

XXI. MISCELLANEOUS ENACTMENTS

1. Affiliated Area Criteria (Study)

PUBLIC LAW 100-336—JUNE 17, 1988

102 STAT. 617

Public Law 100-336
100th Congress

An Act

To authorize the Secretary of the Interior to provide assistance to Wildlife Prairie Park, in the State of Illinois, and for other purposes.

June 17, 1988
[H.R. 1100]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

SEC. 2. (a) The Secretary shall, in consultation with interested conservation, professional, and park management organizations and individuals, prepare and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report of criteria for the elements of national significance and other factors necessary for a proposed area to be considered appropriate for inclusion as an affiliated area of the National Park System including an analysis of applicability to Wildlife Prairie Park. In addition the report shall address the responsibilities to be required of the operators of an affiliated area and the responsibilities of the National Park Service to any such designated area.

Reports.
16 USC 1a-5
note.

(b) The report shall be submitted not later than two years from the date of enactment of this Act and shall provide recommendations by the Secretary of the Interior including but not limited to how criteria for national significance and other factors should be made applicable to future proposed affiliated areas, when such areas are considered by the Secretary. The Secretary shall also recommend any criteria or procedures for such considerations by the Congress including recommendations for legislative action.

SEC. 3. There are authorized for appropriation such sums as may be necessary to carry out the purposes of this Act.

Appropriation
authorization.

Approved June 17, 1988.

LEGISLATIVE HISTORY—H.R. 1100:

HOUSE REPORTS: No. 100-186 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 100-374 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 133 (1987): June 29, considered and passed House.
Vol. 134 (1988): June 6, considered and passed Senate.

2. Afro-American Commemorative Structure

100 STAT. 2080

PUBLIC LAW 99-511—OCT. 21, 1986

Public Law 99-511
99th Congress**Joint Resolution**

Oct. 21, 1986
[H.J. Res. 666]

Expressing the sense of Congress in support of a commemorative structure within the National Park System dedicated to the promotion of understanding, knowledge, opportunity and equality for all people.

Minorities.
Children and
youth.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Council for Education and Economic Development, Inc., a private nonprofit organization having for its primary purposes examination of the economic, constitutional, legal and social conditions and ramifications of slavery; the history of Afro-Americans; promotion of education and understanding among all people of the American slave experience and its role in the history of the United States; and elimination of barriers of every kind and nature to learning and opportunity faced by Afro-American, minority, poor and other children, is deserving of encouragement and support of the American people in its program to raise an endowment to assure a permanent location of a commemorative structure within the National Park System, or on other Federal lands, dedicated to understanding, knowledge, opportunity and equality for all people.

Approved October 21, 1986.

LEGISLATIVE HISTORY—H.J. Res. 666:

SENATE REPORTS: No. 99-463 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 132 (1986):

June 26, considered and passed House.

Oct. 8, considered and passed Senate.

3. Alameda County, California Railroad Right-of-Way

PUBLIC LAW 100-693—NOV. 18, 1988

102 STAT. 4559

Public Law 100-693
100th Congress**An Act**

To declare that certain lands in the State of California which form a part of the right-of-way granted by the United States to the Central Pacific Railway Company have been abandoned, and for other purposes.

Nov. 18, 1988
[H.R. 4039]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

- (1) Southern Pacific Transportation Company is the successor grantee of the real property described in section 3;
- (2) through a petition to the Interstate Commerce Commission to be allowed to cease using such property for the provision of railroad services, through the removal of tracks, and through other actions, the Southern Pacific Transportation Company has taken steps to abandon and relinquish the real property described in section 3;
- (3) the County of Alameda (a political subdivision of the State of California wherein the real property described in section 3 is situated) has acted to include such property within its County System of Highways; and
- (4) use for public purposes of lands granted for railroad rights-of-way, including use of such land for highway, communications, and other public purposes as well as for public recreational trails or other recreational purposes, is in the national interest.

SEC. 2. DECLARATION OF ABANDONMENT, ETC.

(a) **ABANDONMENT OF RIGHT-OF-WAY.**—The Congress hereby declares that the Southern Pacific Transportation Company has abandoned the real property described in section 3.

(b) **UNITED STATES INTEREST.**—(1) Except as otherwise provided in this Act, any and all right, title, or interest of the United States in the real property described in section 3 shall be retained and managed by the Secretary of the Interior for use as a public recreational trail or for other recreational purposes, as well as for such other uses as the Secretary may determine to be appropriate pursuant to applicable law, so long as such uses do not preclude trail use.

(2) Paragraph (1) of this subsection shall not apply to any portion of the real property described in section 3 embraced in a public highway in a manner meeting the requirements of the Act of March 8, 1922 (43 U.S.C. 912).

(3) Section 4 of this Act shall apply to all the real property described in section 3, regardless of whether any portion of such property may be covered by paragraph (2) of this subsection.

(c) **LIMITATIONS.**—(1) Nothing in this Act shall be construed as expanding or diminishing any right, title, or interest of any party other than the United States in the real property described in

section 3 which under applicable law vested in any such party on or before the date of enactment of this Act.

(2) Nothing in this Act shall be construed as requiring or permitting the acquisition by the United States of any right, title, or interest in the real property described in section 3 greater than any such right, title, or interest of the United States in such real property as of the date of enactment of this Act.

SEC. 3. DESCRIPTION OF PROPERTY.

(a) IN GENERAL.—The property referred to in sections 1, 2, and 4 is certain real property situated in the County of Alameda, State of California, forming a part of the right-of-way granted by the United States to the Central Pacific Railway Company in the Act entitled “An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and Other Purposes”, approved July 1, 1862 (12 Stat. 489).

(b) SPECIFIC DESCRIPTION.—The real property referred to in subsection (a) involves certain real property situated in the unincorporated townships of Murray, Pleasanton, and Washington, and in the incorporated area of the cities of Union City and Fremont, and is more particularly described as follows:

(1) PARCEL 1.—A strip of land, 400 feet in width, acquired by the Central Pacific Railway Company by an Act of Congress dated July 1, 1862 (as shown on the map entitled “C.P.R.Y. Co. Oakland to Sacramento Main Line Via Niles and Tracy Map of Real Estate and Right of Way Properties through Alameda, County, California” dated 1914, in Alameda County Road Department Files numbered A 77-32, A 77-33, and A 77-34), lying equally 200 feet on each side of the center line more particularly described in that certain Quitclaim Deed from the Southern Pacific Transportation Company, a Delaware corporation, to the County of Alameda, dated March 15, 1985, and recorded April 23, 1985, as Series No. 85-077990, Official Records of Alameda County, California.

(2) PARCEL 2.—Those strips of land varying in width acquired by the Central Pacific Railroad Company by an Act of Congress, dated July 1, 1862 (as shown on the map entitled “C.P.R.Y. Co. Oakland to Sacramento Main Line Via Niles and Tracy Map of Real Estate and Right of Way Properties through Alameda County, California” dated 1914, in Alameda County Road Department Files numbered A 77-26, A 77-27, and A 77-28), the center line of said strips of land being more particularly described in that certain Quitclaim Deed from the Southern Pacific Transportation Company, a Delaware corporation, to the County of Alameda, dated March 15, 1985, and recorded April 23, 1985, as Series No. 85-077991, Official Records of Alameda County, California.

(3) PARCEL 3.—Those strips of land varying in width acquired by—

(A) the Central Pacific Railroad Company under the Act referred to in subsection (a) (as shown on the map entitled “C.P.R.Y. Co. Oakland to Sacramento Main Line Via Niles and Tracy Map of Real Estate and Right of Way Properties through Alameda, County, California” dated 1914, in Alameda County Road Department Files numbered A 77-26, A 77-27, and A 77-28);

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102 STAT. 4561

(B) the Western Pacific Railroad Company by Order and Declaration dated June 22, 1868, concerning the Report of Commissioners in the matter of the Western Pacific Railroad Company against Matthew W. Dixon, et al., in the District Court of the Third Judicial District in and for the County of Alameda, State of California, a certified copy of the Order recorded September 7, 1869, in Book 43 of Deeds at page 262, Records of Alameda County, California; and

(C) the Western Pacific Railroad Company by deed dated April 18, 1870, from Jonas G. Clark, recorded June 14, 1870, in Book 55 of Deeds at page 342, Records of Alameda County.

SEC. 4. RESERVATION AND RESTRICTIONS.

(a) RESERVATION.—Any and all rights of the United States in and to all oil, coal, and other minerals in the real property described in section 3 shall be retained by and reserved to the United States, together with the right to prospect for, mine, and remove such oil, coal, and other minerals under applicable law.

(b) RESTRICTIONS.—Any portion of the real property described in section 3 embraced in a public highway in a manner meeting the requirements of the Act of March 8, 1922 (43 U.S.C. 912), shall be used only for such purposes (including but not limited to public recreational purposes) as may be authorized under laws of the State of California applicable to property forming part of such public highway. In the event that any portion of such real property should be used for any other purpose, or in the event that an attempt should be made to transfer ownership of any portion of such real property to any party other than the State of California or a political subdivision thereof, there shall revert to and be vested in the United States all the right, title, and interest in such real property which the United States possessed on the date of enactment of this Act.

Petroleum and petroleum products.
Coal.
Minerals and mining.

Highways.

SEC. 5. MOUNTAIN WELFARE TRAINING CENTER.

Unless otherwise provided by law, the lands within the Toiyabe National Forest, in California, which have been used for purposes of the United States Marine Corps Mountain Corps Mountain Warfare Training Center, shall be retained as part of such National Forest. The Secretary of Agriculture shall continue to make such lands available to the United States Marine Corps for purposes of such training center, subject to such restrictions as the Secretary of Agriculture finds appropriate to protect the natural, environmental,

Armed Forces.

National Forest System.

102 STAT. 4562

PUBLIC LAW 100-693—NOV. 18, 1988

Recreation. aesthetic, scientific, cultural, and other resources and values of such lands. So far as possible, consistent with use of such lands by the United States Marine Corps for purposes of the Mountain Warfare Training Center, the affected lands shall be open to public recreation and other uses.

Approved November 18, 1988.

LEGISLATIVE HISTORY—H.R. 4039:

HOUSE REPORTS: No. 100-941 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 134 (1988):

Sept. 20, considered and passed House.

Oct. 21, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 24 (1988):

Nov. 18, Presidential statement.

4. Arizona Desert Wilderness Act of 1990

PUBLIC LAW 101-628—NOV. 28, 1990

104 STAT. 4469

Public Law 101-628
101st Congress**An Act**To provide for the designation of certain public lands as wilderness in the State of
Arizona.Nov. 28, 1990
[H.R. 2570]*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*SECTION 1. SHORT TITLE.—Titles I through III of this Act may be
cited as the “Arizona Desert Wilderness Act of 1990”.**TITLE I—DESIGNATION OF WILDERNESS AREAS TO BE
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT****SEC. 101. DESIGNATION AND MANAGEMENT.**(a) DESIGNATION.—In furtherance of the purposes of the
Wilderness Act, the following public lands are hereby designated as
wilderness and therefore, as components of the National Wilderness
Preservation System:(1) certain lands in Mohave County, Arizona, which comprise
approximately 23,600 acres, as generally depicted on a map
entitled “Mount Wilson Wilderness” and dated February 1990,
and which shall be known as the Mount Wilson Wilderness;(2) certain lands in Mohave County, Arizona, which comprise
approximately 31,070 acres, as generally depicted on a map
entitled “Mount Tipton Wilderness” and dated February 1990,
and which shall be known as the Mount Tipton Wilderness;(3) certain lands in Mohave County, Arizona, which comprise
approximately 27,530 acres, as generally depicted on a map
entitled “Mount Nutt Wilderness” and dated February 1990,
and which shall be known as the Mount Nutt Wilderness:
Provided, That the existing water pipeline for the town of
Oatman, together with the right of ingress and egress thereto,
may be operated, maintained, and upgraded, subject to
reasonable requirements to protect wilderness values;(4) certain lands in Mohave County, Arizona, which comprise
approximately 90,600 acres, as generally depicted on a map
entitled “Warm Springs Wilderness” and dated February 1990,
and which shall be known as the Warm Springs Wilderness;(5) certain lands in Mohave County, Arizona, which comprise
approximately 15,900 acres, as generally depicted on a map
entitled “Aubrey Peak Wilderness” and dated February 1990,
and which shall be known as the Aubrey Peak Wilderness;(6) certain lands in La Paz County, Arizona, which comprise
approximately 14,630 acres, as generally depicted on a map
entitled “East Cactus Plain Wilderness” and dated February
1990, and which shall be known as the East Cactus Plain
Wilderness;(7) certain lands in Mohave and La Paz Counties, Arizona,
which comprise approximately 41,600 acres, as generally
depicted on a map entitled “Rawhide Mountains Wilderness”
andArizona Desert
Wilderness
Act of 1990.
16 USC 460ddd
note.
National
Wilderness
Preservation
System.
16 USC 1132
note.

dated February 1990, and which shall be known as the Rawhide Mountains Wilderness;

(8) certain lands in Mohave, Yavapai, and La Paz Counties, Arizona, which comprise approximately 126,760 acres, as generally depicted on a map entitled "Arrastra Mountain Wilderness" and dated February 1990, and which shall be known as the Arrastra Mountain Wilderness;

(9) certain lands in La Paz County, Arizona, which comprise approximately 25,287 acres, as generally depicted on a map entitled "Harcuvar Mountains Wilderness" and dated February 1990, and which shall be known as the Harcuvar Mountains Wilderness;

(10) certain lands in La Paz and Maricopa Counties, Arizona, which comprise approximately 22,865 acres, as generally depicted on a map entitled "Harquahala Mountains Wilderness" and dated February 1990, and which shall be known as the Harquahala Mountains Wilderness;

(11) certain lands in Maricopa County, Arizona, which comprise approximately 20,600 acres, as generally depicted on a map entitled "Big Horn Mountains Wilderness", and dated February 1990, and which shall be known as the Big Horn Mountains Wilderness;

(12) certain lands in Maricopa County, Arizona, which comprise approximately 30,170 acres, as generally depicted on a map entitled "Hummingbird Springs Wilderness" and dated February 1990, and which shall be known as the Hummingbird Springs Wilderness;

(13) certain lands in La Paz, Yuma and Maricopa Counties, Arizona, which comprise approximately 89,000 acres, as generally depicted on a map entitled "Eagletail Mountains Wilderness" and dated February 1990, and which shall be known as the Eagletail Mountains Wilderness;

(14) certain lands in Maricopa County, Arizona, which comprise approximately 15,250 acres, as generally depicted on a map entitled "Signal Mountain Wilderness" and dated February 1990, and which shall be known as the Signal Mountains Wilderness;

(15) certain lands in Maricopa County, Arizona, which comprise approximately 61,000 acres, as generally depicted on a map entitled "Woolsey Peak Wilderness" and dated February 1990, and which shall be known as the Woolsey Peak Wilderness;

(16) certain lands in Maricopa County, Arizona, which comprise approximately 14,500 acres, as generally depicted on a map entitled "Sierra Estrella Wilderness" and dated February 1990, and which shall be known as the Sierra Estrella Wilderness;

(17) certain lands in Maricopa and Pima Counties, Arizona, which comprise approximately 34,400 acres, as generally depicted on a map entitled "Table Top Wilderness" and dated February 1990, and which shall be known as the Table Top Wilderness;

(18) certain lands in Pima County, Arizona, which comprise approximately 5,080 acres, as generally depicted on a map entitled "Coyote Mountains Wilderness" and dated February 1990, and which shall be known as the Coyote Mountains Wilderness;

(19) certain lands in Pima County, Arizona, which comprise approximately 2,065 acres, as generally depicted on a map entitled "Baboquivari Peak Wilderness" and dated February 1990, and which shall be known as the Baboquivari Peak Wilderness;

(20) certain lands in Gila County, Arizona, which comprise approximately 9,201 acres, as generally depicted on a map entitled "Needle's Eye Wilderness" and dated February 1990, and which shall be known as the Needle's Eye Wilderness: *Provided*, That the right-of-way reserved by right-of-way reservation A-16043 dated October 20, 1986, together with the right of ingress and egress thereto, shall not be affected by this Act, and the existing powerline utilizing such right-of-way may be operated, maintained, and upgraded, subject to reasonable requirements to protect wilderness values;

(21) certain lands in Graham County, Arizona, which comprise approximately 6,590 acres, as generally depicted on a map entitled "North Santa Teresa Wilderness" and dated February 1990, and which shall be known as the North Santa Teresa Wilderness;

(22) certain lands in Graham County, Arizona, which comprise approximately 10,883 acres, as generally depicted on a map entitled "Fishhooks Wilderness" and dated February 1990, which shall be known as the Fishhooks Wilderness;

(23) certain lands in Cochise County, Arizona, which comprise approximately 11,998 acres, as generally depicted on a map entitled "Dos Cabezas Mountains Wilderness" and dated February 1990, and which shall be known as the Dos Cabezas Mountains Wilderness;

(24) certain lands in Graham and Cochise Counties, Arizona, which comprise approximately 6,600 acres, as generally depicted on a map entitled "Redfield Canyon Wilderness" and dated February 1990, and which shall be known as the Redfield Canyon Wilderness;

(25) certain lands in La Paz County, Arizona, which comprise approximately 18,805 acres, as generally depicted on a map entitled "Gibraltar Mountain Wilderness" and dated February 1990, and which shall be known as the Gibraltar Mountain Wilderness;

(26) certain lands in La Paz and Mohave Counties, Arizona, which comprise approximately 15,755 acres, as generally depicted on a map entitled "Swansea Wilderness" and dated February 1990, and which shall be known as the Swansea Wilderness;

(27) certain lands in LaPaz County, Arizona, which comprise approximately 29,095 acres, as generally depicted on a map entitled "Trigo Mountain Wilderness" and dated February 1990, and which shall be known as the Trigo Mountain Wilderness;

(28) certain lands in Yuma County, Arizona, which comprise approximately 8,855 acres, as generally depicted on a map entitled "Muggins Mountain Wilderness" and dated February 1990, and which shall be known as the Muggins Mountain Wilderness;

(29) certain lands in Yavapai and Maricopa Counties, Arizona, which comprise approximately 9,200 acres, as generally depicted on a map entitled "Hells Canyon Wilderness" and dated

February 1990, and which shall be known as the Hells Canyon Wilderness;

(30) certain lands in Maricopa County, Arizona, which comprise approximately 63,600 acres, as generally depicted on a map entitled "North Maricopa Mountains Wilderness" and dated February 1990, and which shall be known as the North Maricopa Mountains Wilderness;

(31) certain lands in Maricopa County, Arizona, which comprise approximately 60,800 acres, as generally depicted on a map entitled "South Maricopa Mountains Wilderness" and dated February 1990, and which shall be known as the South Maricopa Mountains Wilderness;

(32) certain lands in Mohave County, Arizona, which comprise approximately 38,400 acres, as generally depicted on a map entitled "Wabayuma Peak Wilderness" and dated February 1990, and which shall be known as the Wabayuma Peak Wilderness;

(33) certain lands in Yavapai and Mohave Counties, Arizona, which comprise approximately 27,900 acres, as generally depicted on a map entitled "Upper Burro Creek Wilderness" and dated June 1990, and which shall be known as the Upper Burro Creek Wilderness;

(34) certain lands in Yavapai County, Arizona, which comprise approximately 11,840 acres, as generally depicted on a map entitled "Hassayampa River Canyon Wilderness" and dated February 1990, and which shall be known as the Hassayampa River Canyon Wilderness;

(35) certain lands in Pinal County, Arizona, which comprise approximately 5,800 acres, as generally depicted on a map entitled "White Canyon Wilderness" and dated February 1990, and which shall be known as the White Canyon Wilderness;

(36) certain lands in Yavapai County, Arizona, which comprise approximately 8,700 acres, as generally depicted on a map entitled "Tres Alamos Wilderness" and dated February 1990, and which shall be known as the Tres Alamos Wilderness;

(37) certain lands in Cochise, Greenlee, and Graham Counties, Arizona, which comprise approximately 19,650 acres, as generally depicted on a map entitled "Peloncillo Mountains Wilderness" and dated February 1990, and which shall be known as the Peloncillo Mountains Wilderness;

(38) certain lands in La Paz County, Arizona, which comprise approximately 21,680 acres, as generally depicted on a map entitled "New Water Mountains Wilderness" and dated February 1990, and which shall be known as the New Water Mountains Wilderness;

(39) certain lands in Pinal and Graham Counties, Arizona, which comprise approximately 12,711 acres, as generally depicted on a map entitled "Aravaipa Wilderness Additions" and dated February 1990, and which are hereby incorporated in and shall be deemed to be a part of the Aravaipa Canyon Wilderness (designated in Public Law 98-406, 98 Stat. 1491).

