 TION.—

9 (1) IN GENERAL.—Administrative jurisdiction  
10 over the Federal land described in paragraph (2) is  
11 transferred from the Bureau of Land Management  
12 to the Forest Service.

13 (2) DESCRIPTION OF LAND.—The land referred  
14 to in paragraph (1) is the approximately 130 acres  
15 of land administered by the Bureau of Land Man-  
16 agement within or adjacent to the Mount Hood Na-  
17 tional Recreation Area that is identified as “BLM  
18 Lands” on the map entitled “National Recreation  
19 Areas—Shellrock Mountain”, dated February 2007.

20 **SEC. 415. PROTECTIONS FOR CRYSTAL SPRINGS, UPPER**  
21 **BIG BOTTOM, AND CULTUS CREEK.**

22 (a) CRYSTAL SPRINGS WATERSHED SPECIAL RE-  
23 SOURCES MANAGEMENT UNIT.—

24 (1) ESTABLISHMENT.—

1           (A) IN GENERAL.—On completion of the  
2 land exchange under section 416(a)(2), there  
3 shall be established a special resources manage-  
4 ment unit in the State consisting of certain  
5 Federal land managed by the Forest Service, as  
6 generally depicted on the map entitled “Crystal  
7 Springs Watershed Special Resources Manage-  
8 ment Unit”, dated June 2006 (referred to in  
9 this subsection as the “map”), to be known as  
10 the “Crystal Springs Watershed Special Re-  
11 sources Management Unit” (referred to in this  
12 subsection as the “Management Unit”).

13           (B) EXCLUSION OF CERTAIN LAND.—The  
14 Management Unit does not include any Na-  
15 tional Forest System land otherwise covered by  
16 subparagraph (A) that is designated as wilder-  
17 ness by section 412.

18           (C) WITHDRAWAL.—

19           (i) IN GENERAL.—Subject to valid  
20 rights in existence on the date of enact-  
21 ment of this Act, the Federal land des-  
22 ignated as the Management Unit is with-  
23 drawn from all forms of—

24                   (I) entry, appropriation, or dis-  
25                   posal under the public land laws;

1 (II) location, entry, and patent  
2 under the mining laws; and

3 (III) disposition under all laws  
4 pertaining to mineral and geothermal  
5 leasing or mineral materials.

6 (ii) EXCEPTION.—Clause (i)(I) does  
7 not apply to the parcel of land generally  
8 depicted as “HES 151” on the map.

9 (2) PURPOSES.—The purposes of the Manage-  
10 ment Unit are—

11 (A) to ensure the protection of the quality  
12 and quantity of the Crystal Springs watershed  
13 as a clean drinking water source for the resi-  
14 dents of Hood River County, Oregon; and

15 (B) to allow visitors to enjoy the special  
16 scenic, natural, cultural, and wildlife values of  
17 the Crystal Springs watershed.

18 (3) MAP AND LEGAL DESCRIPTION.—

19 (A) SUBMISSION OF LEGAL DESCRIP-  
20 TION.—As soon as practicable after the date of  
21 enactment of this Act, the Secretary shall file  
22 a map and a legal description of the Manage-  
23 ment Unit with—

24 (i) the Committee on Energy and  
25 Natural Resources of the Senate; and

1                   (ii) the Committee on Natural Re-  
2                   sources of the House of Representatives.

3                   (B) FORCE OF LAW.—The map and legal  
4                   description filed under subparagraph (A) shall  
5                   have the same force and effect as if included in  
6                   this subtitle, except that the Secretary may cor-  
7                   rect typographical errors in the map and legal  
8                   description.

9                   (C) PUBLIC AVAILABILITY.—The map and  
10                  legal description filed under subparagraph (A)  
11                  shall be on file and available for public inspec-  
12                  tion in the appropriate offices of the Forest  
13                  Service.

14                 (4) ADMINISTRATION.—

15                 (A) IN GENERAL.—The Secretary shall—

16                         (i) administer the Management  
17                         Unit—

18                                 (I) in accordance with the laws  
19                                 (including regulations) and rules ap-  
20                                 plicable to units of the National For-  
21                                 est System; and

22                                 (II) consistent with the purposes  
23                                 described in paragraph (2); and

1 (ii) only allow uses of the Manage-  
2 ment Unit that are consistent with the  
3 purposes described in paragraph (2).

4 (B) FUEL REDUCTION IN PROXIMITY TO  
5 IMPROVEMENTS AND PRIMARY PUBLIC  
6 ROADS.—To protect the water quality, water  
7 quantity, and scenic, cultural, natural, and  
8 wildlife values of the Management Unit, the  
9 Secretary may conduct fuel reduction and forest  
10 health management treatments to maintain and  
11 restore fire-resilient forest structures containing  
12 late successional forest structure characterized  
13 by large trees and multistoried canopies, as eco-  
14 logically appropriate, on National Forest Sys-  
15 tem land in the Management Unit—

16 (i) in any area located not more than  
17 400 feet from structures located on—

18 (I) National Forest System land;

19 or

20 (II) private land adjacent to Na-  
21 tional Forest System land;

22 (ii) in any area located not more than  
23 400 feet from the Cooper Spur Road, the  
24 Cloud Cap Road, or the Cooper Spur Ski  
25 Area Loop Road; and

1                   (iii) on any other National Forest  
2                   System land in the Management Unit, with  
3                   priority given to activities that restore pre-  
4                   viously harvested stands, including the re-  
5                   moval of logging slash, smaller diameter  
6                   material, and ladder fuels.

7                   (5) PROHIBITED ACTIVITIES.—Subject to valid  
8                   existing rights, the following activities shall be pro-  
9                   hibited on National Forest System land in the Man-  
10                  agement Unit:

11                  (A) New road construction or renovation of  
12                  existing non-System roads, except as necessary  
13                  to protect public health and safety.

14                  (B) Projects undertaken for the purpose of  
15                  harvesting commercial timber (other than ac-  
16                  tivities relating to the harvest of merchantable  
17                  products that are byproducts of activities con-  
18                  ducted to further the purposes described in  
19                  paragraph (2)).

20                  (C) Commercial livestock grazing.

21                  (D) The placement of new fuel storage  
22                  tanks.

23                  (E) Except to the extent necessary to fur-  
24                  ther the purposes described in paragraph (2),  
25                  the application of any toxic chemicals (other

1 than fire retardants), including pesticides,  
2 rodenticides, or herbicides.

3 (6) FOREST ROAD CLOSURES.—

4 (A) IN GENERAL.—Except as provided in  
5 subparagraph (B), the Secretary may provide  
6 for the closure or gating to the general public  
7 of any Forest Service road within the Manage-  
8 ment Unit.

9 (B) EXCEPTION.—Nothing in this sub-  
10 section requires the Secretary to close the road  
11 commonly known as “Cloud Cap Road”, which  
12 shall be administered in accordance with other-  
13 wise applicable law.

14 (7) PRIVATE LAND.—

15 (A) EFFECT.—Nothing in this subsection  
16 affects the use of, or access to, any private  
17 property within the area identified on the map  
18 as the “Crystal Springs Zone of Contribution”  
19 by—

20 (i) the owners of the private property;

21 and

22 (ii) guests to the private property.

23 (B) COOPERATION.—The Secretary is en-  
24 couraged to work with private landowners who

1           have agreed to cooperate with the Secretary to  
2           further the purposes of this subsection.