(b) MANAGEMENT.—Subject to valid existing rights, the wilderness areas designated by this title shall be administered by the Secretary of the Interior (hereinafter in this title referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilder-

ness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this title with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this title, except that correction of clerical and typographical errors in such legal description and map may be made. Copies of such map and legal description shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior, and in the appropriate office of the Bureau of Land Management in Arizona.

(d) NO BUFFER ZONES.—The Congress does not intend for the designation of wilderness areas in the State of Arizona pursuant to this title to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e) FISH AND WILDLIFE.—As provided in paragraph (7) of section 4(d) of the Wilderness Act, nothing in this title or in the Wilderness Act shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to wildlife and fish on the public lands located in that State.

(f) LIVESTOCK.—(1) Grazing of livestock in wilderness areas designated by this title, where established prior to the date of the enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the One Hundred First Congress (H. Rept. 101-405).

(2) The Secretary is directed to review all policies, practices, and regulations of the Bureau of Land Management regarding livestock grazing in Bureau of Land Management administered wilderness areas in Arizona in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in this title.

(g) WATER.—(1) With respect to each wilderness area designated by this title, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this title. The priority date of such reserved rights shall be the date of enactment of this Act.

(2) The Secretary and all other officers of the United States shall take steps necessary to protect the rights reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment (43 U.S.C. 666).

(3) Nothing in this title shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Arizona on or before the date of enactment of this Act.

Claims.

(4) The Federal water rights reserved by this title are specific to the wilderness areas located in the State of Arizona designated by this title. Nothing in this title related to reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto.

(h) WILDLIFE MANAGEMENT.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by this title, where consistent with relevant wilderness management plans, in accordance with appropriate policies and guidelines such as those set forth in Appendix B of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the One Hundred First Congress (H. Rept. 101-405).

(i) MILITARY ACTIVITIES.—Nothing in this title shall preclude low level overflights of military aircraft, the designation of new units of special airspace, or the use or establishment of military flight training routes over wilderness areas designated by this title.

(j) MINERAL EXCHANGES.—It is the intent of Congress that private mineral rights within wilderness areas designated by this title be acquired as expeditiously as possible by the Secretary using existing authority to acquire such rights by exchange.

(k) BLACK ROCK WASH ROAD ACCESS.—(1) Section 101(a)(23) of the Arizona Wilderness Act of 1984 (98 Stat. 1487) is amended by striking “the governmental agency having jurisdictional authority may authorize limited access to the area, for private and administrative purposes, from U.S. Route 70 along Black Rock Wash to the vicinity of Black Rock;

(2)(A) In order to permit adequate public and private access to Federal, State, and private lands on the east side of the Santa Teresa Mountains, the Secretary, acting through the Bureau of Indian Affairs, shall administer that portion of Black Rock Wash Road located within the boundaries of the San Carlos Apache Reservation so as to allow reasonable use of the road for private and administrative purposes and may permit limited public use of such road for the purpose of access to the public lands outside of the reservation boundary.

(B) The Secretary, acting through the Bureau of Indian Affairs, is authorized, subject to the provisions of the Act of June 18, 1934, chapter 576, section 16 (25 U.S.C. 476; 48 Stat. 987), to enter into cooperative agreements with the Bureau of Land Management, the Forest Service, and Graham County, Arizona, for signing, fencing, and maintenance of the portion of Black Rock Wash Road referred to in paragraph (A). The entering into of cooperative agreements as authorized by this subsection shall not be construed in any way as a determination of the ownership of such portion of Black Rock Wash Road.

(3) There are authorized to be appropriated such sum as may be necessary to carry out this subsection.

(l) ALAMO DAM.—Nothing in this title shall be construed to affect the operation for flood control purposes of the Alamo Dam located on the Bill William River.

SEC. 102. AREAS RELEASED.

Excepting for the Baker Canyon area (AZ-040-070), and the approximately 57,800 acres of public land as generally depicted on a

16 USC 1132
note.

Appropriation
authorization.

PUBLIC LAW 101-628—NOV. 28, 1990

104 STAT. 4475

map entitled “Cactus Plain Wilderness Study Area” dated February, 1990, the Congress hereby finds and directs that all public lands in Arizona, administered by the Bureau of Land Management pursuant to the Federal Land Policy and Management Act of 1976 not designated as wilderness by this title, or previous Acts of Congress, have been adequately studied for wilderness designation pursuant to section 603 of such Act and are no longer subject to the requirement of section 603(c) of such Act pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

TITLE II—DESIGNATION OF THE GILA BOX RIPARIAN
NATIONAL CONSERVATION AREA

Natural
resources.

SEC. 201. DESIGNATION AND MANAGEMENT.

16 USC 460ddd.

(a) PURPOSES.—In order to conserve, protect, and enhance the riparian and associated areas described in subsection (b) and the aquatic, wildlife, archeological, paleontological, scientific, cultural, recreational, educational, scenic, and other resources and values of such areas, there is hereby established the Gila Box Riparian National Conservation Area (hereafter in this title referred to as the “conservation area”).

Establishment.

(b) AREAS INCLUDED.—The conservation area shall consist of the public lands generally depicted on a map entitled “Gila Box Riparian National Conservation Area” dated February 1990, and comprising approximately 20,900 acres.

(c) MAP.—As soon as practicable after the date of enactment of this Act, a map and legal description of the conservation area shall be filed by the Secretary with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such map shall have the same force and effect as if included in this section. Copies of such map shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, Department of the Interior, and in the appropriate office of the Bureau of Land Management in Arizona.

(d) MANAGEMENT OF CONSERVATION AREA.—(1) The Secretary shall manage the conservation area in a manner that conserves, protects and enhances its resources and values, including the resources and values specified in subsection (a), pursuant to the Federal Land Policy and Management Act of 1976 and other applicable law, including this title.

(2) The Secretary shall allow only such uses of the conservation area as the Secretary finds will further the purposes for which the conservation area is established. Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles in the conservation area shall be permitted only on roads specifically designated for such use as part of the management plan prepared pursuant to subsection (g).

(e) WITHDRAWAL.—Subject to valid existing rights, all Federal lands within the conservation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

Claims.

(f) WATER.—(1) Congress hereby reserves a quantity of water sufficient to fulfill the purposes, as specified in subsection (a), for which the conservation area is established. The priority date of this reserved right shall be the date of enactment of this Act.

(2) The Secretary and all other officers of the United States shall take all steps necessary to protect the right reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such right in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment (43 U.S.C. 666).

(3) Nothing in this title shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Arizona on or before the date of enactment of this Act.

(4) The Federal rights reserved by this title are specific to the conservation area located in the State of Arizona designated by this title. Nothing in this title related to reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto.

(5) Nothing in this title shall be construed to impair or conflict with the implementation of the authorization contained in section 304(f) of Public Law 90-537, approved September 30, 1968.

(g) MANAGEMENT PLAN.—(1) No later than two years after the date of enactment of this Act, the Secretary shall develop a comprehensive plan for the long-term management of the conservation area (hereinafter in this title referred to as the “management plan”) in order to fulfill the purposes for which the conservation area is established. The management plan shall be developed with full public participation and shall include provisions designed to assure protection of the resources and values (including the resources and values specified in subsection (a)) of the conservation area.

(2) The management plan shall include a discussion of the desirability of the inclusion in the conservation area of additional lands, including the lands not in Federal ownership that are contiguous to the boundary of the conservation area (as depicted on the map referenced in subsection (b) or as hereafter adjusted pursuant to subsection (h)) and within the area extending two miles on either side of the centerline of Eagle Creek from the point where Eagle Creek crosses the southern boundary of the Apache National Forest to the confluence of Eagle Creek with the Gila River (this area is hereafter referred to in this title as the “Eagle Creek riparian area”).

(3) In order to better implement the management plan, the Secretary may enter into cooperative agreements with appropriate State and local agencies pursuant to section 307(b) of the Federal Land Policy and Management Act of 1976.

(4) In order to assist in the development and implementation of the management plan, the Secretary may authorize appropriate research, including research concerning the environmental, biological, hydrological, cultural, and other characteristics, resources, and values of the conservation area, pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976.

(h) ACQUISITION AND BOUNDARY ADJUSTMENTS.—(1) Subject to the limitations set forth in paragraph (3), the Secretary is authorized to

acquire non-Federal lands or interests therein within the boundaries of the conservation area or within the Eagle Creek riparian area.

(2) The Secretary is authorized to adjust the boundaries of the conservation area so as to incorporate within the conservation area any lands or interests within the Eagle Creek riparian area that may be acquired after the date of enactment of this Act as well as public lands within that portion of the Eagle Creek riparian area west of the centerline of Eagle Creek that the Secretary finds appropriate in order to properly manage such acquired lands as part of the conservation area. Any lands or interests so incorporated shall be managed as part of the conservation area.

(3) No lands or interests therein owned by the State of Arizona or any political subdivision of such State shall be acquired pursuant to this subsection except through donation or exchange, and no lands or interests within the conservation area or the Eagle Creek riparian area shall be acquired from any other party or entity except by donation, exchange, or purchase with the consent of the owner of such lands or interests.

(i) NO BUFFER ZONES.—The Congress does not intend for the establishment of the conservation area to lead to the creation of protective perimeters or buffer zones around the conservation area. The fact that there may be activities or uses on lands outside the conservation area that would not be permitted in the conservation area shall not preclude such activities or uses on such lands up to the boundary of the conservation area to the extent consistent with other applicable law.

(j) ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee to advise the Secretary with respect to the preparation and implementation of the management plan. Such advisory committee shall consist of seven members appointed by the Secretary. One member shall be appointed from among recommendations submitted by the Governor of Arizona, one member shall be appointed from among recommendations submitted by the Graham County Board of Supervisors and one member shall be appointed from among recommendations submitted by the Greenlee County Board of Supervisors. The remaining members shall be persons recognized as experts in wildlife conservation, riparian ecology, archeology, paleontology, or other disciplines directly related to the purposes for which the conservation area is established.

(k) REPORT.—No later than five years after the date of enactment of this Act, and at least each ten years thereafter, the Secretary shall report to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate on the implementation of this title, the condition of the resources and values of the conservation area, and the progress of the Secretary in achieving the purposes for which the conservation area is established.

(l) ENFORCEMENT.—Any person who violates any regulation promulgated by the Secretary to implement the provisions of this title shall be subject to a fine in accordance with applicable provisions of the Sentencing Reform Act of 1984, or imprisonment of not more than 1 year, or both such fine and imprisonment.

(m) AUTHORIZATION.—There are hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this title.

Appropriation
authorization.

104 STAT. 4478

PUBLIC LAW 101-628—NOV. 28, 1990

National
Wilderness
Preservation
System.

16 USC 1132
note.

TITLE III—DESIGNATION OF WILDERNESS AREAS TO BE
ADMINISTERED BY THE UNITED STATES FISH AND
WILDLIFE SERVICE

SEC. 301. DESIGNATION AND MANAGEMENT.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) certain lands in the Havasu National Wildlife Refuge, Arizona, which comprise approximately 14,606 acres, as generally depicted on a map entitled “Havasu Wilderness” and dated March 13, 1990, and which shall be known as the Havasu Wilderness;

(2) certain lands in the Imperial National Wildlife Refuge, Arizona, which comprise approximately 9,220 acres, as generally depicted on a map entitled “Imperial Refuge Wilderness” and dated March 13, 1990, and which shall be known as the Imperial Refuge Wilderness;

(3) certain lands in the Kofa National Wildlife Refuge, Arizona, which comprise approximately 510,900 acres, and certain other public lands comprising approximately 5,300 acres which are hereby added to and incorporated within such refuge (and which shall be managed accordingly), all as generally depicted on a map entitled “Kofa Wilderness” and dated August 1, 1990, and which shall be known as the Kofa Wilderness; and

(4) certain lands in the Cabeza Prieta National Wildlife Refuge, Arizona, which comprise approximately 803,418 acres, as generally depicted on a map entitled “Cabeza Prieta Wilderness” and dated March 13, 1990, and which shall be known as the Cabeza Prieta Wilderness.

(b) MANAGEMENT.—Subject to valid existing rights, the wilderness areas designated under this title shall be administered by the Secretary of the Interior (hereinafter in this title referred to as the “Secretary”) in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this title.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after enactment of this title, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries of the United States House of Representatives and with the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the United States Senate. Such map and description shall have the same force and effect as if included in this title, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, United States Fish and Wildlife Service, United States Department of the Interior.

(1)(A) With respect to each wilderness area designated by this title, and subject to the limitations set forth in subparagraph (B), Congress hereby reserves a quantity of water sufficient to

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fulfill the purposes of this title. The priority date of such reserved rights shall be the date of enactment of this Act.

(B) With respect to the Havasu and Imperial wilderness areas designated by subsections (a)(1) and (a)(2) of this section, no rights to water of the Colorado River are reserved, either expressly, impliedly, or otherwise.

(2) The Secretary and all other officers of the United States shall take all steps necessary to protect the rights reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate steam adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment (43 U.S.C. 666).

(3) Nothing in this title shall be construed as a relinquishment or reduction of any water right reserved or appropriated by the United States in the State of Arizona on or before the date of enactment of this Act.

(4) The Federal water rights reserved by this title are specific to the wilderness areas located in the State of Arizona designated by this title. Nothing in this title related to reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto.

(e) NO EFFECT ON COLORADO RIVER DAMS.—Nothing in this title shall be construed to affect the operation of federally owned dams located on the Colorado River in the Lower Basin.

(f) MILITARY ACTIVITIES.—Nothing in this title including the designation as wilderness of lands within the Cabeza Prieta National Wildlife Refuge, shall be construed as—

(1) precluding or otherwise affecting continued low-level overflights by military aircraft over such refuge or the maintenance of existing associated ground instrumentation, in accordance with any applicable interagency agreements in effect on the date of enactment of this Act; or

(2) precluding the Secretary of Defense from entering into new or renewed agreements with the Secretary concerning use by military aircraft of airspace over such refuge or the maintenance of existing associated ground instrumentation, consistent with management of the refuge for the purpose for which such refuge was established and in accordance with laws applicable to the National Wildlife Refuge System.

(g) LAW ENFORCEMENT BORDER ACTIVITIES.—Nothing in this title, including the designation as wilderness of lands within the Cabeza Prieta National Wildlife Refuge, shall be construed as—

(1) precluding or otherwise affecting continued border operations by the Immigration and Naturalization Service, the Drug Enforcement Administration, or the United States Customs Service within such refuge, in accordance with any applicable interagency agreements in effect on the date of enactment of this Act; or

(2) precluding the Attorney General of the United States or the Secretary of the Treasury from entering into new or renewed agreements with the Secretary concerning Immigration and Naturalization Service, Drug Enforcement Administration, or United States Customs Service border operations within such

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refuge, consistent with management of the refuge for the purpose for which such refuge was established, and in accordance with laws applicable to the National Wildlife Refuge System.

SEC. 302. NO EFFECT ON UPPER BASIN.

Nothing in titles I, II, or III of this Act shall amend, construe, supersede, or preempt any State law, Federal law, interstate compact, or international treaty pertaining to the Colorado River (including its tributaries) in the Upper Basin, including, but not limited to, the appropriation, use, development, storage, regulation, allocation, conservation, exportation, or quality of those waters.

* * * * *

104 STAT. 4510 Approved November 28, 1990.

LEGISLATIVE HISTORY—H.R. 2570:

HOUSE REPORTS: No. 101-405 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-359 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Feb. 28, considered and passed House.

Oct. 27, considered and passed Senate, amended. House concurred in Senate amendment with an amendment. Senate concurred in House amendment.

5. Arizona-Florida Land Exchange

PUBLIC LAW 100-696—NOV. 18, 1988

102 STAT. 4571

Public Law 100-696
100th Congress

An Act

To provide for the designation and conservation of certain lands in the States of Arizona and Idaho, and for other purposes.

Nov. 18, 1988
[S. 2840]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Arizona-Idaho Conservation Act of 1988".

Arizona-Idaho
Conservation
Act of 1988.

* * * * *

TITLE IV—ARIZONA-FLORIDA LAND EXCHANGE

102 STAT. 4577

DEFINITIONS

SEC. 401. For purposes of this title:

- (1) The term "Administrator" means the Administrator of Veterans' Affairs.
- (2) The term "Arizona InterTribal Trust Fund" means the fund established pursuant to section 405(a)(1) of this title in the Treasury of the United States for the benefit of Arizona Tribes that were members of the InterTribal Council of Arizona on January 1, 1988, and the members of such tribes.
- (3) The term "Arizona Tribe" means an Indian tribe that has a reservation located partially or totally in the State of Arizona.
- (4) The term "City" means the City of Phoenix, Arizona.
- (5) The term "Collier" means the nongovernmental parties to the Exchange Agreement identified in the Exchange Agreement as Barron Collier Company, Collier Development Corporation, and Collier Enterprises.
- (6) The term "Exchange Agreement" means the Agreement Among the United States, Collier Enterprises, Collier Development Corporation, and the Barron Collier Company, executed on May 15, 1988, and subsequently submitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

Florida.

(7) The term "Florida Lands" means the lands that would be conveyed to the United States by Collier under the terms of the Exchange Agreement or this title, and other lands owned by Collier and located within the boundaries of the Florida Panther National Wildlife Refuge to be acquired by purchase by the United States and managed as part of such Refuge, other than those lands identified for conveyance to the United States pursuant to agreements for purchase and sale of such lands executed by Collier prior to January 1, 1988.