3           (8) ACQUISITION OF LAND.—

4                 (A) IN GENERAL.—The Secretary may ac-  
5           quire from willing landowners any land located  
6           within the area identified on the map as the  
7           “Crystal Springs Zone of Contribution”.

8                 (B) INCLUSION IN MANAGEMENT UNIT.—

9           On the date of acquisition, any land acquired  
10          under subparagraph (A) shall be incorporated  
11          in, and be managed as part of, the Management  
12          Unit.

13          (b) PROTECTIONS FOR UPPER BIG BOTTOM AND  
14          CULTUS CREEK.—

15                 (1) IN GENERAL.—The Secretary shall manage  
16          the Federal land administered by the Forest Service  
17          described in paragraph (2) in a manner that pre-  
18          serves the natural and primitive character of the  
19          land for recreational, scenic, and scientific use.

20                 (2) DESCRIPTION OF LAND.—The Federal land  
21          referred to in paragraph (1) is—

22                         (A) the approximately 1,580 acres, as gen-  
23                         erally depicted on the map entitled “Upper Big  
24                         Bottom”, dated July 16, 2007; and

1 (B) the approximately 280 acres identified  
2 as “Cultus Creek” on the map entitled  
3 “Clackamas Wilderness—South Fork  
4 Clackamas”, dated July 16, 2007.

5 (3) MAPS AND LEGAL DESCRIPTIONS.—

6 (A) IN GENERAL.—As soon as practicable  
7 after the date of enactment of this Act, the Sec-  
8 retary shall file maps and legal descriptions of  
9 the Federal land described in paragraph (2)  
10 with—

11 (i) the Committee on Energy and  
12 Natural Resources of the Senate; and

13 (ii) the Committee on Natural Re-  
14 sources of the House of Representatives.

15 (B) FORCE OF LAW.—The maps and legal  
16 descriptions filed under subparagraph (A) shall  
17 have the same force and effect as if included in  
18 this subtitle, except that the Secretary may cor-  
19 rect typographical errors in the maps and legal  
20 descriptions.

21 (C) PUBLIC AVAILABILITY.—Each map  
22 and legal description filed under subparagraph  
23 (A) shall be on file and available for public in-  
24 spection in the appropriate offices of the Forest  
25 Service.

## 1 (4) USE OF LAND.—

2 (A) IN GENERAL.—Subject to valid exist-  
3 ing rights, with respect to the Federal land de-  
4 scribed in paragraph (2), the Secretary shall  
5 only allow uses that are consistent with the pur-  
6 poses identified in paragraph (1).

7 (B) PROHIBITED USES.—The following  
8 shall be prohibited on the Federal land de-  
9 scribed in paragraph (2):

10 (i) Permanent roads.

11 (ii) Commercial enterprises.

12 (iii) Except as necessary to meet the  
13 minimum requirements for the administra-  
14 tion of the Federal land and to protect  
15 public health and safety—

16 (I) the use of motor vehicles; or

17 (II) the establishment of tem-  
18 porary roads.

19 (5) WITHDRAWAL.—Subject to valid existing  
20 rights, the Federal land described in paragraph (2)  
21 is withdrawn from—

22 (A) all forms of entry, appropriation, or  
23 disposal under the public land laws;

24 (B) location, entry, and patent under the  
25 mining laws; and

1 (C) disposition under all laws relating to  
2 mineral and geothermal leasing.

3 **SEC. 416. LAND EXCHANGES.**

4 (a) COOPER SPUR-GOVERNMENT CAMP LAND EX-  
5 CHANGE.—

6 (1) DEFINITIONS.—In this subsection:

7 (A) COUNTY.—The term “County” means  
8 Hood River County, Oregon.

9 (B) EXCHANGE MAP.—The term “ex-  
10 change map” means the map entitled “Cooper  
11 Spur/Government Camp Land Exchange”,  
12 dated June 2006.

13 (C) FEDERAL LAND.—The term “Federal  
14 land” means the approximately 120 acres of  
15 National Forest System land in the Mount  
16 Hood National Forest in Government Camp,  
17 Clackamas County, Oregon, identified as  
18 “USFS Land to be Conveyed” on the exchange  
19 map.

20 (D) MT. HOOD MEADOWS.—The term “Mt.  
21 Hood Meadows” means the Mt. Hood Meadows  
22 Oregon, Limited Partnership.

23 (E) NON-FEDERAL LAND.—The term  
24 “non-Federal land” means—

1 (i) the parcel of approximately 770  
2 acres of private land at Cooper Spur iden-  
3 tified as “Land to be acquired by USFS”  
4 on the exchange map; and

5 (ii) any buildings, furniture, fixtures,  
6 and equipment at the Inn at Cooper Spur  
7 and the Cooper Spur Ski Area covered by  
8 an appraisal described in paragraph  
9 (2)(D).

10 (2) COOPER SPUR-GOVERNMENT CAMP LAND  
11 EXCHANGE.—

12 (A) CONVEYANCE OF LAND.—Subject to  
13 the provisions of this subsection, if Mt. Hood  
14 Meadows offers to convey to the United States  
15 all right, title, and interest of Mt. Hood Mead-  
16 ows in and to the non-Federal land, the Sec-  
17 retary shall convey to Mt. Hood Meadows all  
18 right, title, and interest of the United States in  
19 and to the Federal land (other than any ease-  
20 ments reserved under subparagraph (G)), sub-  
21 ject to valid existing rights.

22 (B) COMPLIANCE WITH EXISTING LAW.—  
23 Except as otherwise provided in this subsection,  
24 the Secretary shall carry out the land exchange  
25 under this subsection in accordance with section

1           206 of the Federal Land Policy and Manage-  
2           ment Act of 1976 (43 U.S.C. 1716).

3           (C) CONDITIONS ON ACCEPTANCE.—

4           (i) TITLE.—As a condition of the land  
5           exchange under this subsection, title to the  
6           non-Federal land to be acquired by the  
7           Secretary under this subsection shall be ac-  
8           ceptable to the Secretary.

9           (ii) TERMS AND CONDITIONS.—The  
10          conveyance of the Federal land and non-  
11          Federal land shall be subject to such terms  
12          and conditions as the Secretary may re-  
13          quire.

14          (D) APPRAISALS.—

15          (i) IN GENERAL.—As soon as prac-  
16          ticable after the date of enactment of this  
17          Act, the Secretary and Mt. Hood Meadows  
18          shall select an appraiser to conduct an ap-  
19          praisal of the Federal land and non-Fed-  
20          eral land.

21          (ii) REQUIREMENTS.—An appraisal  
22          under clause (i) shall be conducted in ac-  
23          cordance with nationally recognized ap-  
24          praisal standards, including—

1 (I) the Uniform Appraisal Stand-  
2 ards for Federal Land Acquisitions;  
3 and

4 (II) the Uniform Standards of  
5 Professional Appraisal Practice.

6 (E) SURVEYS.—

7 (i) IN GENERAL.—The exact acreage  
8 and legal description of the Federal land  
9 and non-Federal land shall be determined  
10 by surveys approved by the Secretary.

11 (ii) COSTS.—The responsibility for the  
12 costs of any surveys conducted under  
13 clause (i), and any other administrative  
14 costs of carrying out the land exchange,  
15 shall be determined by the Secretary and  
16 Mt. Hood Meadows.

17 (F) DEADLINE FOR COMPLETION OF LAND  
18 EXCHANGE.—It is the intent of Congress that  
19 the land exchange under this subsection shall be  
20 completed not later than 16 months after the  
21 date of enactment of this Act.

22 (G) RESERVATION OF EASEMENTS.—As a  
23 condition of the conveyance of the Federal land,  
24 the Secretary shall reserve—

1 (i) a conservation easement to the  
2 Federal land to protect existing wetland,  
3 as identified by the Oregon Department of  
4 State Lands, that allows equivalent wet-  
5 land mitigation measures to compensate  
6 for minor wetland encroachments nec-  
7 essary for the orderly development of the  
8 Federal land; and

9 (ii) a trail easement to the Federal  
10 land that allows—

11 (I) nonmotorized use by the pub-  
12 lic of existing trails;

13 (II) roads, utilities, and infra-  
14 structure facilities to cross the trails;  
15 and

16 (III) improvement or relocation  
17 of the trails to accommodate develop-  
18 ment of the Federal land.

19 (b) PORT OF CASCADE LOCKS LAND EXCHANGE.—

20 (1) DEFINITIONS.—In this subsection:

21 (A) EXCHANGE MAP.—The term “ex-  
22 change map” means the map entitled “Port of  
23 Cascade Locks/Pacific Crest National Scenic  
24 Trail Land Exchange”, dated June 2006.

1 (B) FEDERAL LAND.—The term “Federal  
2 land” means the parcel of land consisting of ap-  
3 proximately 10 acres of National Forest System  
4 land in the Columbia River Gorge National Sce-  
5 nic Area identified as “USFS Land to be con-  
6 veyed” on the exchange map.

7 (C) NON-FEDERAL LAND.—The term  
8 “non-Federal land” means the parcels of land  
9 consisting of approximately 40 acres identified  
10 as “Land to be acquired by USFS” on the ex-  
11 change map.

12 (D) PORT.—The term “Port” means the  
13 Port of Cascade Locks, Cascade Locks, Oregon.

14 (2) LAND EXCHANGE, PORT OF CASCADE  
15 LOCKS-PACIFIC CREST NATIONAL SCENIC TRAIL.—

16 (A) CONVEYANCE OF LAND.—Subject to  
17 the provisions of this subsection, if the Port of-  
18 fers to convey to the United States all right,  
19 title, and interest of the Port in and to the non-  
20 Federal land, the Secretary shall, subject to  
21 valid existing rights, convey to the Port all  
22 right, title, and interest of the United States in  
23 and to the Federal land.

24 (B) COMPLIANCE WITH EXISTING LAW.—  
25 Except as otherwise provided in this subsection,

1 the Secretary shall carry out the land exchange  
2 under this subsection in accordance with section  
3 206 of the Federal Land Policy and Manage-  
4 ment Act of 1976 (43 U.S.C. 1716).

5 (3) CONDITIONS ON ACCEPTANCE.—

6 (A) TITLE.—As a condition of the land ex-  
7 change under this subsection, title to the non-  
8 Federal land to be acquired by the Secretary  
9 under this subsection shall be acceptable to the  
10 Secretary.

11 (B) TERMS AND CONDITIONS.—The con-  
12 veyance of the Federal land and non-Federal  
13 land shall be subject to such terms and condi-  
14 tions as the Secretary may require.

15 (4) APPRAISALS.—

16 (A) IN GENERAL.—As soon as practicable  
17 after the date of enactment of this Act, the Sec-  
18 retary shall select an appraiser to conduct an  
19 appraisal of the Federal land and non-Federal  
20 land.

21 (B) REQUIREMENTS.—An appraisal under  
22 subparagraph (A) shall be conducted in accord-  
23 ance with nationally recognized appraisal stand-  
24 ards, including—

- 1 (i) the Uniform Appraisal Standards  
2 for Federal Land Acquisitions; and  
3 (ii) the Uniform Standards of Profes-  
4 sional Appraisal Practice.

5 (5) SURVEYS.—

6 (A) IN GENERAL.—The exact acreage and  
7 legal description of the Federal land and non-  
8 Federal land shall be determined by surveys ap-  
9 proved by the Secretary.

10 (B) COSTS.—The responsibility for the  
11 costs of any surveys conducted under subpara-  
12 graph (A), and any other administrative costs  
13 of carrying out the land exchange, shall be de-  
14 termined by the Secretary and the Port.

15 (6) DEADLINE FOR COMPLETION OF LAND EX-  
16 CHANGE.—It is the intent of Congress that the land  
17 exchange under this subsection shall be completed  
18 not later than 16 months after the date of enact-  
19 ment of this Act.

20 (c) HUNCHBACK MOUNTAIN LAND EXCHANGE AND  
21 BOUNDARY ADJUSTMENT.—

22 (1) DEFINITIONS.—In this subsection:

23 (A) COUNTY.—The term “County” means  
24 Clackamas County, Oregon.

1           (B) EXCHANGE MAP.—The term “ex-  
2           change map” means the map entitled “Hunch-  
3           back Mountain Land Exchange, Clackamas  
4           County”, dated June 2006.

5           (C) FEDERAL LAND.—The term “Federal  
6           land” means the parcel of land consisting of ap-  
7           proximately 160 acres of National Forest Sys-  
8           tem land in the Mount Hood National Forest  
9           identified as “USFS Land to be Conveyed” on  
10          the exchange map.

11          (D) NON-FEDERAL LAND.—The term  
12          “non-Federal land” means the parcel of land  
13          consisting of approximately 160 acres identified  
14          as “Land to be acquired by USFS” on the ex-  
15          change map.

16          (2) HUNCHBACK MOUNTAIN LAND EX-  
17          CHANGE.—

18               (A) CONVEYANCE OF LAND.—Subject to  
19               the provisions of this paragraph, if the County  
20               offers to convey to the United States all right,  
21               title, and interest of the County in and to the  
22               non-Federal land, the Secretary shall, subject to  
23               valid existing rights, convey to the County all  
24               right, title, and interest of the United States in  
25               and to the Federal land.

1 (B) COMPLIANCE WITH EXISTING LAW.—

2 Except as otherwise provided in this paragraph,  
3 the Secretary shall carry out the land exchange  
4 under this paragraph in accordance with section  
5 206 of the Federal Land Policy and Manage-  
6 ment Act of 1976 (43 U.S.C. 1716).

7 (C) CONDITIONS ON ACCEPTANCE.—

8 (i) TITLE.—As a condition of the land  
9 exchange under this paragraph, title to the  
10 non-Federal land to be acquired by the  
11 Secretary under this paragraph shall be  
12 acceptable to the Secretary.

13 (ii) TERMS AND CONDITIONS.—The  
14 conveyance of the Federal land and non-  
15 Federal land shall be subject to such terms  
16 and conditions as the Secretary may re-  
17 quire.

18 (D) APPRAISALS.—

19 (i) IN GENERAL.—As soon as prac-  
20 ticable after the date of enactment of this  
21 Act, the Secretary shall select an appraiser  
22 to conduct an appraisal of the Federal  
23 land and non-Federal land.

24 (ii) REQUIREMENTS.—An appraisal  
25 under clause (i) shall be conducted in ac-

1 cordance with nationally recognized ap-  
2 praisal standards, including—

3 (I) the Uniform Appraisal Stand-  
4 ards for Federal Land Acquisitions;  
5 and

6 (II) the Uniform Standards of  
7 Professional Appraisal Practice.