(8) The term "InterTribal Council of Arizona" or "ITCA" means the corporation organized and existing under the laws of the State of Arizona under the name InterTribal Council of Arizona, Inc., or a successor to such corporation organized and existing under the laws of the State of Arizona, the membership of which includes thirteen or more of the Arizona Tribes that were members of the ITCA on January 1, 1988.

(9) The term "Land Exchange" means the transaction providing for the acquisition by the United States of title to lands in Florida owned by Collier and the receipt by the United States of Monetary Proceeds in exchange for the acquisition by Collier of title to land within the School Property.

(10) The term "Monetary Proceeds" means either—

(A) the cash amount required to be paid to the United States by Collier upon closing of the Land Exchange, or

(B) the amount required to be paid to the United States by a Purchaser other than Collier upon closing of the Purchase Transaction, less the amount required to be paid from the account for acquisition of the Florida Lands and reimbursement of costs established under section 402(i) of this title.

(11) The term "Navajo Trust Fund" means the fund established pursuant to section 405(a)(2) of this title in the Treasury of the United States for the benefit of the Navajo Tribe and its members.

(12) The term "Phoenix Exchange Property" means the land within the School Property to be conveyed to a Purchaser under the Land Exchange or the Purchase Transaction, which land shall be the School Property less any parcel of land to be conveyed to the City of Phoenix or transferred to the Veterans' Administration upon closing of the Land Exchange or Purchase Transaction pursuant to section 402 of this title.

(13) The term "Planning and Development Agreement" means the Memorandum of Agreement between the City of Phoenix, Arizona, Collier Enterprises and Barron Collier Company approved by the City Council of Phoenix, Arizona, on July 1, 1987, including any amendments or modifications of such Memorandum of Agreement subsequently agreed to by the parties, or, as the context may require, an agreement between the City of Phoenix, Arizona, and a Purchaser other than Collier that is identical in all material respects to such Memorandum of Agreement.

(14) The term "Public Planning Process" means the land use planning and zoning process applicable to the School Property under the Planning and Development Agreement or other State or local law and regulation applicable to the planning and zoning of such property.

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(15) The term "Purchase Transaction" means the cash purchase of the Phoenix Exchange Property by a Purchaser other than Collier under section 402(h) of this title.

(16) The term "Purchaser" means Collier or, in the event that Collier does not accept the offer of the United States to acquire the Phoenix Exchange Property under either section 402(h)(1) or section 402(h)(6) and (7) of this title, any other person that acquires the Phoenix Exchange Property under a Purchase Transaction.

(17) The term "School Property" means the real property used by the Secretary on January 1, 1988, for the Phoenix Indian High School in Phoenix, Arizona.

(18) The term "Secretary" means the Secretary of the Interior.

(19) The term "Trust Fund Payment" means the payment to the United States of the Monetary Proceeds for deposit into, as the context requires, the Arizona InterTribal Trust Fund or the Navajo Trust Fund, in the form of a lump sum payment or annual payments as determined under section 403 of this title.

(20) The term "Trust Fund Payment Agreement" means an agreement providing for payment by the Purchaser of annual Trust Fund Payments for deposit into the Arizona InterTribal Trust Fund or the Navajo Trust Fund or, as the context may require, an agreement between the United States and a Purchaser other than Collier that is identical in all material respects to such Trust Fund Payment Agreement.

(21) The term "Trust Income" to the Arizona InterTribal Trust Fund or the Navajo Trust Fund means the interest earned on amounts deposited into each such trust fund and any amounts paid into each such trust fund in the form of annual Trust Fund Payments.

(22) The term "Veterans' Administration Property" means the property adjacent to the School Property owned by the United States and under the jurisdiction and control of the Veterans' Administration on January 1, 1988.

DISPOSITION OF SCHOOL PROPERTY

SEC. 402. (a) AUTHORIZATION OF DISPOSAL.—The Secretary is authorized to dispose of the School Property and use the Monetary Proceeds only in accordance with this title. The provisions of this title shall govern the disposal of such property and other provisions of law governing the disposal of Federal property shall not apply to the disposal of the School Property.

(b) EXCHANGE AGREEMENT.—The Exchange Agreement is ratified and confirmed and sets forth the obligations, duties, and responsibilities of the parties to the Exchange Agreement. The Secretary shall implement the Exchange Agreement in accordance with its terms and conditions; except that, the Secretary may, with the concurrence of Collier, make minor and technical amendments in land descriptions and instruments of conveyance, as set forth in the agreement, upon 30 days prior written notice to the House Interior and Insular Affairs and Senate Energy and Natural Resources Committees.

(c) CONVEYANCE OF LANDS; TRANSFER OF JURISDICTION.—If the Phoenix Exchange Property is conveyed under the Land Exchange

or a Purchase Transaction, the Secretary is authorized and directed, subject to the requirements of this section, to—

(1) convey to the City by quitclaim deed a parcel of 20 acres of the School Property upon election by the City to accept such conveyance under subsection (e);

(2) transfer jurisdiction and control of a parcel of 11.5 acres of the School Property to the Veterans' Administration pursuant to subsection (f); and

(3) transfer jurisdiction and control of a parcel of 4.5 acres of the School Property to the Veterans' Administration pursuant to subsection (g).

(d) PRELIMINARY NOTICE.—(1) On a date no later than 135 days prior to acceptance by Collier of the offer of the United States under the Exchange Agreement, Collier shall provide preliminary notice in writing of its intent to accept such offer to—

(A) the Secretary;

(B) the Mayor of the City;

(C) the Administrator of Veterans' Affairs;

(D) the InterTribal Council of Arizona;

(E) the governing body of the Navajo Tribe; and

(F) the Governor of the State of Arizona.

The provision of this preliminary notice by Collier shall not affect Collier's right to accept or not to accept the offer of the United States under the Exchange Agreement and in accordance with subsection (h) (1) or (7).

(2) Notwithstanding any provision of the Exchange Agreement, Collier may not provide preliminary notice under paragraph (1) prior to the later of one year following the date of enactment of this title or the submission of a Specific Plan for the Phoenix Exchange Property as provided in the Planning and Development Agreement.

(e) ELECTION BY CITY.—(1) Within 15 days after receipt of notice to the Mayor of the City under subsection (d), the City may advise the Secretary in writing that it elects to accept conveyance of a parcel of 20 acres of land within the School Property identified for conveyance to the City by mutual agreement with Collier in accordance with the Public Planning Process.

(2) On or after conveyance of the Phoenix Exchange Property under the Land Exchange or Purchase Transaction, the Secretary shall convey to the City such parcel of 20 acres of the School Property as the City may elect to receive under paragraph (1), subject to the requirements of this section: *Provided*, That if the City and the Purchaser have not identified 20 acres for conveyance to the City in accordance with the Public Planning Process at the time of closing of the Land Exchange or the Purchase Transaction, the Secretary shall convey to the city a parcel of land consisting of the northernmost 20 acres of the School Property.

(3) Nothing in this title shall be construed as a limitation on the authority of the Purchaser and the City to enter into agreements to exchange, on an acre-for-acre basis, land within the School Property conveyed to the Purchaser for land conveyed by the United States to the City or owned by the City contiguous to the School Property.

(4) Any conveyance to the City by the United States under this subsection shall include the requirement for a right of reverter in favor of the United States restricting the use of such land perpetually to provide for public open space and recreation.

(5) Any conveyance by the Purchaser to the City of land within the School Property pursuant to exchange shall include a right of

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reverter in favor of the United States restricting the use of such land perpetually to provide for public open space and recreation. The conveyance by exchange of land to the Purchaser from the City shall extinguish any right of reverter restricting the use of land so conveyed to the Purchaser.

(6) Nothing in this subsection shall be construed to alter any right of the City to purchase additional acres of land within the School Property from the Purchaser pursuant to the Planning and Development Agreement or as may otherwise be agreed to by the City and the Purchaser.

(f) TRANSFER TO THE VETERANS' ADMINISTRATION.—(1) Upon the closing of the Land Exchange or the Purchase Transaction, the Secretary shall transfer to the Veterans' Administration jurisdiction and control of a parcel of 11.5 acres (including improvements located thereon) within the School Property to be used for expansion of the Veterans' Administration Medical Center in Phoenix, Arizona.

(2) Such parcel shall be the portion of land designated as Tract C on the metes-and-bounds surveys in the southeast quarter of section 20, township 2 north, range 3 east, of the Gila and Salt River Meridian, Arizona, conducted by the Bureau of Land Management of the Department of the Interior, dated March 22, 1988.

(3)(A) The Administrator shall cooperate with the City in the planning and development of land transferred under this subsection for the purpose of ensuring comprehensive planning of the School Property in accordance with the objectives of the Public Planning Process. The general authorities of the Administrator, including but not limited to those contained in sections 5022(a)(2) and 5024 of title 38, United States Code, shall be available to the Administrator for the purposes of this subsection.

(B) The Administrator shall, within six months after the date of the enactment of this title and every six months thereafter until the cooperative planning referred to in subparagraph (A) is completed, transmit a report to the Committee on Interior and Insular Affairs and the Committee on Veterans' Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Veterans' Affairs of the Senate. Each such report shall contain a description of the efforts made by the Veterans' Administration in carrying out such planning during the period for which the report is submitted.

Reports.

(C) The Secretary shall enter into a memorandum of understanding with the Administrator for the temporary use by the Administrator of the gymnasium constructed on the School Property in 1975. Such temporary use shall not extend beyond the interim period before the transfer or development of the property on which the gymnasium is located.

(g) TRANSFER TO THE STATE OF ARIZONA.—(1) Upon the closing of the Land Exchange or the Purchase Transaction, the Secretary shall transfer to the Veterans' Administration jurisdiction and control of a parcel of 4.5 acres (including improvements located thereon) within the School Property which shall be under the jurisdiction and control of the Veterans' Administration until disposed of in accordance with paragraph (3) or (4).

(2) Such parcel of land shall be contiguous to the parcel of land transferred to the Veterans' Administration under subsection (f) and to the Veterans' Administration Property. Such parcel shall be identified by mutual agreement of the City, the Administrator,

Collier, and the State of Arizona in accordance with the objectives of the Public Planning Process for use by the State of Arizona as a site for facilities owned and operated by such State as a home for veterans.

(3) The Administrator shall convey such parcel (including improvements located thereon), without reimbursement, to the State of Arizona when—

(A) the Administrator of Veterans' Affairs has approved the State of Arizona's application for assistance in construction of a State veterans' facility on such parcel pursuant to section 5035 of title 38, United States Code; and

(B) the State of Arizona has appropriated sufficient funds to pay for its portion of the costs of construction of such facility.

(4) If the State of Arizona does not submit an application for assistance described in paragraph (3)(A) and appropriate the funds described in paragraph (3)(B) within three years after such parcel is transferred to the Veterans' Administration under this subsection, the Administrator of Veterans' Affairs shall transfer jurisdiction and control of such parcel to the Secretary.

(5) Such land shall be offered by the Secretary for sale to the City, subject to a right of reverter in favor of the United States restricting the use of such land perpetually to provide for public open space and recreation, at a price determined by the Secretary which shall be representative of the value of such land discounted to account for such restrictions in use. In the event that the City does not accept the offer of the United States to purchase such land within six months from the date such offer is made, such land shall be offered for sale to the Purchaser at fair market value. The amount received from any sale of such land shall be deposited in the Arizona InterTribal Trust Fund and in the Navajo Trust Fund in accordance with the allocation described in section 405(e).

(h) OFFERS TO PURCHASE.—(1) Upon receipt by the Secretary of the notice of election to receive the parcel of land by the City of Phoenix under subsection (e), but in no event later than 15 days after receipt of preliminary notice to the Secretary by Collier under subsection (d), the Secretary shall notify Collier that, notwithstanding the provisions of subsection (d)(1), Collier may accept the offer of the United States to acquire the Phoenix Exchange Property under the terms of the Exchange Agreement, subject to the requirements that if the fair market value of the Phoenix Exchange Property stated in the current, independent appraisal obtained by the Secretary under subsection (m)(4) is greater than \$80,000,000, then Collier shall pay, in addition to the amount required to be paid under paragraphs 13 and 14 of the Exchange Agreement, an amount equal to the difference between the fair market value stated in such appraisal and \$80,000,000. If Collier notifies the Secretary that it does not accept the offer of the United States under this paragraph, a Purchaser may acquire the Phoenix Exchange Property pursuant to the requirements of paragraphs (2) through (9) of this subsection.

(2)(A) Upon receipt of notice by Collier that it does not accept the offer of the United States under paragraph (1), but in no event later than 15 days following receipt of such notice, the Secretary shall initiate the bidding process under this section by soliciting and advertising widely for sealed bids for purchase of the Phoenix Exchange Property: *Provided*, That no such bid will be accepted unless such bid offers a price of no less than the minimum acceptable price set forth in subsection (h)(4). The Secretary shall solicit

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publication.

and advertise widely for such bids by publishing notice that the Secretary will receive offers by persons other than Collier to purchase the Phoenix Exchange Property in the Federal Register and in newspapers of general circulation and other appropriate publications, including newspapers in Phoenix, Arizona. Such notice shall include—

(i) an accurate description of the Phoenix Exchange Property, and an identification of any parcels of land within the School Property elected for conveyance to the City pursuant to subsection (e), transferred to the Veterans' Administration pursuant to subsection (f), or conveyed to the State of Arizona pursuant to subsection (g);

(ii) the name and address of State and local offices from which information concerning the zoning and other legal requirements applicable to such property may be obtained;

(iii) a description of the terms and conditions for purchase of the Phoenix Exchange Property established under this title pursuant to which the Secretary may accept an offer to purchase the Phoenix Exchange Property;

(iv) a statement of the minimum price that the Secretary may accept for sale of the Phoenix Exchange Property under paragraph (4) of this subsection;

(v) a description of the other terms and conditions for purchase of the Phoenix Exchange Property that the Secretary determines are necessary to ensure that the rights and obligations of a Purchaser under this section are comparable in all material respects to the rights and obligations of Collier under the Exchange Agreement, except as otherwise provided in this title;

(vi) a statement establishing requirements for deposit of bond or other guarantee of credit in an amount determined by the Secretary; and

(vii) any other information that the Secretary, in his discretion, determines is reasonably necessary to permit a bona fide potential purchaser to evaluate the terms and conditions for purchase of the Phoenix Exchange Property.

(B) Upon request, the Secretary shall make available to any potential purchaser a copy of the Exchange Agreement or any other document in the possession of the Secretary which the Secretary in his discretion determines is reasonably necessary to permit a bona fide potential purchaser to evaluate the proposal of the United States to sell the Phoenix Exchange Property.

(3) Any person seeking to acquire the Phoenix Exchange Property by purchase under this section shall, within 90 days after publication of notice in the Federal Register under paragraph (2)(A), deliver to the Secretary in the form prescribed in such notice, a written offer to purchase the Phoenix Exchange Property which offer shall—

(A) offer to purchase the entire Phoenix Exchange Property for cash in a single transaction at a price greater than the minimum acceptable price established under paragraph (4);

(B) by its terms be irrevocable for a period of at least 120 days from the date such offer is delivered to the Secretary and be legally binding on the offeror upon acceptance of such offer by the United States;

(C) offer to enter into a Purchase Agreement with the United States under the terms and conditions for purchase of the

Phoenix Exchange Property described in the notice by the Secretary under paragraph (2);

(D) contain an offer to the United States to enter into a Trust Fund Payment Agreement in a form prescribed by the Secretary consistent with the requirements for payment of the Trust Fund Payment in the form of annual payments under section 403, which agreement shall be legally binding upon the offeror upon election of the Secretary to receive payment of the Monetary Proceeds in the form of annual payments under section 403 of this title, including: (i) a detailed description of the collateral to be provided by the offeror to secure the payment obligation under the Trust Fund Payment Agreement upon such election of the Secretary to receive payment in the form of annual payments, and (ii) evidence of ownership and value of such collateral sufficient to permit the Secretary to determine whether such collateral is adequate to secure the payment obligations of the Purchaser under the Trust Fund Payment Agreement;

(E) contain evidence that the offeror has made an offer to the City of Phoenix, legally binding by its terms on the offeror upon approval by the City Council of Phoenix, Arizona, to enter into the Planning and Development Agreement;

(F) contain full and substantial evidence of the capacity of the offeror to enter into and perform each of the obligations required to be undertaken by the offeror under the terms described by the Secretary in accordance with paragraph (2) including a description of any financing arrangements to be undertaken by the offeror in order to perform the payment obligation of the Purchaser upon closing of the Purchase Transaction;

(G) meet any other requirements prescribed by the Secretary in the notice published under paragraph (2)(A) which are reasonably necessary to ensure that any offer accepted by the United States under this subsection will provide public benefits to the United States comparable to those provided to the United States under the Land Exchange; and

(H) be accompanied by the deposit of a bond or other guarantee consistent with the requirements prescribed by the Secretary under paragraph (2).

Securities.

(4) The minimum acceptable price for sale of the Phoenix Exchange Property is a cash amount equal to the sum of the amount required to be deposited into the account for purchase of the Florida Lands and reimbursement of costs under subsection (i) and an amount equal to the amount required to be paid by Collier under paragraphs 13 and 14 of the Exchange Agreement.

(5)(A) The Secretary shall review any offer to purchase the Phoenix Exchange Property delivered to the Secretary within 90 days after publication of notice under paragraph (2)(A) for the purpose of determining whether such offer meets the requirements under paragraph (3) or other requirements set forth in the notice of the Secretary pursuant to paragraph (2). The Secretary shall identify for consideration as qualifying offers all such offers that meet such requirements subject to the limitations of subparagraph (B).

(B) In determining whether an offer is a qualifying offer under this paragraph, the Secretary shall exclude from consideration any offer that the Secretary in his discretion determines—

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(i) does not meet the requirements set forth in the notice of the Secretary pursuant to paragraph (2);

(ii) is made by an offeror without adequate capacity to enter into or perform the payment obligations under this title or the Trust Fund Payment Agreement; or

(iii) has failed to identify collateral that is adequate to secure the obligations under the Trust Fund Payment Agreement.

(C) The Secretary shall, within 105 days after publication of notice in the Federal Register, select from among the qualifying offers the best qualifying offer, which shall be the single offer from among the qualifying offers that contains an offer to pay to the United States the highest lump sum cash payment upon closing of the Purchase Transaction: *Provided*, That nothing in this paragraph shall be construed to limit or alter the right of the Secretary to elect to receive payment of the Monetary Proceeds in the form of annual payments under section 403 of this title.

(6) Within 105 days after publication of notice in the Federal Register under paragraph (2)(A), the Secretary shall advise Collier whether the Secretary has identified a qualifying offer or offers. In the event that the Secretary has not identified any such qualifying offer, he shall advise Collier that Collier may accept the offer of the United States to Collier under the terms of the Exchange Agreement and this title. In the event that the Secretary has identified a qualifying offer, the Secretary shall provide Collier with a copy of the best qualifying offer, and shall advise Collier that Collier may accept the offer of the United States under the Exchange Agreement subject to the requirement that Collier pay, rather than the amount required to be paid under paragraphs 13 and 14 of the Exchange Agreement, the difference between an amount equal to 105 percent of the price to be paid under the best qualifying offer and \$45,100,000.