8 (E) SURVEYS.—

9 (i) IN GENERAL.—The exact acreage  
10 and legal description of the Federal land  
11 and non-Federal land shall be determined  
12 by surveys approved by the Secretary.

13 (ii) COSTS.—The responsibility for the  
14 costs of any surveys conducted under  
15 clause (i), and any other administrative  
16 costs of carrying out the land exchange,  
17 shall be determined by the Secretary and  
18 the County.

19 (F) DEADLINE FOR COMPLETION OF LAND  
20 EXCHANGE.—It is the intent of Congress that  
21 the land exchange under this paragraph shall be  
22 completed not later than 16 months after the  
23 date of enactment of this Act.

24 (3) BOUNDARY ADJUSTMENT.—

1 (A) IN GENERAL.—The boundary of the  
2 Mount Hood National Forest shall be adjusted  
3 to incorporate—

4 (i) any land conveyed to the United  
5 States under paragraph (2); and

6 (ii) the land transferred to the Forest  
7 Service by section 414(h)(1).

8 (B) ADDITIONS TO THE NATIONAL FOREST  
9 SYSTEM.—The Secretary shall administer the  
10 land described in subparagraph (A)—

11 (i) in accordance with—

12 (I) the Act of March 1, 1911  
13 (commonly known as the “Weeks  
14 Law”) (16 U.S.C. 480 et seq.); and

15 (II) any laws (including regula-  
16 tions) applicable to the National For-  
17 est System; and

18 (ii) subject to sections 412(c)(3) and  
19 414(d), as applicable.

20 (C) LAND AND WATER CONSERVATION  
21 FUND.—For the purposes of section 7 of the  
22 Land and Water Conservation Fund Act of  
23 1965 (16 U.S.C. 460l–9), the boundaries of the  
24 Mount Hood National Forest modified by this  
25 paragraph shall be considered to be the bound-

1           aries of the Mount Hood National Forest in ex-  
2           istence as of January 1, 1965.

3           (d) CONDITIONS ON DEVELOPMENT OF FEDERAL  
4 LAND.—

5           (1) REQUIREMENTS APPLICABLE TO THE CON-  
6 VEYANCE OF FEDERAL LAND.—

7           (A) IN GENERAL.—As a condition of each  
8           of the conveyances of Federal land under this  
9           section, the Secretary shall include in the deed  
10          of conveyance a requirement that applicable  
11          construction activities and alterations shall be  
12          conducted in accordance with—

13                   (i) nationally recognized building and  
14                   property maintenance codes; and

15                   (ii) nationally recognized codes for de-  
16                   velopment in the wildland-urban interface  
17                   and wildfire hazard mitigation.

18           (B) APPLICABLE LAW.—To the maximum  
19           extent practicable, the codes required under  
20           subparagraph (A) shall be consistent with the  
21           nationally recognized codes adopted or ref-  
22           erenced by the State or political subdivisions of  
23           the State.

24           (C) ENFORCEMENT.—The requirements  
25           under subparagraph (A) may be enforced by the

1 same entities otherwise enforcing codes, ordi-  
2 nances, and standards.

3 (2) COMPLIANCE WITH CODES ON FEDERAL  
4 LAND.—The Secretary shall ensure that applicable  
5 construction activities and alterations undertaken or  
6 permitted by the Secretary on National Forest Sys-  
7 tem land in the Mount Hood National Forest are  
8 conducted in accordance with—

9 (A) nationally recognized building and  
10 property maintenance codes; and

11 (B) nationally recognized codes for devel-  
12 opment in the wildland-urban interface develop-  
13 ment and wildfire hazard mitigation.

14 (3) EFFECT ON ENFORCEMENT BY STATES AND  
15 POLITICAL SUBDIVISIONS.—Nothing in this sub-  
16 section alters or limits the power of the State or a  
17 political subdivision of the State to implement or en-  
18 force any law (including regulations), rule, or stand-  
19 ard relating to development or fire prevention and  
20 control.

21 **SEC. 417. TRIBAL PROVISIONS; PLANNING AND STUDIES.**

22 (a) TRANSPORTATION PLAN.—

23 (1) IN GENERAL.—The Secretary shall seek to  
24 participate in the development of an integrated,  
25 multimodal transportation plan developed by the Or-

1       egon Department of Transportation for the Mount  
2       Hood region to achieve comprehensive solutions to  
3       transportation challenges in the Mount Hood re-  
4       gion—

5               (A) to promote appropriate economic devel-  
6               opment;

7               (B) to preserve the landscape of the Mount  
8               Hood region; and

9               (C) to enhance public safety.

10       (2) ISSUES TO BE ADDRESSED.—In partici-  
11       pating in the development of the transportation plan  
12       under paragraph (1), the Secretary shall seek to ad-  
13       dress—

14               (A) transportation alternatives between  
15               and among recreation areas and gateway com-  
16               munities that are located within the Mount  
17               Hood region;

18               (B) establishing park-and-ride facilities  
19               that shall be located at gateway communities;

20               (C) establishing intermodal transportation  
21               centers to link public transportation, parking,  
22               and recreation destinations;

23               (D) creating a new interchange on Oregon  
24               State Highway 26 located adjacent to or within  
25               Government Camp;

1 (E) designating, maintaining, and improv-  
2 ing alternative routes using Forest Service or  
3 State roads for—

4 (i) providing emergency routes; or

5 (ii) improving access to, and travel  
6 within, the Mount Hood region;

7 (F) the feasibility of establishing—

8 (i) a gondola connection that—

9 (I) connects Timberline Lodge to  
10 Government Camp; and

11 (II) is located in close proximity  
12 to the site of the historic gondola cor-  
13 ridor; and

14 (ii) an intermodal transportation cen-  
15 ter to be located in close proximity to Gov-  
16 ernment Camp;

17 (G) burying power lines located in, or adja-  
18 cent to, the Mount Hood National Forest along  
19 Interstate 84 near the City of Cascade Locks,  
20 Oregon; and

21 (H) creating mechanisms for funding the  
22 implementation of the transportation plan  
23 under paragraph (1), including—

24 (i) funds provided by the Federal Gov-  
25 ernment;

- 1 (ii) public-private partnerships;
- 2 (iii) incremental tax financing; and
- 3 (iv) other financing tools that link
- 4 transportation infrastructure improvements
- 5 with development.

6 (b) MOUNT HOOD NATIONAL FOREST STEWARDSHIP  
7 STRATEGY.—

8 (1) IN GENERAL.—The Secretary shall prepare  
9 a report on, and implementation schedule for, the  
10 vegetation management strategy (including rec-  
11 ommendations for biomass utilization) for the Mount  
12 Hood National Forest being developed by the Forest  
13 Service.

14 (2) SUBMISSION TO CONGRESS.—

15 (A) REPORT.—Not later than 1 year after  
16 the date of enactment of this Act, the Secretary  
17 shall submit the report to—

- 18 (i) the Committee on Energy and
- 19 Natural Resources of the Senate; and
- 20 (ii) the Committee on Natural Re-
- 21 sources of the House of Representatives.

22 (B) IMPLEMENTATION SCHEDULE.—Not  
23 later than 1 year after the date on which the  
24 vegetation management strategy referred to in

1 paragraph (1) is completed, the Secretary shall  
2 submit the implementation schedule to—

- 3 (i) the Committee on Energy and  
4 Natural Resources of the Senate; and  
5 (ii) the Committee on Natural Re-  
6 sources of the House of Representatives.