(7) Collier may accept the offer of the United States by notice to the Secretary within 30 days of receipt of notice under paragraph (6) that Collier accepts such offer under the terms of the Exchange Agreement and subject to the requirement, if any, for additional payment under paragraph (6). If Collier accepts the offer of the United States under this paragraph, closing of the Land Exchange shall occur under the terms of the Exchange Agreement and this title.

(8) If Collier does not accept such offer, the Secretary shall accept the best qualifying offer. If no qualifying offer has been received within the period specified in paragraph (3), the Secretary shall maintain the School Property in accordance with subsection (k) of this section, and notify the Committees on Interior and Insular Affairs and Veterans' Affairs in the House of Representatives and the Committee on Energy and Natural Resources in the Senate within 60 days of the Secretary's notice to Collier under paragraph (6). Closing of the Purchase Transaction under this subsection shall occur within 90 days after acceptance by the United States of the best qualifying offer, subject to the requirements respecting deposit of payment under subsection (i).

(9) No action of the Secretary under this subsection shall be subject to the provisions of 5 U.S.C. 553 through 558 or 701 through 706.

(i) ACCOUNT FOR PURCHASE TRANSACTION AMOUNTS.—(1) Upon closing of the Purchase Transaction, there shall be established in the Treasury of the United States an account into which shall be

deposited from the amount paid to the United States under the Purchase Transaction, at the direction of the Secretary, an amount equal to the sum of—

(A) \$49,400,000, less any amount received by Collier in consideration of the conveyance to the United States of any portion of the Florida Lands prior to the closing of the Purchase Transaction, and

(B) an amount equal to the costs determined by the Secretary as reimbursable to Collier under paragraph (2), based on information to be provided to the Secretary by Collier at the time that Collier provides preliminary notice under subsection (d).

(2) For purposes of this subsection, reimbursable costs of Collier shall include—

(A) all costs, including fees for attorneys and consultants and appraisal costs paid or incurred by Collier in connection with the Public Planning Process and planning and zoning of the School Property, and

(B) an amount for compensation of general administrative costs and overhead, which shall be an amount equal to the costs reimbursable to Collier under subparagraph (A) multiplied by a factor of 0.8.

Florida.

(3) Upon conveyance by Collier to the United States of title to the Florida Lands pursuant to this subsection, the Secretary shall cause to be paid to Collier from the account established under paragraph (1): (A) \$49,400,000, less any amount previously paid to Collier by the United States in consideration of conveyance of any portion of the Florida Lands, and (B) an amount equal to the total amount of costs reimbursable to Collier under this subsection, as determined by the Secretary.

(j) CONVEYANCE OF TITLE.—Upon conclusion of the procedures under subsection (h), the Secretary is authorized and directed to release and quitclaim to the Purchaser all right, title, and interest of the United States to the Phoenix Exchange Property.

(k) REVERSION.—Any land within the School Property not conveyed to the Purchaser or the City or transferred to the Veterans' Administration upon closing of the Land Exchange or the Purchase Transaction or which reverts to the United States under subsection (e)(4) or is transferred to the Secretary under subsection (g)(4) and is not sold to the City or the Purchaser shall be maintained under the administrative jurisdiction, management and control of the National Park Service and shall not be disposed of until authorized by an Act of Congress: *Provided, however*, That such lands shall not be considered a unit of the National Park System.

(l) STATE AND LOCAL AUTHORITY.—Nothing in this title shall be construed to supersede, abrogate, enlarge, diminish, or otherwise alter the exercise of authority of the State of Arizona, the City or other State and local authority with respect to planning and zoning of the School Property under applicable State or local law.

(m) SPECIFIC PLAN REPORTS.—(1) No later than 30 days after the submission of the Specific Plan as provided for in the Planning and Development Agreement, the Comptroller General of the United States shall submit to Congress a report analyzing the Specific Plan, particularly as it relates to the final proposals for zoning of the Phoenix Exchange Property, the alternatives considered, the reasons for rejection of the alternatives, and the effect of the rezoning

proposals on the potential value of the property relative to the effects of other zoning proposals.

(2) Within 60 days after acceptance of the Purchasers' offer under subsection (h)(8), or acceptance by Collier of the offer of the United States under subsection (h) (1), (6) or (7), whichever is later, the Comptroller General shall provide a further report on all actions taken subsequent to the submission of the Specific Plan relative to disposition of the Phoenix Exchange Property, particularly as they relate to the value received by the United States and the process by which such value was determined.

(3) The Comptroller General shall transmit all reports required by this section to the Committees on Interior and Insular Affairs and Education and Labor of the House of Representatives and the Committee on Energy and Natural Resources and the Select Committee on Indian Affairs of the Senate.

(4) Within 45 days following submission of the Specific Plan as provided for in the Planning and Development Agreement, the Secretary shall obtain, at Collier's expense, a current, independent appraisal of the Phoenix Exchange Property, based upon the zoning requirements stated in such Specific Plan, which appraisal shall determine the fair market value which Collier must give for the Phoenix Exchange Property if such property is acquired by Collier pursuant to the provisions of subsection (h)(1).

PAYMENT TO THE TRUST FUNDS

Indians.

SEC. 403. (a) DEPOSIT OF MONETARY PROCEEDS.—The Monetary Proceeds shall be paid to the United States for deposit in the Arizona InterTribal Trust Fund and the Navajo Trust Fund in accordance with this section and section 405 of this title.

(b) ELECTION OF LUMP SUM OR ANNUAL PAYMENTS.—Subject to the requirements for consultation under subsection (c)(3), the Secretary may, in his discretion, elect to receive the Trust Fund Payment for deposit in the Arizona InterTribal Trust Fund or the Navajo Trust Fund, or both, in the form of either a lump sum payment or 30 annual payments, calculated in accordance with subsection (c). The Secretary shall provide notice of such election to the Purchaser within 90 days after receipt of notice from Collier that it intends to accept the offer of the United States under the Exchange Agreement pursuant to section 402(d).

(c) METHOD OF PAYMENT.—(1) If the Secretary elects to receive a Trust Fund Payment in the form of a lump sum payment, the Purchaser shall, at the time of closing, pay to the United States an amount equal to that portion of the Monetary Proceeds that is properly allocable to the Trust Fund for which such election is made.

(2) If the Secretary elects to receive a Trust Fund Payment in the form of annual payments, the Purchaser shall make—

(A) 30 annual payments equal to the interest due on an amount equal to that portion of the Monetary Proceeds that is properly allocable to the Trust Fund for which such election is made; and

(B) at the time of the last annual payment, a payment equal to that portion of the Monetary Proceeds that is properly allocable to the Trust Fund for which such election is made.

(3) Prior to making any election as to form of the Trust Fund Payment under this subsection, the Secretary shall consult with—

(A) the InterTribal Council of Arizona, concerning the form of the Trust Fund Payment to the Arizona InterTribal Trust Fund; and

(B) the governing body of the Navajo Tribe, concerning the form of the Trust Fund Payment to the Navajo Trust Fund.

(4) If the Secretary elects to receive a Trust Fund Payment in the form of annual payments under subsection (c)(2), the Secretary is directed to execute the Trust Fund Payment Agreement pursuant to which such annual payments will be made.

(5) The interest rate to be used in determining the interest due on annual Trust Fund Payments payable by the purchaser shall be the interest rate being offered on bonds payable in 30 years sold by the United States on the date that notice of the election of the form of the Trust Fund Payment is made by the Secretary plus 0.25 percent, except that in no event shall such interest rate be lower than 8.5 percent or higher than 9.0 percent.

(6) Closing of the Land Exchange or the Purchase Transaction shall occur no sooner than 90 days after notice of the Secretary's election is provided to the Purchaser, except that if the Secretary elects to receive a Trust Fund Payment in the form of annual payments under subsection (c)(2), closing of the Land Exchange or the Purchase Transaction shall not occur unless a Trust Fund Payment Agreement has been executed.

(d) CASH PROCEEDS.—Any cash proceeds to the United States from the sale of land within the School Property offered to and accepted by the City or the Purchaser subsequent to closing of the Land Exchange or the Purchase Transaction shall be in the form of a lump sum payment, unless otherwise agreed to by the parties, payable to the United States for deposit into the Arizona InterTribal Trust Fund and the Navajo Trust Fund pursuant to section 405 of this title.

CLOSURE OF PHOENIX INDIAN HIGH SCHOOL

SEC. 404. (a) CLOSURE.—Notwithstanding any other provision of law, the Secretary shall close the Phoenix Indian High School on a date determined by the Secretary, which date shall be no earlier than June 1, 1990, and no later than September 1, 1990.

(b) NOTICE.—By January 30, 1990, the Secretary shall notify the tribal governing body of each Arizona Tribe affected by the closing of the Phoenix Indian High School and each person, or parent or guardian of each person, enrolled as a student at the Phoenix Indian High School on January 1, 1991, of the date of closing of the Phoenix Indian High School as determined by the Secretary under subsection (a).

(c) INDIVIDUAL EDUCATION PLANS.—(1) Beginning January 30, 1990, but in no case later than March 1, 1990, the Secretary, through the Assistant Secretary of Indian Affairs, shall—

(A) identify each eligible Indian student who is enrolled or preenrolled for attendance at the Phoenix Indian High School, as of the date of enactment of this title, or who attended the Phoenix Indian High School during the academic year 1988-89, and who did not graduate from a secondary program, and shall—

(i) contact each student, or the parents or guardians of record of each such student,

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(ii) notify each student that the Phoenix Indian High School is to be closed at the date established by the Secretary under subsection (a),

(iii) inform each of the alternatives available to each student and their families, including attendance at the Bureau operated facility at Riverside, California, and

(iv) develop the individual education plans required under subparagraph (B);

(B) develop for each student identified under subparagraph (A) an individual education plan, which shall be formulated in a cooperative fashion between Bureau education and other appropriate social services. Each individual education plan shall, at the minimum, include—

(i) an identification of the student;

(ii) an identification of the special educational, social, or academically related cultural needs of each student;

(iii) a description of the consultation and discussions with the student and the parent involved in the formulation of this plan;

(iv) an identification of the alternative service provider chosen by the student or parent to provide educational services;

(v) any actions taken, pursuant to the requirements to protect confidentiality, to contact and coordinate the alternative service provider, the tribe, any appropriate Bureau social service entities, and the Office of Indian Education Program; and

(vi) set out in detail the actions to be taken by the Bureau of Indian Affairs to supplement the program provided with additional services and support for the student, where the student attends a non-Bureau funded program or a Bureau funded program which does not include the services described within the plan; and

(C) take such steps as are necessary to establish a formal internal mechanism for implementing the findings and recommendations of the plans developed under subparagraph (B).

(2)(A) Any other provision of law notwithstanding, the Secretary shall, for the fiscal years ending prior to September 30, 1992, reserve from funds appropriated under section 1128 of Public Law 95-561 and other Bureau of Indian Affairs accounts presently providing support to the Phoenix Indian High School during the fiscal year 1990 an amount equal to the amount determined under subparagraph (B) for the purpose of implementing subparagraph (C).

(B)(i) The amount reserved for the fiscal year ending September 30, 1991, shall be equal to the sum of three-fourths the amount generated under the Indian Student Equalization Formula during fiscal year 1990 for the Phoenix Indian High School plus three-fourths the amount generated under the accounts referenced in subparagraph (A), such funds to be reserved from the respective accounts and administered pursuant to subparagraph (C).

(ii) The amount reserved for the fiscal year ending September 1992 shall be equal to the sum of one-half the amount generated under the Indian Student Equalization Formula during fiscal year 1990 for the Phoenix Indian High School plus one-half the amount generated under the accounts referenced in subparagraph (A), such funds to be reserved from the respective accounts and administered pursuant to subparagraph (C).

(C) From funds reserved pursuant to subparagraph (B), the area education director and the area director shall jointly administer a program to implement the individual education plans developed under paragraph (2), with particular emphasis being placed on monitoring the performance and attendance of students covered by the individual education plans. From such funds, they shall also, to the extent funds are available, conduct such activities as may be necessary to determine those eligible Indian students who reside within the State of Arizona or the jurisdiction of the Phoenix Area Office of the Bureau of Indian Affairs who are of legal age to be attending school but who are not enrolled in any program.

(d) TRANSFER OF JURISDICTION.—Within 60 days after closure of the Phoenix Indian High School under subsection (a), the Secretary shall transfer administrative jurisdiction, management and control of the school property from the Bureau of Indian Affairs to the National Park Service: *Provided*, That, prior to the disposition of the School Property under the terms of the Exchange Agreement or otherwise, the National Park Service shall manage and control such School Property in a manner consistent with the requirements of the Exchange Agreement and subsection (e), except that the Administrator may, during the interim period of administration, take such actions as are necessary to protect the improvements located on the 11.5 acres of land and 4.5 acres of land to be transferred to the Veterans' Administration pursuant to subsections (f) and (g) of section 402. During the interim period of administration the School Property shall not be considered a unit of the National Park System.

California.

(e) TRANSFER OF RESOURCES.—(1) Any other provision of law notwithstanding, the following shall apply to the Sherman Indian School, located in Riverside, California, and operated by the Bureau of Indian Affairs, or its successors, effective on the date of enactment:

(A) The attendance boundaries used by the Bureau of Indian Affairs to govern placements in the Sherman Indian School is expanded to include all of the attendance boundary served in the fiscal year 1991 by the Phoenix Indian High School.

(B) Subject to school board approval, the superintendent of the Sherman Indian School is authorized to pay the recruitment and retention allowance authorized under section 1131(h)(3) of Public Law 95-561.

(C) The Secretary shall inventory all Bureau of Indian Affairs educational property, including personal property, currently located at the Phoenix Indian High School. The superintendent of the Sherman Indian School, and their designees, shall have first option on all materials located at the Phoenix Indian High School and the Secretary shall take all steps necessary to move the materials chosen by the superintendent of the Sherman Indian School to the school as expeditiously as possible. Remaining property shall be made available to other off-reservation boarding schools.

(D) Subject to the provisions of subsection (d), the personnel ceilings at the Sherman Indian School shall be immediately adjusted to reflect employees who transfer from the Phoenix Indian High School and any increase in the student population projected by the closure.

(2) With respect to any employee employed at the Phoenix Indian High School prior to the closure of the academic program—

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(A) for the purpose of conducting the reduction in force associated with the closure of the Phoenix Indian High School, Phoenix Indian High School and the Sherman Indian School in Riverside, California shall be considered as one employment area; and

(B) for those who do not elect to exercise the above, or to whom they do not apply, outplacement assistance, including where available job retraining programs, professional résumé and other job placement assistance.

ESTABLISHMENT OF THE ARIZONA INDIAN TRUST FUNDS

SEC. 405. (a) ESTABLISHMENT.—Upon disposal of the School Property and receipt by the United States of the Monetary Proceeds, there shall be established in the Treasury of the United States—

(1) a fund to be known as the Arizona InterTribal Trust Fund; and

(2) a fund to be known as the Navajo Trust Fund.

(b) AMOUNTS IN FUNDS.—Each Trust Fund established under this section shall consist of—

(1) an amount equal to the sum of—

(A) that portion of the Monetary Proceeds properly allocable to each such Trust Fund;

(B) that portion of the cash proceeds from the sale by the United States to the City or the Purchaser of additional acres of land within the School Property pursuant to subsection (g)(5) of section 402 of this title properly allocable to each such Trust Fund; and

(C) any interest accruing on any amount deposited in each such Trust Fund,

(2) less the amount of Trust Income from the Trust Fund used by the Secretary pursuant to subsection (d).

(c) INVESTMENT.—(1) If a Trust Fund Payment is made in the form of a lump sum payment under section 403(c)(1) of this title, the Secretary of the Treasury shall invest the amount of such lump sum payment in interest-bearing deposits and securities in accordance with the Act of June 24, 1938 (25 U.S.C. 162a).

(2) If a Trust Fund Payment is made in the form of annual payments under section 403(c)(2) of this title, the Secretary of the Treasury shall hold in trust the security provided in accordance with the Trust Fund Payment Agreement.

(3) At the direction of the Secretary, the Secretary of the Treasury may invest in accordance with the requirements of paragraph (1) any portion of the Trust Income not used by the Secretary in any year.

(d) USE OF TRUST INCOME.—(1) The purpose of these trust funds is to supplement, not supplant, current Federal efforts. The Secretary shall not reduce, rescind, alter or change any distribution of funds to which any Indian tribe or students covered by this section may otherwise be entitled or eligible under any other Federal authority. The Congress also expresses its intention that in determining the amount of any funds to provide services to Indian tribes or students covered by this section, there shall be no amendment, alteration, limitation, or reduction within future congressional action occasioned by the presence of these funds.

(2) Trust Income may be used only for—

102 STAT. 4592

PUBLIC LAW 100-696—NOV. 18, 1988

Education.
Children and
youth.

(A) supplemental educational and child-welfare programs, activities, and services for the benefit of—

(i) those Arizona Tribes that were members of the Inter-Tribal Council of Arizona on January 1, 1988, in the case of payments from the Arizona InterTribal Trust Fund; and

(ii) the Navajo Tribe, in the case of payments from the Navajo Trust Fund;

(B) the design, construction, improvement, or repair of related facilities; and

(C) the payments referred to in paragraph (4).

(3)(A) To carry out the purposes of paragraph (2), the Secretary, pursuant to appropriations, may make grants—

(i) from the Arizona InterTribal Trust Fund to Arizona tribes that were members of the InterTribal Council of Arizona on January 1, 1988, public school districts on or near reservations of such Tribes in the State of Arizona, and the InterTribal Council of Arizona; and

(ii) from the Navajo Trust Fund to the Navajo Tribe or public school districts on or near the Navajo Reservation in the State of Arizona.

(B) The Secretary shall require, as a condition for making any grant to a public school district, the approval of the governing body of the Arizona Tribe the children of which are to be served by such grant.

(4)(A) An amount equal to 5 percent of the Trust Income during the preceding fiscal year shall be paid annually by the Secretary—

(i) to the InterTribal Council of Arizona from the Arizona InterTribal Trust Fund; and

(ii) to the governing body of the Navajo Tribe from the Navajo Trust Fund.

(B) Payments made under this paragraph shall be used for education, child welfare, community development, and general administrative purposes, and may be made only pursuant to an annual budget adopted by the vote of—

(i) a majority of the members of the InterTribal Council of Arizona, in the case of payments to the Arizona InterTribal Trust Fund; and

(ii) the governing body of the Navajo Tribe, in the case of payments to the Navajo Trust Fund.

(C) The limitation on the amount of payments under this paragraph shall not be construed as a limitation on the authority of the Secretary to make grants to the InterTribal Council of Arizona or the Navajo Tribe under paragraph (3).

(5) None of the Trust Income may be used for scholarship grants for higher education.