7 (c) LOCAL AND TRIBAL RELATIONSHIPS.—

8 (1) MANAGEMENT PLAN.—

9 (A) IN GENERAL.—The Secretary, in con-  
10 sultation with Indian tribes with treaty-reserved  
11 gathering rights on land encompassed by the  
12 Mount Hood National Forest and in a manner  
13 consistent with the memorandum of under-  
14 standing entered into between the Department  
15 of Agriculture, the Bureau of Land Manage-  
16 ment, the Bureau of Indian Affairs, and the  
17 Confederated Tribes of the Warm Springs Res-  
18 ervation of Oregon, dated April 25, 2003, as  
19 modified, shall develop and implement a man-  
20 agement plan that meets the cultural foods obli-  
21 gations of the United States under applicable  
22 treaties, including the Treaty with the Tribes of  
23 Middle Oregon of June 25, 1855 (12 Stat.  
24 963).

1 (B) EFFECT.—This paragraph shall be  
2 considered to be consistent with, and is in-  
3 tended to implement, the gathering rights re-  
4 served by the treaty described in subparagraph  
5 (A).

6 (2) SAVINGS PROVISIONS REGARDING RELA-  
7 TIONS WITH INDIAN TRIBES.—

8 (A) TREATY RIGHTS.—Nothing in this  
9 subtitle alters, modifies, enlarges, diminishes, or  
10 extinguishes the treaty rights of any Indian  
11 tribe, including the off-reservation reserved  
12 rights established by the Treaty with the Tribes  
13 of Middle Oregon of June 25, 1855 (12 Stat.  
14 963).

15 (B) TRIBAL LAND.—Nothing in this sub-  
16 title affects land held in trust by the Secretary  
17 of the Interior for Indian tribes or individual  
18 members of Indian tribes or other land acquired  
19 by the Army Corps of Engineers and adminis-  
20 tered by the Secretary of the Interior for the  
21 benefit of Indian tribes and individual members  
22 of Indian tribes.

23 (d) RECREATIONAL USES.—

24 (1) MOUNT HOOD NATIONAL FOREST REC-  
25 REATIONAL WORKING GROUP.—The Secretary may

1 establish a working group for the purpose of pro-  
2 viding advice and recommendations to the Forest  
3 Service on planning and implementing recreation en-  
4 hancements in the Mount Hood National Forest.

5 (2) CONSIDERATION OF CONVERSION OF FOR-  
6 EST ROADS TO RECREATIONAL USES.—In consid-  
7 ering a Forest Service road in the Mount Hood Na-  
8 tional Forest for possible closure and decommis-  
9 sioning after the date of enactment of this Act, the  
10 Secretary, in accordance with applicable law, shall  
11 consider, as an alternative to decommissioning the  
12 road, converting the road to recreational uses to en-  
13 hance recreational opportunities in the Mount Hood  
14 National Forest.

15 (3) IMPROVED TRAIL ACCESS FOR PERSONS  
16 WITH DISABILITIES.—The Secretary, in consultation  
17 with the public, may design and construct a trail at  
18 a location selected by the Secretary in Mount Hood  
19 National Forest suitable for use by persons with dis-  
20 abilities.

1           **TITLE V—DEPARTMENT OF**  
2           **ENERGY AUTHORIZATIONS**

3   **SEC. 501. TECHNICAL CRITERIA FOR CLEAN COAL POWER**  
4           **INITIATIVE.**

5           Section 402(b)(1)(B)(ii) of the Energy Policy Act of  
6   2005 (42 U.S.C. 15962(b)(1)(B)(ii)) is amended by strik-  
7   ing subclause (I) and inserting the following:

8                           “(I)(aa) to remove at least 99  
9                           percent of sulfur dioxide; or

10                           “(bb) to emit not more than 0.04  
11                           pound SO<sub>2</sub> per million Btu, based on  
12                           a 30-day average;”.

13   **SEC. 502. ADDITIONAL ASSISTANT SECRETARY FOR DE-**  
14           **PARTMENT OF ENERGY.**

15           (a) **IN GENERAL.**—Section 203(a) of the Department  
16   of Energy Organization Act (42 U.S.C. 7133(a)) is  
17   amended in the first sentence by striking “7 Assistant  
18   Secretaries” and inserting “8 Assistant Secretaries”.

19           (b) **CONFORMING AMENDMENT.**—Section 5315 of  
20   title 5, United States Code, is amended by striking “As-  
21   sistant Secretaries of Energy (7)” and inserting “Assist-  
22   ant Secretaries of Energy (8)”.

23           (c) **SENSE OF CONGRESS.**—It is the sense of Con-  
24   gress that leadership for missions of the Department of

1 Energy relating to electricity delivery and reliability  
2 should be at the Assistant Secretary level.

3 **SEC. 503. UNITED STATES-ISRAEL ENERGY COOPERATION.**

4 (a) FINDINGS.—Congress finds that—

5 (1) it is in the highest national security inter-  
6 ests of the United States to develop renewable en-  
7 ergy sources;

8 (2) the State of Israel is a steadfast ally of the  
9 United States;

10 (3) the special relationship between the United  
11 States and Israel is manifested in a variety of coop-  
12 erative scientific research and development pro-  
13 grams, such as—

14 (A) the United States-Israel Binational  
15 Science Foundation; and

16 (B) the United States-Israel Binational In-  
17 dustrial Research and Development Founda-  
18 tion;

19 (4) those programs have made possible many  
20 scientific, technological, and commercial break-  
21 throughs in the fields of life sciences, medicine, bio-  
22 engineering, agriculture, biotechnology, communica-  
23 tions, and others;

24 (5) on February 1, 1996, the Secretary of En-  
25 ergy and the Israeli Minister of Energy and Infra-

1 structure signed an agreement to establish a frame-  
2 work for collaboration between the United States  
3 and Israel in energy research and development ac-  
4 tivities;

5 (6) Israeli scientists and engineers are at the  
6 forefront of research and development in the field of  
7 renewable energy sources; and

8 (7) enhanced cooperation between the United  
9 States and Israel for the purpose of research and de-  
10 velopment of renewable energy sources would be in  
11 the national interests of both countries.

12 (b) GRANT PROGRAM.—

13 (1) ESTABLISHMENT.—In implementing the  
14 agreement entitled the “Agreement between the De-  
15 partment of Energy of the United States of America  
16 and the Ministry of Energy and Infrastructure of  
17 Israel Concerning Energy Cooperation”, dated Feb-  
18 ruary 1, 1996, the Secretary of Energy (referred to  
19 in this section as the “Secretary”) shall establish a  
20 grant program in accordance with the requirements  
21 of sections 988 and 989 of the Energy Policy Act of  
22 2005 (42 U.S.C. 16352, 16353) to support research,  
23 development, and commercialization of renewable en-  
24 ergy or energy efficiency.

1           (2) TYPES OF ENERGY.—In carrying out para-  
2 graph (1), the Secretary may make grants to pro-  
3 mote—

4           (A) solar energy;

5           (B) biomass energy;

6           (C) energy efficiency;

7           (D) wind energy;

8           (E) geothermal energy;

9           (F) wave and tidal energy; and

10          (G) advanced battery technology.