(e) ALLOCATION.—In depositing into the Trust Funds the Monetary Proceeds, any payment by the State of Arizona, or the cash proceeds from the sale of land within the School Property—

(1) the amount properly allocable to the Arizona InterTribal Trust Fund shall be 95 percent of the total amount of such payment or cash proceeds to the United States; and

(2) the amount properly allocable to the Navajo Trust Fund shall be 5 percent of the total amount of such payment or cash proceeds to the United States.

SEC. 406. ADMINISTRATION OF NEW LANDS FUNDS.—Subsection (c)(2)(B) of section 12 of Public Law 93-531 (25 U.S.C. 640d-11) is amended by adding at the end thereof of the following new clause:

Education.
Children and
youth.

PUBLIC LAW 100-696—NOV. 18, 1988

102 STAT. 4593

“(B) : *Provided further*, That for administrative purposes such funds shall be maintained in a separate account.”.

SEC. 407. CLARIFICATION OF ELIGIBILITY.—Public Law 93-531 is amended by adding at the end thereof the following new section:

“SEC. 32. Nothing in this title prohibits the Commissioner from providing relocation assistance to families certified as eligible, regardless of their current place of residence, with funds appropriated to implement Public Law 93-531.”.

25 USC 640d-31.

* * * * *

Approved November 18, 1988.

102 STAT. 4612

LEGISLATIVE HISTORY—S. 2840 (S. 252) (S. 2352) (H.R. 4519):

HOUSE REPORTS: No. 100-744, Pt. 1, accompanying H.R. 4519 (Comm. on Interior and Insular Affairs) and Pt. 2 (Comm. on Veterans' Affairs).

SENATE REPORTS: No. 100-525 accompanying S. 252 (Comm. on Energy and Natural Resources), No. 100-553 accompanying S. 2352 (Comm. on Energy and Natural Resources), and No. 100-539 accompanying H.R. 4519 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 134 (1988):

July 27, H.R. 4519 considered and passed House.

Oct. 13, S. 2840 considered and passed Senate.

Oct. 20, considered and passed House, amended. Senate concurred in House amendments.

6. Berkeley, Illinois Land Conveyance

100 STAT. 3341

PUBLIC LAW 99-591—OCT. 30, 1986

Public Law 99-591
99th Congress**Joint Resolution**Oct. 30, 1986
[H.J. Res. 738]

Making continuing appropriations for the fiscal year 1987, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

100 STAT.
3341-243**AN ACT**

Making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1987, and for other purposes.

TITLE I—DEPARTMENT OF THE INTERIOR100 STAT.
3341-260

* * * * *

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

* * * * *

100 STAT.
3341-267

SEC. 120. Notwithstanding any other provisions of the Land and Water Conservation Fund Act of 1965, Public Law 88-578, as amended, or other law, Land and Water Conservation Fund assisted land in Berkeley, Illinois, assisted under project No. 17-00180, may be exchanged for existing public lands if Land and Water Conservation Fund conversion criteria regarding equal fair market value and reasonably equivalent use and location are met.

* * * * *

100 STAT.
3341-388

Approved October 30, 1986.

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100 STAT.
3341-389LEGISLATIVE HISTORY—H.J. Res. 738 (H.R. 5052) (H.R. 5161) (H.R. 5162) (H.R. 5175) (H.R. 5177) (H.R. 5203) (H.R. 5205) (H.R. 5233) (H.R. 5234) (H.R. 5294) (H.R. 5313) (H.R. 5339) (H.R. 5438):

HOUSE REPORTS: No. 99-1005 (Comm. of Conference).
SENATE REPORTS: No. 99-500 (Comm. on Appropriations).

7. Bevinetto Fellowship

PUBLIC LAW 100-446—SEPT. 27, 1988

102 STAT. 1774

Public Law 100-446
100th Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1989, and for other purposes.

Sept. 27, 1988
[H.R. 4867]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1989, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

102 STAT. 1779

* * * * *

ADMINISTRATIVE PROVISIONS

102 STAT. 1788

* * * * *

The Director of the National Park Service shall administer a fellowship program, within available funds, to improve mutual understanding and cooperation between Service employees, and Members and Committees of Congress. The program is dedicated to the memory of Pietro Antonio (Tony) Bevinetto, and Service employees participating in the program shall be known as "Bevinetto Fellows".

102 STAT. 1789
Fellowships and scholarships.
Pietro Antonio Bevinetto.
Government organization and employees.
102 STAT. 1790

* * * * *

Approved September 27, 1988.

102 STAT. 1828

LEGISLATIVE HISTORY—H.R. 4867:

HOUSE REPORTS: No. 100-713 (Comm. on Appropriations) and No. 100-862 (Comm. of Conference).

SENATE REPORTS: No. 100-410 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 134 (1988):

June 29, considered and passed House.

July 13, considered and passed Senate, amended.

Sept. 8, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments. Senate agreed to conference report; concurred in House amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 24 (1988):

Sept. 27, Presidential statement.

8. Boone, Iowa Land Exchange

104 STAT. 1915

PUBLIC LAW 101-512—NOV. 5, 1990

Public Law 101-512
101st Congress

An Act

Nov. 5, 1990
[H.R. 5769]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1991, and for other purposes.

Department of
The Interior and
Related
Agencies
Appropriations
Act, 1991.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1991, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

104 STAT. 1920

* * * * *
NATIONAL PARK SERVICE
* * * * *

104 STAT. 1922

* * * * *
LAND ACQUISITION AND STATE ASSISTANCE
* * * * *

For the purposes of section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 as amended (16 U.S.C. 4601-8(f)(3)), the Cap Erb Wildlife Preserve of approximately 6 acres that on the effective date of this section is proposed by the City of Boone, Iowa, to be substituted for land formerly in Blair Park that was converted to non-recreation use, shall be deemed by the Secretary of the Interior to be of equivalent usefulness and location as the land which was so converted: *Provided*, That if the proposed substitute land is not equal in fair market value, the difference shall be made up in land elsewhere by the State of Iowa.

104 STAT. 1978

* * * * *
Approved November 5, 1990.LEGISLATIVE HISTORY—H.R. 5769:

HOUSE REPORTS: No. 101-789 (Comm. on Appropriations) and No. 101-971 (Comm. of Conference).

SENATE REPORTS: No. 101-534 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Oct. 12, 15, considered and passed House.

Oct. 22-24, considered and passed Senate, amended.

Oct. 27, House and Senate agreed to conference report,

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Nov. 5, Presidential statement.

9. Delta Region Preservation Commission

PUBLIC LAW 100-250—FEB. 16, 1988

102 STAT. 16

Public Law 100-250
100th Congress**An Act**

To amend the National Parks and Recreation Act of 1978, as amended, to extend the term of the Delta Region Preservation Commission, and for other purposes.

Feb. 16, 1988
[H.R. 2566]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IX of the National Parks and Recreation Act of 1978, as amended (16 U.S.C. 230), is further amended as follows:

(a) In section 901 by adding the following new phrase and renumbering subsequent phrases accordingly:

16 USC 230.

“(4) folk life centers to be established in the Acadian region;”.

Cultural
programs.
16 USC 230a.
Public lands.
Gifts and
property.

(b) In section 902 by adding the following new subsection:

“(g) The Secretary is authorized to acquire lands or interests in lands by donation, purchase with donated or appropriated funds or exchange, not to exceed approximately 20 acres, in Acadian villages and towns. Any lands so acquired shall be developed, maintained and operated as part of the Jean Lafitte National Historical Park.”.

(c) In section 907(e) by striking out “ten years” and inserting in lieu thereof “twenty years”.

16 USC 230f.

Approved February 16, 1988.

LEGISLATIVE HISTORY—H.R. 2566:

HOUSE REPORTS: No. 100-304 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 100-251 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 133 (1987): Sept. 29, considered and passed House.

Dec. 19, considered and passed Senate, amended.

Vol. 134 (1988): Feb. 2, House concurred in Senate amendment.

**10. Disabled American Veterans Vietnam Veterans National
Memorial, Eagle Nest, New Mexico**

PUBLIC LAW 100-164—NOV. 13, 1987

101 STAT. 905

Public Law 100-164
100th Congress

Joint Resolution

To recognize the Disabled American Veterans Vietnam Veterans National
Memorial as a memorial of national significance.

Nov. 13, 1987
[H.J. Res. 97]

Whereas in August, 1968, following the tragic death of their eldest son and brother, First Lieutenant Victor Davis Westphall, III, in the southeast Asian conflict, Dr. and Mrs. Victor Westphall and their younger son, Douglas, began construction of a memorial chapel at Angel Fire Recreation Area, near Eagle Nest, New Mexico, to honor Vietnam veterans;

New Mexico.

Whereas the chapel was opened in 1971 as a memorial to all Vietnam veterans: the living, the dead, and the maimed in body and spirit;

Whereas the Disabled American Veterans and other interested persons have contributed much financial assistance toward the chapel;

Whereas in September, 1982, the Disabled American Veterans established a non-profit corporation to improve and perpetuate the chapel;

Whereas the chapel was rededicated and named the Disabled American Veterans Vietnam Veterans National Memorial in May, 1983;

Whereas the chapel has become known to millions of people in this Nation and abroad through extensive publicity in the national and international news media;

Whereas the chapel has inspired the construction of other memorials to Vietnam veterans throughout the United States, including the Vietnam Veterans Memorial in Washington, D.C.;

Whereas the chapel has received an award for architectural excellence from the New Mexico Society of Architects;

Whereas Dr. Westphall has received the New Mexico Medal of Merit in recognition of his services in connection with the chapel and its programs over the years;

Whereas to many persons, especially Vietnam veterans, the chapel is literally sacred; and

Whereas the chapel has served for more than 15 years as a national shrine without benefit of an official national designation:

Now, therefore, be it

101 STAT. 906

PUBLIC LAW 100-164—NOV. 13, 1987

16 USC 431 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Disabled American Veterans Vietnam Veterans National Memorial near Eagle Nest, New Mexico, is hereby recognized as a memorial of national significance, and the President is requested to issue a proclamation commemorating the occasion of this recognition and saluting the efforts of those individuals who have made the creation and continued existence of the Memorial possible.

Approved November 13, 1987.

LEGISLATIVE HISTORY—H.J. Res. 97:
CONGRESSIONAL RECORD, Vol. 133 (1987):
May 4, considered and passed House.
Oct. 30, considered and passed Senate.

11. Florida Keys National Marine Sanctuary and Protection Act

PUBLIC LAW 101-605—NOV. 16, 1990

104 STAT. 3089

Public Law 101-605
101st Congress

An Act

To establish the Florida Keys National Marine Sanctuary, and for other purposes.

Nov. 16, 1990
[H.R. 5909]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Florida Keys
National Marine
Sanctuary and
Protection Act.
Conservation.

SHORT TITLE

SECTION 1. This Act may be cited as the “Florida Keys National Marine Sanctuary and Protection Act”.

16 USC 1433
note.

FINDINGS

SEC. 2. The Congress finds and declares the following:

16 USC 1433
note.

(1) The Florida Keys extend approximately 220 miles southwest from the southern tip of the Florida peninsula.

(2) Adjacent to the Florida Keys land mass are located spectacular, unique, and nationally significant marine environments, including seagrass meadows, mangrove islands, and extensive living coral reefs.

(3) These marine environments support rich biological communities possessing extensive conservation, recreational, commercial, ecological, historical, research, educational, and esthetic values which give this area special national significance.

(4) These environments are the marine equivalent of tropical rain forests in that they support high levels of biological diversity, are fragile and easily susceptible to damage from human activities, and possess high value to human beings if properly conserved.

(5) These marine environments are subject to damage and loss of their ecological integrity from a variety of sources of disturbance.

(6) Vessel groundings along the reefs of the Florida Keys represent one of many serious threats to the continued vitality of the marine environments of the Florida Keys which must be addressed in order to protect their values.

(7) Action is necessary to provide comprehensive protection for these marine environments by establishing a Florida Keys National Marine Sanctuary, by restricting vessel traffic within such Sanctuary, and by requiring promulgation of a management plan and regulations to protect Sanctuary resources.

(8) The agencies of the United States must cooperate fully to achieve the necessary protection of Sanctuary resources.

(9) The Federal Government and the State of Florida should jointly develop and implement a comprehensive program to reduce pollution in the waters offshore the Florida Keys to protect and restore the water quality, coral reefs, and other living marine resources of the Florida keys environment.

POLICY AND PURPOSE

16 USC 1433
note.

SEC. 3. (a) POLICY.—It is the policy of the United States to protect and preserve living and other resources of the Florida Keys marine environment.

(b) PURPOSE.—The purpose of this Act is to protect the resources of the area described in section 5(b), to educate and interpret for the public regarding the Florida Keys marine environment, and to manage such human uses of the Sanctuary consistent with this Act. Nothing in this Act is intended to restrict activities that do not cause an adverse effect to the resources or property of the Sanctuary or that do not pose harm to users of the Sanctuary.

DEFINITION

16 USC 1433
note.

SEC. 4. As used in this Act, the term “adverse effect” means any factor, force, or action that would independently or cumulatively damage, diminish, degrade, impair, destroy, or otherwise harm—

(1) any Sanctuary resource, as defined in section 302(8) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432(8)); or

(2) any of those qualities, values, or purposes for which the Sanctuary is designated.

SANCTUARY DESIGNATION

16 USC 1433
note.

SEC. 5. (a) DESIGNATION.—The area described in subsection (b) is designated as the Florida Keys National Marine Sanctuary (in this Act referred to as the “Sanctuary”) under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431 et seq.). The Sanctuary shall be managed and regulations enforced under all applicable provisions of such title III as if the Sanctuary had been designated under such title.

(b) AREA INCLUDED.—(1) Subject to subsections (c) and (d), the area referred to in subsection (a) consists of all submerged lands and waters, including living marine and other resources within and on those lands and waters, from the mean high water mark to the boundary described under paragraph (2), with the exception of areas within the Fort Jefferson National Monument. The Sanctuary shall be generally identified and depicted on National Oceanic and Atmospheric Administration charts FKNMS 1 and 2, which shall be maintained on file and kept available for public examination during regular business hours at the Office of Ocean and Coastal Resource Management of the National Oceanic and Atmospheric Administration and which shall be updated to reflect boundary modifications under this section.

(2) The boundary referred to in paragraph (1)—

(A) begins at the northeasternmost point of Biscayne National Park located at approximately 25 degrees 39 minutes north latitude, 80 degrees 5 minutes west longitude, then runs eastward to the 300-foot isobath located at approximately 25 degrees 39 minutes north latitude, 80 degrees 4 minutes west longitude:

(B) then runs southward and connects in succession the points at the following coordinates:

(i) 25 degrees 34 minutes north latitude, 80 degrees 4 minutes west longitude,

(ii) 25 degrees 28 minutes north latitude, 80 degrees 5 minutes west longitude, and

Records.
Public
information.

(iii) 25 degrees 21 minutes north latitude, 80 degrees 7 minutes west longitude;

(C) then runs southward to the northeastern corner of the existing Key Largo National Marine Sanctuary located at 25 degrees 16 minutes north latitude, 80 degrees 8 minutes west longitude;

(D) then runs southwesterly approximating the 300-foot isobath and connects in succession the points at the following coordinates:

(i) 25 degrees 7 minutes north latitude, 80 degrees 13 minutes west longitude,

(ii) 24 degrees 57 minutes north latitude, 80 degrees 21 minutes west longitude,

(iii) 24 degrees 39 minutes north latitude, 80 degrees 52 minutes west longitude,

(iv) 24 degrees 30 minutes north latitude, 81 degrees 23 minutes west longitude,

(v) 24 degrees 25 minutes north latitude, 81 degrees 50 minutes west longitude,

(vi) 24 degrees 22 minutes north latitude, 82 degrees 48 minutes west longitude,

(vii) 24 degrees 37 minutes north latitude, 83 degrees 6 minutes west longitude,

(viii) 24 degrees 40 minutes north latitude, 83 degrees 6 minutes west longitude,

(ix) 24 degrees 46 minutes north latitude, 82 degrees 54 minutes west longitude,

(x) 24 degrees 44 minutes north latitude, 81 degrees 55 minutes west longitude,

(xi) 24 degrees 51 minutes north latitude, 81 degrees 26 minutes west longitude, and

(xii) 24 degrees 55 minutes north latitude, 80 degrees 56 minutes west longitude;

(E) then follows the boundary of Everglades National Park in a southerly then northeasterly direction through Florida Bay, Buttonwood Sound, Tarpon Basin, and Blackwater Sound;

(F) after Division Point, then departs from the boundary of Everglades National Park and follows the western shoreline of Manatee Bay, Barnes Sound, and Card Sound;

(G) then follows the southern boundary of Biscayne National Park and the northern boundary of Key Largo National Marine Sanctuary to the southeasternmost point of Biscayne National Park; and

(H) then follows the eastern boundary of the Biscayne National Park to the beginning point specified in subparagraph (A).

(c) AREAS WITHIN STATE OF FLORIDA.—The designation under subsection (a) shall not take effect for any area located within the waters of the State of Florida if, not later than 45 days after the date of enactment of this Act, the Governor of the State of Florida objects in writing to the Secretary of Commerce.

(d) BOUNDARY MODIFICATIONS.—No later than the issuance of the draft environmental impact statement for the Sanctuary under section 304(a)(1)(C)(vii) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434(a)(1)(C)(vii)), in consultation with the Governor of the State of Florida, if appropriate, the Secretary of Commerce may make minor modifications to the bound-

aries of the Sanctuary as necessary to properly protect Sanctuary resources. The Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a written notification of such modifications. Any boundary modification made under this subsection shall be reflected on the charts referred to in subsection (b)(1).

PROHIBITION OF CERTAIN USES

16 USC 1433
note.

SEC. 6. (a) VESSEL TRAFFIC.—(1) Consistent with generally recognized principles of international law, a person may not operate a tank vessel (as that term is defined in section 2101 of title 46, United States Code) or a vessel greater than 50 meters in length in the Area To Be Avoided described in the Federal Register notice of May 9, 1990 (55 Fed. Reg. 19418–19419).

(2) The prohibition in paragraph (1) shall not apply to necessary operations of public vessels. For the purposes of this paragraph, necessary operations of public vessels shall include operations essential for national defense, law enforcement, and responses to emergencies that threaten life, property, or the environment.

Regulations.

(3) The provisions of paragraphs (1) and (2), including the area in which vessel operations are prohibited under paragraph (1), may be modified by regulations issued jointly by the Secretary of the department in which the Coast Guard is operating and the Secretary of Commerce.

Effective date.

(4) This subsection shall be effective on the earliest of the following:

(A) the date that is six months after the date of enactment of this Act,

(B) the date of publication of a notice to mariners consistent with this section, or

(C) the date of publication of new nautical charts consistent with this section.

(b) MINERAL AND HYDROCARBON LEASING, EXPLORATION, DEVELOPMENT AND PRODUCTION.—No leasing, exploration, development, or production of minerals or hydrocarbons shall be permitted within the Sanctuary.

COMPREHENSIVE MANAGEMENT PLAN

Intergovern-
mental relations.
Regulations.
16 USC 1433
note.