11          (3) ELIGIBLE APPLICANTS.—An applicant shall  
12 be eligible to receive a grant under this subsection  
13 if the project of the applicant—

14           (A) addresses a requirement in the area of  
15 improved energy efficiency or renewable energy  
16 sources, as determined by the Secretary; or

17           (B) is a joint venture between—

18           (i)(I) a for-profit business entity, aca-  
19 demic institution, National Laboratory (as  
20 defined in section 2 of the Energy Policy  
21 Act of 2005 (42 U.S.C. 15801)), or non-  
22 profit entity in the United States; and

23           (II) a for-profit business entity, aca-  
24 demic institution, or nonprofit entity in  
25 Israel; or

- 1 (ii)(I) the Federal Government; and  
2 (II) the Government of Israel.

3 (4) APPLICATIONS.—To be eligible to receive a  
4 grant under this subsection, an applicant shall sub-  
5 mit to the Secretary an application for the grant in  
6 accordance with procedures established by the Sec-  
7 retary, in consultation with the advisory board es-  
8 tablished under paragraph (5).

9 (5) ADVISORY BOARD.—

10 (A) ESTABLISHMENT.—The Secretary  
11 shall establish an advisory board—

12 (i) to monitor the method by which  
13 grants are awarded under this subsection;  
14 and

15 (ii) to provide to the Secretary peri-  
16 odic performance reviews of actions taken  
17 to carry out this subsection.

18 (B) COMPOSITION.—The advisory board  
19 established under subparagraph (A) shall be  
20 composed of 3 members, to be appointed by the  
21 Secretary, of whom—

22 (i) 1 shall be a representative of the  
23 Federal Government;

1 (ii) 1 shall be selected from a list of  
2 nominees provided by the United States-  
3 Israel Binational Science Foundation; and

4 (iii) 1 shall be selected from a list of  
5 nominees provided by the United States-  
6 Israel Binational Industrial Research and  
7 Development Foundation.

8 (6) CONTRIBUTED FUNDS.—Notwithstanding  
9 section 3302 of title 31, United States Code, the  
10 Secretary may accept, retain, and use funds contrib-  
11 uted by any person, government entity, or organiza-  
12 tion for purposes of carrying out this subsection—

13 (A) without further appropriation; and

14 (B) without fiscal year limitation.

15 (7) REPORT.—Not later than 180 days after  
16 the date of completion of a project for which a grant  
17 is provided under this subsection, the grant recipient  
18 shall submit to the Secretary a report that con-  
19 tains—

20 (A) a description of the method by which  
21 the recipient used the grant funds; and

22 (B) an evaluation of the level of success of  
23 each project funded by the grant.

24 (8) CLASSIFICATION.—Grants shall be awarded  
25 under this subsection only for projects that are con-

1       sidered to be unclassified by both the United States  
2       and Israel.

3       (c) TERMINATION.—The grant program and the advi-  
4       sory committee established under this section terminate  
5       on the date that is 7 years after the date of enactment  
6       of this Act.

7       (d) AUTHORIZATION OF APPROPRIATIONS.—The Sec-  
8       retary shall use amounts authorized to be appropriated  
9       under section 931 of the Energy Policy Act of 2005 (42  
10      U.S.C. 16231) to carry out this section.

11      **SEC. 504. ALASKA NATURAL GAS PIPELINE.**

12      (a) ADMINISTRATION.—Section 106 of the Alaska  
13      Natural Gas Pipeline Act (15 U.S.C. 720d) is amended  
14      by adding at the end the following:

15      “(h) ADMINISTRATION.—

16          “(1) PERSONNEL APPOINTMENTS.—

17              “(A) IN GENERAL.—The Federal Coordi-  
18              nator may appoint and terminate such per-  
19              sonnel as the Federal Coordinator determines  
20              to be appropriate.

21              “(B) AUTHORITY OF FEDERAL COORDI-  
22              NATOR.—Personnel appointed by the Federal  
23              Coordinator under subparagraph (A) shall be  
24              appointed without regard to the provisions of

1 title 5, United States Code, governing appoint-  
2 ments in the competitive service.

3 “(2) COMPENSATION.—

4 “(A) IN GENERAL.—Subject to subpara-  
5 graph (B), personnel appointed by the Federal  
6 Coordinator under paragraph (1)(A) shall be  
7 paid without regard to the provisions of chapter  
8 51 and subchapter III of chapter 53 of title 5,  
9 United States Code (relating to classification  
10 and General Schedule pay rates).

11 “(B) MAXIMUM LEVEL OF COMPENSA-  
12 TION.—The rate of pay for personnel appointed  
13 by the Federal Coordinator under paragraph  
14 (1)(A) shall not exceed the maximum level of  
15 rate payable for level III of the Executive  
16 Schedule.

17 “(C) APPLICABILITY OF SECTION 5941.—  
18 Section 5941 of title 5, United States Code,  
19 shall apply to personnel appointed by the Fed-  
20 eral Coordinator under paragraph (1)(A).

21 “(3) TEMPORARY SERVICES.—

22 “(A) IN GENERAL.—The Federal Coordi-  
23 nator may procure temporary and intermittent  
24 services in accordance with section 3109(b) of  
25 title 5, United States Code.

1           “(B) MAXIMUM LEVEL OF COMPENSA-  
2           TION.—The level of compensation of an indi-  
3           vidual employed on a temporary or intermittent  
4           basis under subparagraph (A) shall not exceed  
5           the maximum level of rate payable for level III  
6           of the Executive Schedule.

7           “(4) FEES, CHARGES, AND COMMISSIONS.—

8           “(A) IN GENERAL.—The Federal Coordi-  
9           nator shall have the authority to establish,  
10          change, and abolish reasonable filing and serv-  
11          ice fees, charges, and commissions, require de-  
12          posits of payments, and provide refunds as pro-  
13          vided to the Secretary of the Interior in section  
14          304 of the Federal Land Policy and Manage-  
15          ment Act of 1976 (43 U.S.C. 1734), except  
16          that the authority shall be with respect to the  
17          duties of the Federal Coordinator, as described  
18          in this Act.

19          “(B) AUTHORITY OF SECRETARY OF THE  
20          INTERIOR.—Subparagraph (A) shall not affect  
21          the authority of the Secretary of the Interior to  
22          establish, change, and abolish reasonable filing  
23          and service fees, charges, and commissions, re-  
24          quire deposits of payments, and provide refunds  
25          under section 304 of the Federal Land Policy

1 and Management Act of 1976 (43 U.S.C.  
2 1734).

3 “(C) USE OF FUNDS.—The Federal Coor-  
4 dinator is authorized to use, without further ap-  
5 propriation, amounts collected under subpara-  
6 graph (A) to carry out this section.”.

7 (b) CLARIFICATION OF AUTHORITY.—Section 107(a)  
8 of the Alaska Natural Gas Pipeline Act (15 U.S.C.  
9 720e(a)) is amended by striking paragraph (3) and insert-  
10 ing the following:

11 “(3) the validity of any determination, permit,  
12 approval, authorization, review, or other related ac-  
13 tion taken under any provision of law relating to a  
14 gas transportation project constructed and operated  
15 in accordance with section 103, including—

16 “(A) subchapter II of chapter 5, and chap-  
17 ter 7, of title 5, United States Code (commonly  
18 known as the ‘Administrative Procedure Act’);

19 “(B) the Endangered Species Act of 1973  
20 (16 U.S.C. 1531 et seq.);

21 “(C) the National Environmental Policy  
22 Act of 1969 (42 U.S.C. 4321 et seq.);

23 “(D) the National Historic Preservation  
24 Act (16 U.S.C. 470 et seq.); and

1                   “(E) the Alaska National Interest Lands  
2                   Conservation Act (16 U.S.C. 3101 et seq.)”.

3                   **TITLE VI—COMPACT OF FREE**  
4                   **ASSOCIATION AMENDMENTS**

5                   **SEC. 601. APPROVAL OF AGREEMENTS.**

6                   Section 101 of the Compact of Free Association  
7                   Amendments Act of 2003 (48 U.S.C. 1921) is amended—

8                   (1) in the first sentence of subsection (a), by in-  
9                   serting before the period at the end the following: “,  
10                  including Article X of the Federal Programs and  
11                  Services Agreement Between the Government of the  
12                  United States and the Government of the Federated  
13                  States of Micronesia, as amended under the Agree-  
14                  ment to Amend Article X that was signed by those  
15                  two Governments on June 30, 2004, which shall  
16                  serve as the authority to implement the provisions  
17                  thereof”; and

18                  (2) in the first sentence of subsection (b), by in-  
19                  serting before the period at the end the following: “,  
20                  including Article X of the Federal Programs and  
21                  Services Agreement Between the Government of the  
22                  United States and the Government of the Republic  
23                  of the Marshall Islands, as amended under the  
24                  Agreement to Amend Article X that was signed by  
25                  those two Governments on June 18, 2004, which

1 shall serve as the authority to implement the provi-  
2 sions thereof”.

3 **SEC. 602. CONFORMING AMENDMENT.**

4 Section 105(f)(1) of the Compact of Free Association  
5 Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)) is  
6 amended by striking subparagraph (A) and inserting the  
7 following:

8 “(A) EMERGENCY AND DISASTER ASSIST-  
9 ANCE.—

10 “(i) IN GENERAL.—Subject to clause  
11 (ii), section 221(a)(6) of the U.S.–FSM  
12 Compact and section 221(a)(5) of the  
13 U.S.–RMI Compact shall each be con-  
14 strued and applied in accordance with the  
15 two Agreements to Amend Article X of the  
16 Federal Programs and Service Agreements  
17 signed on June 30, 2004, and on June 18,  
18 2004, respectively.

19 “(ii) DEFINITION OF WILL PROVIDE  
20 FUNDING.—In the second sentence of  
21 paragraph 12 of each of the Agreements  
22 described in clause (i), the term ‘will pro-  
23 vide funding’ means will provide funding  
24 through a transfer of funds using Stand-  
25 ard Form 1151 or a similar document or

1 through an interagency, reimbursable  
2 agreement.”.

3 **SEC. 603. CLARIFICATIONS REGARDING PALAU.**

4 Section 105(f)(1)(B) of the Compact of Free Associa-  
5 tion Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B))  
6 is amended—

7 (1) in clause (ii)(II), by striking “and its terri-  
8 tories” and inserting “, its territories, and the Re-  
9 public of Palau”;

10 (2) in clause (iii)(II), by striking “, or the Re-  
11 public of the Marshall Islands” and inserting “, the  
12 Republic of the Marshall Islands, or the Republic of  
13 Palau”; and

14 (3) in clause (ix)—

15 (A) by striking “Republic” both places it  
16 appears and inserting “government, institu-  
17 tions, and people”;

18 (B) by striking “2007” and inserting  
19 “2009”; and

20 (C) by striking “was” and inserting  
21 “were”.

22 **SEC. 604. AVAILABILITY OF LEGAL SERVICES.**

23 Section 105(f)(1)(C) of the Compact of Free Associa-  
24 tion Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(C))  
25 is amended by inserting before the period at the end the

1 following: “, which shall also continue to be available to  
2 the citizens of the Federated States of Micronesia, the Re-  
3 public of Palau, and the Republic of the Marshall Islands  
4 who legally reside in the United States (including terri-  
5 tories and possessions)”.

6 **SEC. 605. TECHNICAL AMENDMENTS.**

7 (a) TITLE I.—

8 (1) SECTION 177 AGREEMENT.—Section  
9 103(c)(1) of the Compact of Free Association  
10 Amendments Act of 2003 (48 U.S.C. 1921b(c)(1)) is  
11 amended by striking “section 177” and inserting  
12 “Section 177”.

13 (2) INTERPRETATION AND UNITED STATES  
14 POLICY.—Section 104 of the Compact of Free Asso-  
15 ciation Amendments Act of 2003 (48 U.S.C. 1921c)  
16 is amended—

17 (A) in subsection (b)(1), by inserting “the”  
18 before “U.S.–RMI Compact,”;

19 (B) in subsection (e)—

20 (i) in the matter preceding subpara-  
21 graph (A) of paragraph (8), by striking  
22 “to include” and inserting “and include”;

23 (ii) in paragraph (9)(A), by inserting  
24 a comma after “may”; and

1 (iii) in paragraph (10), by striking  
2 “related to service” and inserting “related  
3 to such services”; and

4 (C) in the first sentence of subsection (j),  
5 by inserting “the” before “Interior”.

6 (3) SUPPLEMENTAL PROVISIONS.—Section  
7 105(b)(1) of the Compact of Free Association  
8 Amendments Act of 2003 (48 U.S.C. 1921d(b)(1))  
9 is amended by striking “Trust Fund” and inserting  
10 “Trust Funds”.

11 (b) TITLE II.—

12 (1) U.S.—FSM COMPACT.—The Compact of  
13 Free Association, as amended, between the Govern-  
14 ment of the United States of America and the Govern-  
15 ment of the Federated States of Micronesia (as  
16 provided in section 201(a) of the Compact of Free  
17 Association Amendments Act of 2003 (117 Stat.  
18 2757)) is amended—

19 (A) in section 174—

20 (i) in subsection (a), by striking  
21 “courts” and inserting “court”; and

22 (ii) in subsection (b)(2), by striking  
23 “the” before “November”;

24 (B) in section 177(a), by striking “, or  
25 Palau” and inserting “(or Palau)”;

1 (C) in section 179(b), by striking “amend-  
2 ed Compact” and inserting “Compact, as  
3 amended,”;

4 (D) in section 211—

5 (i) in the fourth sentence of sub-  
6 section (a), by striking “Compact, as  
7 Amended, of Free Association” and insert-  
8 ing “Compact of Free Association, as  
9 amended”;

10 (ii) in the fifth sentence of subsection  
11 (a), by striking “Trust Fund Agreement,”  
12 and inserting “Agreement Between the  
13 Government of the United States of Amer-  
14 ica and the Government of the Federated  
15 States of Micronesia Implementing Section  
16 215 and Section 216 of the Compact, as  
17 Amended, Regarding a Trust Fund (Trust  
18 Fund Agreement),”;

19 (iii) in subsection (b)—

20 (I) in the first sentence, by strik-  
21 ing “Government of the” before “Fed-  
22 erated”; and

23 (II) in the second sentence, by  
24 striking “Sections 321 and 323 of the  
25 Compact of Free Association, as

1 Amended” and inserting “Sections  
2 211(b), 321, and 323 of the Compact  
3 of Free Association, as amended,”;  
4 and

5 (iv) in the last sentence of subsection  
6 (d), by inserting before the period at the  
7 end the following: “and the Federal Pro-  
8 grams and Services Agreement referred to  
9 in section 231”;