SEC. 7. (a) PREPARATION OF PLAN.—The Secretary of Commerce, in consultation with appropriate Federal, State, and local government authorities and with the Advisory Council established under section 208, shall develop a comprehensive management plan and implementing regulations to achieve the policy and purpose of this Act. The Secretary of Commerce shall complete such comprehensive management plan and final regulations for the Sanctuary not later than 30 months after the date of enactment of this Act. In developing the plan and regulations, the Secretary of Commerce shall follow the procedures specified in sections 303 and 304 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1433 and 1434), except those procedures requiring the delineation of Sanctuary boundaries and development of a resource assessment report. Such comprehensive management plan shall—

(1) facilitate all public and private uses of the Sanctuary consistent with the primary objective of Sanctuary resource protection;

(2) consider temporal and geographical zoning, to ensure protection of Sanctuary resources;

(3) incorporate regulations necessary to enforce the elements of the comprehensive water quality protection program developed under section 8 unless the Secretary of Commerce determines that such program does not meet the purpose for which the Sanctuary is designated or is otherwise inconsistent or incompatible with the comprehensive management plan developed under this section;

(4) identify needs for research and establish a long-term ecological monitoring program;

(5) identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations under section 9 of this Act and section 313 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444).

(6) ensure coordination and cooperation between Sanctuary managers and other Federal, State, and local authorities with jurisdiction within or adjacent to the Sanctuary;

(7) promote education, among users of the Sanctuary, about coral reef conservation and navigational safety; and

(8) incorporate the existing Looe Key and Key Largo National Marine Sanctuaries into the Florida Keys National Marine Sanctuary except the Looe Key and Key Largo Sanctuaries shall continue to be operated until completion of the comprehensive management plan for the Florida Keys Sanctuary.

(b) PUBLIC PARTICIPATION.—The Secretary of Commerce shall provide for participation by the general public in development of the comprehensive management plan.

(c) TERMINATION OF STUDIES.—On the date of enactment of this Act, all congressionally mandated studies of existing areas in the Florida Keys for designation as National Marine Sanctuaries shall be terminated.

FLORIDA KEYS WATER QUALITY

SEC. 8. (a) WATER QUALITY PROTECTION PROGRAM.—(1) Not later than 18 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Governor of the State of Florida, in consultation with the Secretary of Commerce, shall develop a comprehensive water quality protection program for the Sanctuary. If the Secretary of Commerce determines that such comprehensive water quality protection program does not meet the purpose for which the Sanctuary is designated or is otherwise inconsistent or incompatible with the comprehensive management plan prepared under section 7, such water quality program shall not be included in the comprehensive management plan. The purposes of such water quality program shall be to—

(A) recommend priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the Sanctuary, including restoration and maintenance of a balanced, indigenous population of corals, shellfish, fish and wildlife, and recreational activities in and on the water; and

(B) assign responsibilities for the implementation of the program among the Governor, the Secretary of Commerce, and the

16 USC 1433
note.

Administrator in accordance with applicable Federal and State laws.

(2) The program required by paragraph (1) shall, under applicable Federal and State laws, provide for measures to achieve the purposes described under paragraph (1), including—

(A) adoption or revision, under applicable Federal and State laws, by the State and the Administrator of applicable water quality standards for the Sanctuary, based on water quality criteria which may utilize biological monitoring or assessment methods, to assure protection and restoration of the water quality, coral reefs, and other living marine resources of the Sanctuary;

(B) adoption under applicable Federal and State laws of enforceable pollution control measures (including water quality/based effluent limitations and best management practices) and methods to eliminate or reduce pollution from point and nonpoint sources;

(C) establishment of a comprehensive water quality monitoring program to (i) determine the sources of pollution causing or contributing to existing or anticipated pollution problems in the Sanctuary, (ii) evaluate the effectiveness of efforts to reduce or eliminate those sources of pollution, and (iii) evaluate progress toward achieving and maintaining water quality standards and toward protecting and restoring the coral reefs and other living marine resources of the Sanctuary;

(D) provision of adequate opportunity for public participation in all aspects of developing and implementing the program; and

(E) identification of funding for implementation of the program, including appropriate Federal and State cost sharing arrangements.

(b) COMPLIANCE AND ENFORCEMENT.—The Administrator of the Environmental Protection Agency, the Secretary of Commerce, and the Governor of the State of Florida shall ensure compliance with the program required by this section, consistent with applicable Federal and State laws.

(c) CONSULTATION.—In the development and implementation of the program required by paragraph (1), appropriate State and local government officials shall be consulted.

ADVISORY COUNCIL

Intergovernmental relations.
16 USC 1433
note.

SEC. 9. (a) ESTABLISHMENT.—The Secretary of Commerce, in consultation with the Governor of the State of Florida and the Board of County Commissioners of Monroe County, Florida, shall establish an Advisory Council to assist the Secretary in the development and implementation of the comprehensive management plan for the Sanctuary.

(b) MEMBERSHIP.—Members of the Advisory Council may be appointed from among (1) Sanctuary managers, (2) members of other government agencies with overlapping management responsibilities for the Florida Keys marine environment, and (3) representatives of local industries, commercial users, conservation groups, the marine scientific and educational community, recreational user groups, or the general public.

(c) EXPENSES.—Members of the Advisory Council shall not be paid compensation for their service as members and shall not be reimbursed for actual and necessary traveling and subsistence ex-

PUBLIC LAW 101-605—NOV. 16, 1990

104 STAT. 3095

penses incurred by them in the performance of their duties as such members.

(d) ADMINISTRATION.—The Advisory Council shall elect a chairperson and may establish subcommittees, and adopt by-laws, rules, and such other administrative requirements and procedures as are necessary for the administration of its functions.

(e) STAFFING AND OTHER ASSISTANCE.—The Secretary of Commerce shall make available to the Advisory Council such staff, information, and administrative services and assistance as the Secretary of Commerce determines are reasonably required to enable the Advisory Council to carry out its functions.

AUTHORIZATION OF APPROPRIATIONS

16 USC 1433
note.

SEC. 10. (a) AUTHORIZATION FOR SECRETARY OF COMMERCE.—Section 313(2)(C) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444(2)(C)) is amended by striking “\$3,000,000” and inserting in lieu thereof “\$4,000,000”.

(b) AUTHORIZATION FOR EPA ADMINISTRATOR.—There are authorized to be appropriated to the Administrator of the Environmental Protection Agency \$750,000 for each of the fiscal years 1991 and 1992.

(c) REPORT.—The Secretary of Commerce shall, not later than March 1, 1991, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a report on the future requirements for funding the Sanctuary through fiscal year 1999 under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 14321 et seq.).

Approved November 16, 1990.

LEGISLATIVE HISTORY—H.R. 5909:

CONGRESSIONAL RECORD: Vol. 136 (1990):

Oct. 26, considered and passed House.

Oct. 27, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Nov. 16, Presidential remarks and statement.

12. Frederick Douglass Memorial and Historical Association

102 STAT. 3337

PUBLIC LAW 100-642—NOV. 9, 1988

Public Law 100-642
100th Congress

An Act

Nov. 9, 1988
[H.R. 4236]

To amend the Act of June 6, 1900, to increase the number of trustees of the Frederick Douglass Memorial and Historical Association.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BOARD OF TRUSTEES OF THE FREDERICK DOUGLASS MEMORIAL AND HISTORICAL ASSOCIATION.

(a) NUMBER.—Section 4 of the Act of June 6, 1900 (ch. 806; 31 Stat. 662), is amended by striking out “not less than five members nor more than nine” and inserting in lieu thereof “not less than 9 members nor more than 19 members”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the election of additional members of the board of trustees of the Frederick Douglass Memorial and Historical Association (pursuant to the amendment made by subsection (a)) at a regular or special meeting of the board called for the purpose of such an election.

Approved November 9, 1988.

LEGISLATIVE HISTORY—H.R. 4236:
HOUSE REPORTS: No. 100-1091 (Comm. on the District of Columbia).
CONGRESSIONAL RECORD, Vol. 134 (1988):
Oct. 19, considered and passed House.
Oct. 20, considered and passed Senate.

13. Georgia O'Keeffe (Study)

PUBLIC LAW 100-559—OCT. 28, 1988

102 STAT. 2797

Public Law 100-559
100th Congress

An Act

To redesignate Salinas National Monument in the State of New Mexico, and for other purposes.

Oct. 28, 1988
[S. 2545]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Conservation.
Historic
preservation.

* * * * *

102 STAT. 2801

TITLE VII—GEORGIA O'KEEFFE STUDY

SEC. 701. GEORGIA O'KEEFFE STUDY.

(a) In recognition of the significant impact Georgia O'Keeffe had on the world of art, the Secretary of the Interior is authorized and directed to conduct a study of the most appropriate way to interpret these nationally significant contributions. The study shall include but not be limited to an evaluation of the feasibility of marking and interpreting the landscapes consisting of the scenes and physical features from which Georgia O'Keeffe drew much of her inspiration.

Art.

(b) The study shall be completed and transmitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate within one year of the date on which funds are appropriated for the study.

SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

* * * * *

102 STAT. 2802

Approved October 28, 1988.

LEGISLATIVE HISTORY—S. 2545 (H.R. 3541):
HOUSE REPORTS: No. 100-790 accompanying H.R. 3541 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 100-572 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 134 (1988):
July 26, H.R. 3541 considered and passed House.
Oct. 7, S. 2545 considered and passed Senate.
Oct. 12, considered and passed House.

14. Jazz, New Orleans (Study)

PUBLIC LAW 101-499—NOV. 2, 1990

104 STAT. 1209

Public Law 101-499
101st Congress

An Act

To authorize and direct the Secretary of the Interior to conduct a study of the feasibility of establishing a unit of the National Park System to interpret and commemorate the origins, development, and progression of jazz in the United States, and for other purposes.

Nov. 2, 1990
[S. 2846]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Louisiana.
Historic
preservation.

SECTION 1. SUITABILITY AND FEASIBILITY STUDY.

(a) IN GENERAL.—In order to determine an appropriate means of preserving and interpreting the origins, development and progression of the music known as jazz, a music that has gained worldwide influence and respect and represents this Nation's unique contribution to the musical arts, the Secretary of the Interior (hereinafter referred to as the "Secretary"), in consultation with the Secretary of the Smithsonian Institution, shall conduct a study of the suitability and feasibility of preserving and interpreting the origins of jazz in New Orleans, including establishing, or adding to, a unit of the National Park System, or providing technical and financial assistance. Such study shall recognize the origins of jazz in New Orleans, the city in which the cultural strains that became jazz were fused to form this unique American music, and the birthplace of such major jazz artists as Jelly Roll Morton, Sidney Bechet, and Louis Armstrong.

Jelly Roll
Morton.
Sidney Bechet.
Louis
Armstrong.

(b) SITES OR STRUCTURES.—(1) The study shall include a determination as to which sites or structures in New Orleans associated with the origin and early history of jazz exhibit the necessary historical and physical integrity to make them suitable and feasible for administration, protection, and preservation by the National Park System for the use and benefit of the public. Prior to making any such determination, the Secretary shall consult with and carefully consider the views of affected local citizens and neighborhood groups.

(2) With respect to any such site or structure determined to be suitable and feasible, the study shall include an analysis of potential management alternatives that involve the participation of public and private entities in the preservation of jazz as an American art form, including interpretive performances pursuant to cooperative agreements with the Secretary.

(3) In the event appropriate sites or structures cannot be identified, the study shall also consider and make recommendations concerning sites which would serve as an appropriate location to commemorate the origins and early history of jazz in New Orleans.

(c) ADDITIONAL RECOMMENDATIONS.—The study shall also include recommendations for—

- (1) public outreach programs;
- (2) the establishment of a jazz education center;
- (3) the appropriate Federal role, including through cooperative agreements, in supporting second line bands and in preserv-

ing the unique contributions to the development of jazz made by neighborhood social and pleasure clubs, including recommendations for interpretive performances by such clubs and other programs to assure that the contributions of such clubs are preserved; and

(4) the need for the preservation and dissemination of information about existing public and private archival collections (with potential alternatives for an appropriate Federal role) and possible management alternatives including cooperative agreements with existing public and private facilities and institutions.

SEC. 2. JEAN LAFITTE NATIONAL HISTORICAL PARK.

The study shall also assess and include a recommendation concerning the desirability and feasibility of including any site or structure identified pursuant to section 1(b) to be managed as a unit of the Jean Lafitte National Historical Park.

SEC. 3. SUBMISSION OF STUDY.

The Secretary shall submit the study referred to in section 1 to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives no later than one year after the date funds are made available for such study, together with any recommendations for further legislation.

SEC. 4. PRESERVATION OF JAZZ ADVISORY COMMISSION.

(a) ESTABLISHMENT OF THE COMMISSION.—There is hereby established the Preservation of Jazz Advisory Commission (hereinafter referred to as the “Commission”). The Commission shall consist of fifteen members who shall be appointed within ninety days after enactment of this Act as follows:

(1) one member to be appointed jointly by the Speaker of the United States House of Representatives and the President Pro Tempore of the United States Senate;

(2) the Mayor of the city of New Orleans or the Mayor's designee;

(3) one member who shall have experience in music education programs emphasizing jazz, to be appointed by the Secretary from among recommendations submitted by the Mayor of New Orleans;

(4) one member who is knowledgeable about tourism, to be appointed by the Secretary from among recommendations submitted by local business and economic development groups;

(5) one member to be appointed by the Secretary from among recommendations submitted by the producers of the New Orleans Jazz and Heritage Festival who shall have experience in the production of such Festival;

(6) one member to be appointed by the Secretary from among recommendations submitted by representatives of local historic preservation groups;

(7) one member who is a recognized musician with knowledge and experience in the development of jazz in New Orleans, to be appointed by the Chairman of the National Endowment of the Arts;

(8) one member who is a recognized local expert on the history and development of jazz in New Orleans and is familiar with

existing local archival materials, to be appointed jointly by the Chairman of the National Endowment on the Humanities and the Librarian of Congress;

(9) three members with recognized expertise in jazz, cultural or folklife preservation and interpretation, to be appointed by the Secretary of the Smithsonian Institution;

(10) one member to be appointed by the Secretary who shall be a resident of the Treme neighborhood of New Orleans;

(11) one member who shall be selected from recommendations submitted by local social and pleasure clubs, to be appointed by the Chairman of the National Endowment of the Arts;

(12) one member to be appointed by the Governor of Louisiana who shall be a member of the Louisiana State Music Commission; and

(13) the Chairman of the Delta Region Preservation Commission who shall serve as an ex officio member of the Commission.

(b) DUTIES OF THE COMMISSION.—The Commission shall advise the Secretary in the preparation of the suitability and feasibility study required by section 1, and the views of the Commission members shall be included in the study transmitted to the Congress as provided in section 3.

(c) MEMBERSHIP.—No person who is an employee of the Department of the Interior shall be appointed to serve as a member of the Commission.

(d) COMPENSATION.—Members of the Commission shall serve without compensation. Members of the Commission shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service under section 5703 of title 5, United States Code.

(e) CHAIRPERSON.—The Commission shall elect a chairperson from among its members.

(f) QUORUM.—A simple majority of the members of the Commission shall constitute a quorum.

(g) MEETINGS.—The Commission shall meet at least quarterly or upon the call of the Chairperson or a majority of its members.

(h) PUBLIC HEARINGS.—The Commission shall hold no less than three public hearings in New Orleans to consider the views of the public concerning the most appropriate means to commemorate jazz in the United States. At least one such hearing shall be held in the Treme neighborhood of New Orleans.

(i) STAFF.—The National Park Service shall provide staff support and technical assistance as may be necessary to carry out the functions of the Commission.

(j) TERMINATION OF COMMISSION.—The Commission shall terminate 60 days after the transmittal of the report to Congress.

104 STAT. 1212

PUBLIC LAW 101-499—NOV. 2, 1990

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved November 2, 1990.

LEGISLATIVE HISTORY—S. 2846:

HOUSE REPORTS: No. 101-139 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-469 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Sept. 26, considered and passed Senate.

Oct. 15, considered and passed House, amended.

Oct. 19, Senate concurred in House amendment.

15. Laurance Spelman Rockefeller Gold Metal

PUBLIC LAW 101-296—MAY 17, 1990

104 STAT. 197

Public Law 101-296
101st Congress**An Act**

To award a congressional gold medal to Laurance Spelman Rockefeller.

May 17, 1990
[S. 1853]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. CONGRESSIONAL FINDINGS.**

The Congress finds that—

31 USC 5111
note.

(1) Laurance Spelman Rockefeller followed in the tradition of his father, John D. Rockefeller, Jr., by enlarging and enhancing the National Park System of the United States, including the donation of five thousand acres on the Island of St. John for the Virgin Islands National Park;

(2) Laurance Spelman Rockefeller was appointed by President Dwight D. Eisenhower as chairman of the Outdoor Recreation Resources Review Commission, and his work led to the establishment of the Bureau of Outdoor Recreation, the Land and Water Conservation Fund, the Wilderness Act, the National System of Scenic Rivers, and other landmark conservation programs;

(3) Laurance Spelman Rockefeller was appointed by President Lyndon B. Johnson as Chairman of the 1965 White House Conference on Natural Beauty, and his recommendations brought the concept of natural beauty to urban areas, led to the Highway Beautification Act, and increased State and local awareness of environmental issues;

(4) Laurance Spelman Rockefeller collaborated with Lady Bird Johnson in her quest to beautify the United States and the Capital, and assisted her in the creation of the Lyndon Baines Johnson Memorial Grove in Washington, District of Columbia;

(5) Laurance Spelman Rockefeller served President Richard M. Nixon and President Gerald R. Ford as chairman of Presidential advisory committees on environmental quality, and served on other Federal advisory groups, including the Public Land Law Review Commission and the National Park Foundation;

(6) Laurance Spelman Rockefeller served as a member of the New York State Council of Parks for thirty years and, as its chairman, expanded and modernized the State park system through an innovative bond program which was replicated across the Nation;

(7) Laurance Spelman Rockefeller served as a principal advisor on environmental matters to his brother, Governor Nelson A. Rockefeller of New York, and helped to develop the Adirondack Park Agency, the Hudson River Valley Commission, the first State water pollution bond issue, and the first comprehensive State environmental and conservation agency;

(8) Laurance Spelman Rockefeller served as a member and President of the Palisades Interstate Park Commission for forty years and made major donations to expand the Palisades Interstate Park System;

(9) Laurance Spelman Rockefeller contributed to the environmental quality of New York City through his efforts on behalf of the New York Zoological Society and the Bronx Zoo, the New York Aquarium, Central Park, and other parks in the city;

(10) Laurance Spelman Rockefeller, as a part-time resident of Woodstock, Vermont, has contributed to the environmental aesthetics of that community through promotion of the placement of power lines underground, the initiation of watershed planning, and the preservation and display of historic properties and objects;

(11) Laurance Spelman Rockefeller has been the long-time guiding force in three significant private conservation organizations: Jackson Hole Preserve, Incorporated, which has preserved park land in the Grand Tetons of Wyoming, the Virgin Islands, and the Hudson Valley; the American Conservation Association, which has provided support and encouragement for innovative government and private conservation programs; and Historic Hudson Valley, Incorporated, which has preserved outstanding historic properties of the Hudson Valley for public use;

(12) Laurance Spelman Rockefeller has played an important role in creating or leading other private conservation organizations, including Resources for the Future, the National Recreation and Park Association, and the Conservation Foundation; and

(13) Laurance Spelman Rockefeller, in addition to his extraordinary contributions to the environment in the United States, is one of the leaders in the fight against cancer with more than forty years of dedicated work and benefactions to the Memorial Sloan-Kettering Cancer Center.

31 USC 5111
note.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, a gold medal of appropriate design to Laurance Spelman Rockefeller in recognition of his leadership on behalf of natural resource conservation and historic preservation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated not to exceed \$25,000 to carry out this section.

31 USC 5111
note.

SEC. 3. DUPLICATE MEDALS.

(a) STRIKING AND SALE.—The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses and the cost of the gold medal.

PUBLIC LAW 101-296—MAY 17, 1990

104 STAT. 199

(b) REIMBURSEMENT OF APPROPRIATION.—The appropriation used to carry out section 2 shall be reimbursed out of the proceeds of sales under subsection (a).

SEC. 4. NATIONAL MEDALS.

31 USC 5111
note.

The medals struck pursuant to this Act shall be considered national medals for purposes of chapter 51 of title 31, United States Code.

Approved May 17, 1990.

LEGISLATIVE HISTORY—S. 1853:
CONGRESSIONAL RECORD, Vol. 136 (1990):
Mar. 26, considered and passed Senate.
May 1, considered and passed House.

16. Maine Acadian Culture Preservation

104 STAT. 2389

PUBLIC LAW 101-543—NOV. 8, 1990

**Public Law 101-543
101st Congress****An Act**Nov. 8, 1990
[S. 1756]

To provide for the preservation and interpretation of sites associated with Acadian culture in the State of Maine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Maine Acadian
Culture
Preservation
Act.

SECTION 1. SHORT TITLE.

16 USC 461 note.

This Act may be cited as the “Maine Acadian Culture Preservation Act”.

16 USC 461 note.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) recognize an important contribution made to American culture and history by the Acadian immigrants from France who settled in Nova Scotia and, following expulsion by the British in 1755, resettled in various North American colonies, including the territory that eventually became the State of Maine;

(2) assist local and State governments and other public and private entities in the State of Maine in interpreting the story of the State’s Acadian settlers and their descendants as well as preserving Acadian music, arts, crafts, and folklore; and

(3) assist in identifying, gathering, and preserving sites, historical data, artifacts, and objects associated with the Acadians in Maine for the benefit and education of the public.

16 USC 461 note.

SEC. 3. MAINE ACADIAN CULTURE PRESERVATION COMMISSION.

(a) ESTABLISHMENT.—There is hereby established the Maine Acadian Culture Preservation Commission (hereafter in this Act referred to as the “Commission”), which shall consist of 11 members appointed by the Secretary of the Interior (hereafter in this Act referred to as the “Secretary”) not later than 6 months after the date of enactment of this Act, as follows:

(1) One member, who shall serve as Chair, appointed from among recommendations submitted by the Governor of the State of Maine.

(2) One member appointed from among recommendations submitted by the Speaker of the House of Representatives of the State of Maine.

(3) One member appointed from among recommendations submitted by the President of the Senate of the State of Maine.

(4) One member appointed from among recommendations submitted by the Chancellor of the University of Maine System.

(5) Three members appointed from among recommendations submitted by State and local historic, cultural or historic preservation organizations.

(6) Four members who are nationally recognized experts in fields of history, historic preservation, anthropology, and folklore, appointed by the Secretary.

PUBLIC LAW 101-543—NOV. 8, 1990

104 STAT. 2390

(b) TERMS.—(1) Members of the Commission shall be appointed for terms not to exceed 3 years.

(2) The Secretary may stagger the terms of initial appointments to the Commission in order to assure continuity in operation.

(3) Any member of the Commission may serve after the expiration of his or her term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(c) VOTING.—The Commission shall act and advise by affirmative vote of a majority of its members.

(d) COMPENSATION.—Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5, United States Code.

(e) EXEMPTION FROM CHARTER RENEWAL REQUIREMENTS.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(f) TERMINATION.—The Commission shall terminate 10 years from the date of enactment of this Act.

(g) SUPPORT.—The Director of the National Park Service is authorized to provide such staff support and technical services as may be necessary to carry out the functions of the Commission.

SEC. 4. DUTIES OF THE COMMISSION.

16 USC 461 note.

The Commission shall advise the Secretary with respect to—

- (1) the selection of sites for interpretation and preservation by means of cooperative agreements pursuant to section 6; and
- (2) the development and implementation of an interpretive program of the Acadian culture in the State of Maine pursuant to section 7(d).

SEC. 5. STUDY.

16 USC 461 note.

Within 1 year after the date of enactment of this Act, the Secretary shall prepare and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a comprehensive study of Acadian culture in Maine.

16 USC 461 note.

SEC. 6. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—In furtherance of the purposes of this Act, the Secretary is authorized, after consultation with the Commission, to enter into cooperative agreements with the owners of properties of natural, historical, or cultural significance associated with the Acadian people in the State of Maine, pursuant to which agreements the Secretary may mark, interpret, restore, and provide technical assistance for the preservation of such properties and pursuant to which the Secretary may provide assistance, including management services and program implementation.

(b) RIGHT OF ACCESS.—Each cooperative agreement shall provide that the Secretary, through the National Park Service, shall have the right of access at all reasonable times to all public portions of the

104 STAT. 2391
Public lands.

104 STAT. 2391

PUBLIC LAW 101-543—NOV. 8, 1990

property covered by the agreement for the purpose of conducting visitors through such properties and interpreting them to the public.

(c) ALTERATION OF PROPERTIES.—Each cooperative agreement shall provide that no changes or alterations shall be made in the property covered by the agreement except by mutual agreement between the Secretary and the other party to the agreement.

16 USC 461 note.

SEC. 7. ACADIAN CULTURAL CENTER.

(a) IN GENERAL.—The Secretary is authorized, after completion of the study required by section 5, to establish a center for the preservation and interpretation of Acadian culture within the State of Maine.

(b) ACQUISITION OF LAND.—The Secretary is authorized to acquire lands and interests therein, not to exceed 20 acres in total, by donation, purchase with donated or appropriated funds, or exchange and to develop, operate, and maintain facilities and to develop and operate programs at the center in furtherance of the purposes of this Act.

(c) OPERATION.—The Secretary may contract with public and private entities for the operation of the center in accordance with program standards approved by the Secretary.

(d) INTERPRETIVE PROGRAM.—In coordination with the Commission, the Secretary shall develop an interpretive program of the Acadian culture in the State of Maine.

(e) STATUTORY AUTHORITY.—The Secretary shall administer properties acquired and cooperative agreements entered into pursuant to this Act in accordance with the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.) and other statutory authority for the conservation and management of natural, historical, and cultural resources.

16 USC 461 note.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) COMMISSION.—For the purposes of carrying out the functions of the Commission, there are authorized to be appropriated such sums as may be necessary, not to exceed \$250,000.

104 STAT. 2392

(b) OTHER PURPOSES.—(1) To carry out the other purposes of this Act, there are authorized to be appropriated such sums as may be necessary, subject to the limitations of paragraph (2).

(2) With respect to cooperative agreements entered into pursuant to section 6, and the provisions dealing with the Acadian Cultural Center in subsections 7 (a) through (c), the Secretary is authorized to expend not more than 50 percent of the aggregate cost of performing those functions. The remainder of such cost shall be paid by non-Federal funds.

Approved November 8, 1990.

LEGISLATIVE HISTORY—S. 1756:

HOUSE REPORTS: No. 101-742 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-308 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

June 14, considered and passed Senate.

Sept. 27, considered and passed House, amended.

Oct. 16, Senate concurred in House amendment with amendments.

Oct. 18, House concurred in certain Senate amendments and disagreed to others.

Oct. 23, Senate receded from its amendments.

17. Masau Trail

PUBLIC LAW 100-225—DEC. 31, 1987

101 STAT. 1539

Public Law 100-225
100th Congress

An Act

To establish the El Malpais National Monument and the El Malpais National Conservation Area in the State of New Mexico, to authorize the Masau Trail, and for other purposes.

Dec. 31, 1987
[H.R. 403]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

TITLE II—MASAU TRAIL

101 STAT. 1540
State and local governments.
Indians.

DESIGNATION OF TRAIL

SEC. 201. In order to provide for public appreciation, education, understanding, and enjoyment of certain nationally significant sites of antiquity in New Mexico and eastern Arizona which are accessible by public road, the Secretary, acting through the Director of the National Park Service, with the concurrence of the agency having jurisdiction over such roads, is authorized to designate, by publication of a description thereof in the Federal Register, a vehicular tour route along existing public roads linking prehistoric and historic cultural sites in New Mexico and eastern Arizona. Such a route shall be known as the Masau Trail (hereinafter referred to as the "trail").

Arizona.
Federal Register, publication.
16 USC 460 uu-11.

AREAS INCLUDED

SEC. 202. The trail shall include public roads linking El Malpais National Monument as established pursuant to title I of this Act, El Morro National Monument, Chaco Cultural National Historical Park, Aztec Ruins National Monument, Canyon De Chelly National Monument, Pecos National Monument, and Gila Cliff Dwellings National Monument. The Secretary may, in the manner set forth in section 201, designate additional segments of the trail from time to time as appropriate to link the foregoing sites with other cultural sites or sites of national significance when such sites are designated and protected by Federal, State, or local governments, Indian tribes, or nonprofit entities.

16 USC 460 uu-12.

INFORMATION AND INTERPRETATION

101 STAT. 1541

SEC. 203. With respect to sites linked by segments of the trail which are administered by other Federal, State, local, tribal, or nonprofit entities, the Secretary may, pursuant to cooperative agreements with such entities, provide technical assistance in the development of interpretive devices and materials in order to contribute to public appreciation of the natural and cultural resources of the sites along the trail. The Secretary, in cooperation with State and local governments, Indian tribes, and nonprofit entities, shall prepare and distribute informational material for the public appreciation of sites along the trail.

16 USC 460 uu-13.

101 STAT. 1541

PUBLIC LAW 100-225—DEC. 31, 1987

MARKERS

16 USC
460 uu-14.

SEC. 204. The trail shall be marked with appropriate markers to guide the public. With the concurrence and assistance of the State or local entity having jurisdiction over the roads designated as part of the trail, the Secretary may erect thereon and maintain signs and other informational devices displaying the Masau Trail Marker. The Secretary is authorized to accept the donation of suitable signs and other informational devices for placement at appropriate locations.

* * * * *

101 STAT. 1549

AUTHORIZATION

16 USC
460 uu-50.

SEC. 510. There is authorized to be appropriated \$16,500,000 for the purposes of this Act, of which \$10,000,000 shall be available for land acquisition in the national monument; \$1 million shall be available for development within the national monument; \$4 million shall be available for land acquisition within the conservation area; \$1 million shall be available for development within the conservation area; and \$500,000 shall be available for planning and development of the Masau Trail.

Approved December 31, 1987.

LEGISLATIVE HISTORY—H.R. 403:
 HOUSE REPORTS: No. 100-116 (Comm. on Interior and Insular Affairs).
 SENATE REPORTS: No. 100-100 (Comm. on Energy and Natural Resources).
 CONGRESSIONAL RECORD, Vol. 133 (1987):
 June 1, considered and passed House.
 Dec. 17, considered and passed Senate, amended.
 Dec. 18, House concurred in Senate amendment.

PUBLIC LAW 100-567—OCT. 31, 1988

102 STAT. 2847

Public Law 100-567
100th Congress

An Act

To authorize the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, and for other purposes.

Oct. 31, 1988
[H.R. 4182]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

SEC. 10. ADDITION TO MASAU TRAIL.

102 STAT. 2852

The first sentence of section 202 of the Act of December 31, 1987 (Public Law 100-225; 101 Stat. 1540) is amended by striking out "and Gila Cliff Dwelling National Monument." and inserting in lieu thereof "Gila Cliff Dwellings National Monument, and Zuni-Cibola National Historical Park."

16 USC
460uu-12.

* * * * *

Approved October 31, 1988.

LEGISLATIVE HISTORY—H.R. 4182 (S. 2162):
HOUSE REPORTS: No. 100-942 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 100-354 accompanying S. 2162 (Select Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 134 (1988):
Sept. 20, considered and passed House. S. 2162 considered and passed Senate.
Oct. 11, H.R. 4182 considered and passed Senate, amended.
Oct. 12, House concurred in Senate amendment.

18. Micronesia (Studies)

PUBLIC LAW 99-658—NOV. 14, 1986

100 STAT. 3672

Public Law 99-658
99th Congress

Joint Resolution

To approve the "Compact of Free Association" between the United States and the Government of Palau and for other purposes.

Nov. 14, 1986
[H.J. Res. 626]

* * * * *

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

48 USC 1681
note.

* * * * *

TITLE I—APPROVAL OF COMPACT; INTERPRETATION OF, AND UNITED STATES POLICIES REGARDING, COMPACT; SUPPLEMENTAL PROVISIONS

100 STAT. 3673

* * * * *

SUPPLEMENTAL PROVISIONS

100 STAT. 3675

SEC. 104. * * * * *

(b) INVENTORY AND STUDY OF NATURAL, HISTORIC, AND OTHER RESOURCES.—The Secretary of the Interior shall conduct, upon request of Palau, the Federated States of Micronesia or the Marshall Islands, and through the Director of the National Park Service, a comprehensive inventory and study of the most unique and significant natural, historical, cultural, and recreational resources of Palau, the Federated States of Micronesia or the Marshall Islands. Areas or sites exhibiting such qualities shall be described and evaluated with the objective of the preservation of their values and their careful use and appreciation by the public, along with a determination of their potential for attracting tourism. Alternative methodologies for such preservation and use shall be developed for each area or site (including continued assistance from the National Park Service); current or impending damage or threats to the resources of such areas or sites shall be identified and evaluated; and authorities needed to properly protect and allow for public use and appreciation shall be identified and discussed. Such inventory and study shall be conducted in full cooperation and consultation with affected governmental officials and the interested public. A full report on such inventory and study shall be transmitted to Palau or the Federated States of Micronesia or the Marshall Islands, the

Historic preservation. Cultural programs.

Reports.

100 STAT. 3676

PUBLIC LAW 99-658—NOV. 14, 1986

Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate no later than two complete calendar years after the date of enactment of this joint resolution. The inventory and study shall also identify areas or sites which, if they were located in the United States, would qualify to be listed on the Registry of Natural Landmarks and the National Register of Historic Places.

* * * * *

100 STAT. 3705

Approved November 14, 1986.

LEGISLATIVE HISTORY—H.J. Res. 626 (S.J. Res. 325):

HOUSE REPORTS: No. 99-663, Pt. 1 (Comm. on Foreign Affairs), Pt. 2 (Comm. on Interior and Insular Affairs), Pt. 3 (Comm. on Ways and Means), and Pt. 4 (Comm. on Merchant Marine and Fisheries).

SENATE REPORTS: No. 99-403 accompanying S.J. Res. 325 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 132 (1986):

Sept. 29, considered and passed House.

Oct. 6, considered and passed Senate, amended.

Oct. 16, House concurred in Senate amendments.

19. National Commission on Wildfire Disasters

PUBLIC LAW 101-286—MAY 9, 1990

104 STAT. 171

Public Law 101-286
101st Congress**An Act**

To provide for the establishment of the National Commission on Wildfire Disasters, to provide for increased planning and cooperation with local firefighting forces in the event of forest fires, and for other purposes.

May 9, 1990
[H.R. 1011]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the “Wildfire Disaster Recovery Act of 1989”.

TITLE I—NATIONAL COMMISSION ON WILDFIRE DISASTERS**SEC. 101. FINDINGS AND POLICY.**

(a) **FINDINGS.**—Congress finds that—

(1) the natural fire disasters that occurred in 1987 and 1988 in Western and Southeastern States burned nearly seven and one-half million acres of Federal, State, and private land;

(2) these fires have altered the ability of Federal Government agency to effectively manage the lands for timber production, fish and wildlife habitation, watershed, and recreation for future use by the American public; and

(3) the communities in and surrounding the areas affected by the fires have suffered economic and social losses.

(b) **POLICY.**—It is hereby declared to be the policy of Congress to respond to these disasters and prepare for potential disasters by reviewing the effect of these disasters on natural resources and on the financial and cultural aspects of the affected communities and by adopting such policies as are needed to assist in an effective and efficient recovery of those communities.

SEC. 102. NATIONAL COMMISSION ON WILDFIRE DISASTERS.

(a) **ESTABLISHMENT.**—There is hereby established a National Commission on Wildfire Disasters (hereafter referred to as the “Commission”) which shall study the effects of disastrous wildfires, resulting from natural or other causes, and make recommendations concerning the steps necessary for a smooth and timely transition from the loss of natural resources due to such fires.

(b) **COMPOSITION.**—(1) The Commission shall be composed of 25 members. Thirteen members shall be appointed by the Secretary of Agriculture with at least one from each of the following groups: the timber industry, nonindustrial private forest landowners, State or local officials, employees of the Department of Agriculture, scientists from the academic community, wildlife biologists, members of private nonprofit forestry organizations, members of environmental organizations, and community leaders. Twelve members shall be appointed by the Secretary of the Interior, with at least one from each of the following groups: State or local officials, employees of the Department of the Interior, scientists from the academic

Wildfire
Disaster
Recovery Act of
1989.
Forests and
forest products.
National Forest
System.
National parks,
monuments, etc.
Public lands.
16 USC 551 note.
16 USC 551 note.

community, wildlife biologists, members of environmental organizations, members of private nonprofit national park organizations, conservationists, community leaders, and fire ecologists.

(2) The two Secretaries shall each appoint no more than three members from any one State and shall each appoint at least five members from areas affected by wildfires since 1986.

(3) In making appointments under this subsection, the Secretary of Agriculture shall consider nominations submitted by the following Members of Congress:

(A) The chairman of the Committee on Agriculture of the House of Representatives.

(B) The ranking minority member of the Committee on Agriculture of the House of Representatives.

(C) The chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(D) The ranking minority member of the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(4) In making appointments under this subsection, the Secretary of the Interior shall consider nominations submitted by the following Members of Congress:

(A) The chairman of the Committee on Interior and Insular Affairs of the House of Representatives.

(B) The ranking minority member of the Committee on Interior and Insular Affairs of the House of Representatives.

(C) The chairman of the Committee on Energy and Natural Resources of the Senate.

(D) The ranking minority member of the Committee on Energy and Natural Resources of the Senate.

(c) VACANCY.—A vacancy on the Commission shall be filled by appointment in the manner provided in subsection (b) by the Secretary making the initial appointment.

(d) CHAIRPERSON.—The Commission shall elect a chairperson from among the members of the Commission by a majority vote.

(e) MEETINGS.—The Commission shall meet at the call of the chairperson or a majority of the members of the Commission.

SEC. 103. DUTIES.