10 (E) in the first sentence of section 215(b),  
11 by striking “subsection(a)” and inserting “sub-  
12 section (a)”;

13 (F) in section 221—

14 (i) in subsection (a)(6), by inserting  
15 “(Federal Emergency Management Agen-  
16 cy)” after “Homeland Security”; and

17 (ii) in the first sentence of subsection  
18 (c), by striking “agreements” and inserting  
19 “agreement”;

20 (G) in the second sentence of section 222,  
21 by inserting “in” after “referred to”;

22 (H) in the second sentence of section 232,  
23 by striking “sections 102 (c)” and all that fol-  
24 lows through “January 14, 1986)” and insert-

1 ing “section 102(b) of Public Law 108–188,  
2 117 Stat. 2726, December 17, 2003”;

3 (I) in the second sentence of section 252,  
4 by inserting “, as amended,” after “Compact”;

5 (J) in the first sentence of the first undes-  
6 igned paragraph of section 341, by striking  
7 “Section 141” and inserting “section 141”;

8 (K) in section 342—

9 (i) in subsection (a), by striking “14  
10 U.S.C. 195” and inserting “section 195 of  
11 title 14, United States Code”; and

12 (ii) in subsection (b)—

13 (I) by striking “46 U.S.C.  
14 1295(b)(6)” and inserting “section  
15 1303(b)(6) of the Merchant Marine  
16 Act, 1936 (46 U.S.C. 1295b(b)(6))”;  
17 and

18 (II) by striking “46 U.S.C.  
19 1295b(b)(6)(C)” and inserting “sec-  
20 tion 1303(b)(6)(C) of that Act”;

21 (L) in the third sentence of section 354(a),  
22 by striking “section 442 and 452” and insert-  
23 ing “sections 442 and 452”;

1 (M) in section 461(h), by striking “Tele-  
2 communications” and inserting “Telecommuni-  
3 cation”;

4 (N) in section 462(b)(4), by striking “of  
5 Free Association” the second place it appears;  
6 and

7 (O) in section 463(b), by striking “Articles  
8 IV” and inserting “Article IV”.

9 (2) U.S.–RMI COMPACT.—The Compact of  
10 Free Association, as amended, between the Govern-  
11 ment of the United States of America and the Govern-  
12 ment of the Republic of the Marshall Islands (as  
13 provided in section 201(b) of the Compact of Free  
14 Association Amendments Act of 2003 (117 Stat.  
15 2795)) is amended—

16 (A) in section 174(a), by striking “court”  
17 and inserting “courts”;

18 (B) in section 177(a), by striking the  
19 comma before “(or Palau)”;

20 (C) in section 179(b), by striking “amend-  
21 ed Compact,” and inserting “Compact, as  
22 amended,”;

23 (D) in section 211—

24 (i) in the fourth sentence of sub-  
25 section (a), by striking “Compact, as

1 Amended, of Free Association” and insert-  
2 ing “Compact of Free Association, as  
3 amended”;

4 (ii) in the first sentence of subsection  
5 (b), by striking “Agreement between the  
6 Government of the United States and the  
7 Government of the Republic of the Mar-  
8 shall Islands Regarding Military Use and  
9 Operating Rights” and inserting “Agree-  
10 ment Regarding the Military Use and Op-  
11 erating Rights of the Government of the  
12 United States in the Republic of the Mar-  
13 shall Islands concluded Pursuant to Sec-  
14 tions 321 and 323 of the Compact of Free  
15 Association, as Amended (Agreement be-  
16 tween the Government of the United  
17 States and the Government of the Republic  
18 of the Marshall Islands Regarding Military  
19 Use and Operating Rights)”;

20 (iii) in the last sentence of subsection  
21 (e), by inserting before the period at the  
22 end the following: “and the Federal Pro-  
23 grams and Services Agreement referred to  
24 in section 231”;

25 (E) in section 221(a)—

- 1 (i) in the matter preceding paragraph  
2 (1), by striking “Section 231” and insert-  
3 ing “section 231”; and
- 4 (ii) in paragraph (5), by inserting  
5 “(Federal Emergency Management Agen-  
6 cy)” after “Homeland Security”;
- 7 (F) in the second sentence of section 232,  
8 by striking “sections 103(m)” and all that fol-  
9 lows through “(January 14, 1986)” and insert-  
10 ing “section 103(k) of Public Law 108–188,  
11 117 Stat. 2734, December 17, 2003”;
- 12 (G) in the first sentence of section 341, by  
13 striking “Section 141” and inserting “section  
14 141”;
- 15 (H) in section 342—
- 16 (i) in subsection (a), by striking “14  
17 U.S.C. 195” and inserting “section 195 of  
18 title 14, United States Code”; and
- 19 (ii) in subsection (b)—
- 20 (I) by striking “46 U.S.C.  
21 1295(b)(6)” and inserting “section  
22 1303(b)(6) of the Merchant Marine  
23 Act, 1936 (46 U.S.C. 1295b(b)(6))”;
- 24 and

1 (II) by striking “46 U.S.C.  
2 1295b(b)(6)(C)” and inserting “sec-  
3 tion 1303(b)(6)(C) of that Act”;

4 (I) in the third sentence of section 354(a),  
5 by striking “section 442 and 452” and insert-  
6 ing “sections 442 and 452”;

7 (J) in the first sentence of section 443, by  
8 inserting “, as amended.” after “the Compact”;

9 (K) in the matter preceding paragraph (1)  
10 of section 461(h)—

11 (i) by striking “1978” and inserting  
12 “1998”; and

13 (ii) by striking “Telecommunications”  
14 and inserting “Telecommunication Union”;  
15 and

16 (L) in section 463(b), by striking “Article”  
17 and inserting “Articles”.

18 **SEC. 606. TRANSMISSION OF VIDEOTAPE PROGRAMMING.**

19 Section 111(e)(2) of title 17, United States Code, is  
20 amended by striking “or the Trust Territory of the Pacific  
21 Islands” and inserting “the Federated States of Micro-  
22 nesia, the Republic of Palau, or the Republic of the Mar-  
23 shall Islands”.

1 **SEC. 607. PALAU ROAD MAINTENANCE.**

2 The Government of the Republic of Palau may de-  
3 posit the payment otherwise payable to the Government  
4 of the United States under section 111 of Public Law  
5 101–219 (48 U.S.C. 1960) into a trust fund if—

6 (1) the earnings of the trust fund are expended  
7 solely for maintenance of the road system con-  
8 structed pursuant to section 212 of the Compact of  
9 Free Association between the Government of the  
10 United States of America and the Government of  
11 Palau (48 U.S.C. 1931 note); and

12 (2) the trust fund is established and operated  
13 pursuant to an agreement entered into between the  
14 Government of the United States and the Govern-  
15 ment of the Republic of Palau.

16 **SEC. 608. CLARIFICATION OF TAX-FREE STATUS OF TRUST**  
17 **FUNDS.**

18 In the U.S.–RMI Compact, the U.S.–FSM Compact,  
19 and their respective trust fund subsidiary agreements, for  
20 the purposes of taxation by the United States or its sub-  
21 sidiary jurisdictions, the term “State” means “State, ter-  
22 ritory, or the District of Columbia”.



**Calendar No. 425**

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session  
**S. 2180**

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**A BILL**

To authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

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OCTOBER 18, 2007

Read the second time and placed on the calendar