(a) STUDY.—The National Commission on Wildfire Disasters shall study the effects of fires on—

- (1) the current and future economy of affected communities;
- (2) the availability of sufficient timber supplies to meet future industry needs;
- (3) fish and wildlife habitats;
- (4) recreation in the affected areas;
- (5) watershed and water quality protection plans in effect within National Forest System lands;
- (6) ecosystems in the areas;
- (7) management plans of the affected National Forest System lands;
- (8) national parks;
- (9) Bureau of Land Management public lands;
- (10) wilderness; and
- (11) biodiversity of the affected areas.

(b) FINDINGS AND RECOMMENDATIONS.—On the basis of its study, the Commission shall make findings and develop recommendations for consideration by the Secretaries of Agriculture and the Interior with respect to the future management of National Forest System

PUBLIC LAW 101-286—MAY 9, 1990

104 STAT. 173

lands, national parks, Bureau of Land Management public lands, and community redevelopment activities and programs.

(c) REPORT.—The Commission shall submit to the Secretaries of Agriculture and the Interior, not later than December 1, 1991, a report containing its findings and recommendations. The Secretaries of Agriculture and the Interior shall forthwith submit the report to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Interior and Insular Affairs of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate, and the report is authorized to be printed as a House Document.

SEC. 104. OPERATION IN GENERAL.

(a) AGENCY COOPERATION.—The heads of executive agencies, the General Accounting Office, the Office of Technology Assessment, and the Congressional Budget Office shall provide the Commission such information as may be required to carry out its duties and functions.

(b) COMPENSATION.—Members of the Commission shall serve without compensation for work on the Commission. While away from their homes or regular places of business in the performance of duties of the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service under section 5703 of title 5 of the United States Code.

(c) EMPLOYEES.—(1) To the extent there are sufficient funds available to the Commission and subject to such rules as may be adopted by the Commission, the Commission, without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and, except as provided in paragraph (2), without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to the classification and General Schedule pay rates, may—

(A) appoint and fix the compensation of a director, and

(B) appoint and fix the compensation of such additional personnel as the Commission determines necessary to assist it to carry out its duties and functions.

(2) No employee of the Commission shall be compensated at a pay rate greater than the rate received by an employee at the grade of GS-16 as described in section 5104(16) of title 5 of the United States Code.

(d) STAFF AND SERVICES.—On the request of the Commission, the heads of executive agencies, the Comptroller General, and the Director of the Office of Technology Assessment may furnish the Commission with such office, personnel or support services as the head of the agency, or office, and the chairperson of the Commission agree are necessary to assist the Commission to carry out its duties and functions. The Commission shall not be required to pay, or reimburse, any agency for office, personnel or support services provided under this subsection.

(e) EXEMPTIONS.—(1) The Commission shall be exempt from sections 7(d), 10(f), and 14 of the Federal Advisory Committee Act (5 U.S.C. App.).

(2) The Commission shall be exempt from the requirements of sections 4301 through 4305 of title 5 of the United States Code.

104 STAT. 174

PUBLIC LAW 101-286—MAY 9, 1990

SEC. 105. FUNDING.

(a) ACCEPTANCE OF CONTRIBUTIONS.—Following the appointment of the members of the National Commission on Wildfire Disasters, notwithstanding the provisions of section 1342 of title 31 of the United States Code, the Secretary of Agriculture may receive on behalf of the Commission, from persons, groups, and entities within the United States, contributions of money and services to assist the Commission in carrying out its duties and functions. Any money contributed under this section shall be made available to the Commission to carry out this Act.

Regulations.

(b) LIMITATION ON CONTRIBUTION.—The Secretary of Agriculture shall promulgate regulations to assure that the aggregate amount of contributions from any one person, group, or entity shall not exceed 10 percent of the total amount of funds that will be contributed to the Commission.

Public information.

(c) RECORDS.—The Secretary of Agriculture shall keep, and shall make available for public inspection during normal business hours, records that fully disclose a complete list of every person, group, and entity making a contribution under this section, the address of the contributor, the amount and type of each such contribution, and the date the contribution was made.

(d) EXCESS FUNDS.—Any amount of money available to the Commission under this section that remains unobligated upon termination of the Commission shall be deposited in the Treasury as miscellaneous receipts.

SEC. 106. TERMINATION.

The National Commission on Wildfire Disasters shall cease to exist 90 days following the submission of its report to the Secretaries of Agriculture and the Interior.

TITLE II—FOREST FIREFIGHTING PLANNING AND COOPERATION

16 USC 551b note.

SEC. 201. FINDINGS.

The Congress finds that—

- (1) it is in the best interest of the Nation to take swift action to rehabilitate burned forests, and an assessment of the situation is necessary to accomplish this; and
- (2) volunteers should be trained to assist where possible.

16 USC 551b.

SEC. 202. REPORT ON REHABILITATION NEEDS.

Not later than six months after the date of enactment of this Act and annually thereafter, detailed reports by—

- (1) the Secretary of Agriculture on the rehabilitation needs of each Forest Service Region, and
 - (2) the Secretary of the Interior on the rehabilitation needs of the Bureau of Land Management public lands on a State-by-State basis and of each National Park Region,
- resulting from disastrous forest fire damage during the previous year shall be submitted to Congress. Each such report shall specify the needs with respect to reforestation, vegetation management, timber stand improvement, fish and wildlife habitat restoration, soil conservation, recreation, and wilderness resources.

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104 STAT. 175

SEC. 203. PLANNING FOR FIRE PROTECTION.

16 USC 551c.

(a) VOLUNTEER FIREFIGHTERS.—The Secretaries of Agriculture and the Interior shall annually offer training programs to certify volunteers for suppressing forest fires on National Forest System lands, National Park System lands and Bureau of Land Management public lands in the event that the appropriate Secretary determines that such volunteers are needed. In carrying out this subsection, the Secretaries should utilize existing authorities to train volunteer firefighters for use in fire emergencies. The Secretaries should assess the capabilities of educational institutions and other public and private organizations to provide such training programs.

(b) DEFINITION.—For the purposes of this section, the term “educational institutions” shall include institutions established pursuant to the Act of July 2, 1862 (7 U.S.C. 301 et seq., commonly known as the “Morrill Act”), or the Act of August 30, 1890 (7 U.S.C. 321 et seq., commonly known as the “Second Morrill Act”).

(c) MOBILIZATION OF LOCAL EQUIPMENT.—Not later than one year after the date of enactment of this Act—

(1) the Secretary of Agriculture shall submit to the Congress information with respect to regions of the National Forest System, and

(2) the Secretary of the Interior shall submit to the Congress information with respect to the Bureau of Land Management public lands on a State-by-State basis and each region of the National Park System

that documents mobilization plans that provide for the use of firefighting equipment in cases of fire emergencies that may occur in each such area that may be highly prone to disastrous forest fires.

(d) PRESUPPRESSION NEEDS.—Not later than one year after the date of enactment of this Act, information from the Secretary of Agriculture on presuppression needs for each region of the National Forest System and information from the Secretary of the Interior on the presuppression needs for each region of the National Park System and for each State unit of the Bureau of Land Management shall be submitted to Congress. These reports shall include needs, including an estimate of the funds required, for fire prevention, fuel reduction, training and seasonal fire crews.

Reports.

Claims.

SEC. 204. VOLUNTEER COMPENSATION FOR LOSSES AND DAMAGES.

(a) NATIONAL FORESTS.—Section 3 of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558c) is amended by adding the following new subsection:

“(d) For the purposes of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this Act shall be considered a Federal employee, and the provisions of 31 U.S.C. 3721 shall apply.”.

(b) NATIONAL PARKS.—Section 3 of the Volunteers in the Parks Act of 1969 (16 U.S.C. 18i) is amended by adding the following new subsection:

“(d) For the purpose of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this Act shall be considered a Federal employee, and the provisions of 31 U.S.C. 3721 shall apply.”.

(c) BUREAU OF LAND MANAGEMENT.—Section 307(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(f)) is amended to read as follows:

“(f) Volunteers shall not be deemed employees of the United States except for the purposes of—

“(1) the tort claims provisions of title 28;

“(2) subchapter 1 of chapter 81 of title 5; and

“(3) claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, in which case the provisions of 31 U.S.C. 3721 shall apply.”.

Approved May 9, 1990.

LEGISLATIVE HISTORY—H.R. 1011:

HOUSE REPORTS: No. 101-333, Pt. 1 (Comm. on Agriculture).

CONGRESSIONAL RECORD:

Vol. 135 (1989): Nov. 13, considered and passed House.

Vol. 136 (1990): Apr. 26, considered and passed Senate.

20. National Mimbres Culture (Study)

PUBLIC LAW 100-559—OCT. 28, 1988

102 STAT. 2797

Public Law 100-559
100th Congress

An Act

To redesignate Salinas National Monument in the State of New Mexico, and for other purposes.

Oct. 28, 1988
[S. 2545]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

TITLE III—NATIONAL MIMBRES CULTURE STUDY

SEC. 301. SHORT TITLE.

This title may be cited as the “National Mimbres Culture Study Act of 1988”.

SEC. 302. AUTHORIZATION OF STUDY.

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to conduct a study of the Mimbres culture to determine its significance in illustrating and commemorating the prehistory of the Southwest. The study shall include an analysis of the significance of the culture as it relates to the Mogollon, Salado, and Casas Grandes cultures and shall include a list of appropriate sites for interpreting the culture.

(b) RECOMMENDATIONS.—The study shall include recommendations with respect to—

(1) measures for the preservation of resources associated with the Mimbres culture located in and around the vicinity of Silver City, New Mexico; and

(2) indications of types and general intensities of development, including a visitor facility with sufficient space to accommodate exhibits of Mimbres pottery and information regarding the Masau Trail, that would be associated with public enjoyment and use of the sites, including general location and anticipated costs.

(c) COMPLETION OF STUDY.—The study shall be completed and transmitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than one year after the date on which funds are appropriated for the study.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

* * * * *

Conservation.
Historic
preservation.

102 STAT. 2798
National
Mimbres
Culture Study
Act of 1988.

Approved October 28, 1988.

LEGISLATIVE HISTORY—S. 2545 (H.R. 3541):
HOUSE REPORTS: No. 100-790 accompanying H.R. 3541 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 100-572 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 134 (1988):
July 26, H.R. 3541 considered and passed House.
Oct. 7, S. 2545 considered and passed Senate.
Oct. 12, considered and passed House.

21. New Jersey Coastal Heritage Trail Route

PUBLIC LAW 100-515—OCT. 20, 1988

102 STAT. 2563

Public Law 100-515
100th Congress**An Act**

To provide for the establishment of the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes. Oct. 20, 1988
[S. 2057]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Conservation.

SECTION 1. DESIGNATION OF NEW JERSEY COASTAL HERITAGE TRAIL ROUTE.16 USC 1244
note.

In order to provide for public appreciation, education, understanding, and enjoyment, through a coordinated interpretive program of certain nationally significant natural and cultural sites associated with the coastal area of the State of New Jersey that are accessible generally by public road, the Secretary of the Interior (hereinafter referred to as the "Secretary"), acting through the Director of the National Park Service, with the concurrence of the agency having jurisdiction over such roads, is authorized to designate, by publication of a map or other description thereof in the Federal Register, a vehicular tour route along existing public roads linking such natural and cultural sites in New Jersey. Such route shall be known as the New Jersey Coastal Heritage Trail Route (hereinafter referred to as the "route").

Federal
Register,
publication.
Highways.**SEC. 2. LOCATION; ADDITIONAL SEGMENTS.**16 USC 1244
note.

The route shall follow public roads, which are generally located to the east of the Garden State Parkway, linking the New Jersey portion of Gateway National Recreation Area, known generally as the Sandy Hook Unit, with the national historic landmark in Cape May and that area north and west of Cape May in the vicinity of Deepwater, New Jersey. The Secretary may, in the manner set forth in section 1, designate additional segments of the route from time to time as appropriate to link the foregoing sites with other natural and cultural sites when such sites are designated and protected by Federal, State, or local governments, or other public or private entities.

SEC. 3. INVENTORY AND PLAN.16 USC 1244
note.

(a) PREPARATION.—Within one year after the date of availability of funds, the Secretary shall prepare a comprehensive inventory of sites along the route and general plan which shall include but not be limited to the location and description of each of the following:

- (1) Significant fish and wildlife habitat and other natural areas.
- (2) Unique geographic or geologic features and significant landforms.
- (3) Important cultural resources, including historical and archeological resources.
- (4) Migration routes for raptors and other migratory birds, marine mammals, and other wildlife.

Fish and fishing.
Wildlife.Historic
preservation.

Birds.

(b) INTERPRETIVE PROGRAM.—The general plan shall include proposals for a comprehensive interpretive program of the area and it shall identify alternatives for appropriate levels of protection of significant resources.

(c) TRANSMISSION TO CONGRESS.—The Secretary shall transmit the comprehensive inventory and the general plan to the Committee on Energy and Natural Resources of the United States Senate and to the Committee on Interior and Insular Affairs of the United States House of Representatives.

(d) CONSULTATION; PUBLIC PARTICIPATION.—The inventory and plan shall be prepared in consultation with other Federal agencies, the State of New Jersey, units of local government, and public and private entities. In addition, the Secretary shall ensure that there are ample opportunities for public involvement and participation in the preparation of the inventory and plan.

16 USC 1244
note.

SEC. 4. PUBLIC APPRECIATION.

With respect to sites linked by segments of the route which are administered by other Federal, State, local nonprofit or private entities, the Secretary is authorized, pursuant to cooperative agreements with such entities, to provide technical assistance in the development of interpretive devices and materials and conservation methods regarding the resources enumerated in section 3 in order to contribute to public appreciation, understanding and conservation of the natural and cultural resources of the sites along the route. The Secretary, in cooperation with State and local governments, and other public and private entities, shall prepare and distribute informational material for the public appreciation of sites along the route.

16 USC 1244
note.

SEC. 5. MARKERS.

The route is to be marked with appropriate markers to guide the public. With the concurrence and assistance of the State or local entity having jurisdiction over the roads designated as part of the route, the Secretary may erect thereon signs and other informational devices displaying the New Jersey Coastal Heritage Trail Route marker. The Secretary is authorized to accept the donation of suitable signs and other informational devices for placement at appropriate locations.

Gifts and
property.

16 USC 1244
note.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary not more than \$250,000 to carry out the purposes of this Act. No funds made available under this Act shall be used for the operation, maintenance, or repair of any road or related structure.

16 USC 1244
note.
Public buildings
and grounds.

SEC. 7. REVITALIZATION OF OFFICERS ROW, SANDY HOOK, NEW JERSEY.

(a) AGREEMENT WITH STATE.—To further the revitalization, rehabilitation, and utilization of the area known as “Officers Row” located within the Sandy Hook Unit of the Gateway National Recreation Area, the Secretary of the Interior, or his designee, shall enter into an agreement to permit the State of New Jersey to use and occupy the property depicted on the map numbered 646/80,003, entitled “Marine Science Laboratory Land Assignment”, dated September 1988, for the express purpose of constructing, developing, and operating, without cost to the National Park Service, a marine sciences laboratory to be known as the “James J. Howard Marine

PUBLIC LAW 100-515—OCT. 20, 1988

102 STAT. 2565

Sciences Laboratory". The design of the new facility, the rehabilitation of Building 74, the design and location of landscaping modifications thereto, shall be reviewed by, and subject to the approval of, the Director of the National Park Service or his designee using the standards for rehabilitation and National Park Service guidelines and policies approved by the Secretary of the Interior.

(b) REVERSION.—If the improvements described in subsection (a) are not used as a marine sciences laboratory by the State of New Jersey, all use of the property and the improvements thereon shall revert, without consideration, to the National Park Service.

Approved October 20, 1988.

LEGISLATIVE HISTORY—S. 2057:

HOUSE REPORTS: No. 100-905 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 100-372 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 134 (1988):

June 8, considered and passed Senate.

Sept. 13, considered and passed House, amended.

Sept. 30, Senate concurred in House amendments with amendments.

Oct. 3, 4, House concurred in Senate amendments.

22. Pine Bluff, Arkansas Land Exchange

101 STAT. 1329

PUBLIC LAW 100-202—DEC. 22, 1987

Public Law 100-202
100th Congress

Joint Resolution

Dec. 22, 1987
[H.J. Res. 395]

Making further continuing appropriations for the fiscal year 1988, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

AN ACT

101 STAT.
1329-214
Department of the Interior and Related Agencies Appropriations Act, 1988.
101 STAT. 1329-218
101 STAT. 1329-221

Making appropriations for the Department of the Interior and Related Agencies for the fiscal Year ending September 30, 1988, and for other purposes.

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

* * * * *

LAND ACQUISITION AND STATE ASSISTANCE

* * * * *

101 STAT. 1329-222

. . . *Provided further*, That notwithstanding any other provisions of the Land and Water Conservation Fund Act of 1965, Public Law 88-578, as amended, or other law, Land and Water Conservation Fund assisted land in Pine Bluff, Arkansas, assisted under project No. 05-00128 and No. 05-00196, may be exchanged for existing public lands if Land and Water Conservation Fund conversion criteria regarding equal fair market value and reasonably equivalent use and location are met: . . .

* * * * *

101 STAT. 1329-450

Approved December 22, 1987.

Certified April 20, 1988.

* * * * *

LEGISLATIVE HISTORY—H.J. Res. 395:
HOUSE REPORTS: No. 100-415 (Comm. on Appropriations) and No. 100-498 (Comm. of Conference).
SENATE REPORTS: No. 100-238 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 133 (1987):
Dec. 3, considered and passed House.
Dec. 11, considered and passed Senate, amended.
Dec. 21, House and Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 23 (1987):
Dec. 22, Presidential remarks.

23. Prehistoric Trackways, New Mexico (Study)

PUBLIC LAW 101-578—NOV. 15, 1990

104 STAT. 2858

Public Law 101-578
101st Congress

An Act

To conduct certain studies in the State of New Mexico.

Nov. 15, 1990
[H.R. 5796]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Natural
resources.
Public lands.

* * * * *
TITLE III—PREHISTORIC TRACKWAYS STUDY

104 STAT. 2860

SEC. 301. FINDINGS AND PURPOSES.

- (a) FINDINGS.—The Congress finds that—
 - (1) fossils are important for scientific studies of prehistoric life on earth;
 - (2) lands administered by the Bureau of Land Management in the Robledo Mountains in New Mexico contain one of the most important fossil discoveries of the 20th century;
 - (3) discoveries have included prehistoric tracks of amphibians, reptiles, arthropods and insects, extensive plant fossils, and clues to the weather and climate of the period;
 - (4) fossil footprints that form trackways help scientists recreate the environment and habitat that supported prehistoric life;
 - (5) nearly one hundred trackways from the Permian Age have been uncovered in the Robledo Mountains;
 - (6) the trackways are over 280 million years old and they document the emergence of life from water to land;
 - (7) the trackways are unique in length and represent most taxonomic groups, including many prints of previously unknown animals;
 - (8) the trackways and other fossils are being lost for scientific study through unsupervised collecting, and commercial quarrying; and
 - (9) the trackways and fossils found in the Robledo Mountains and surrounding areas should be evaluated for their potential protection and value for scientific interpretation and education.

- (b) PURPOSES.—The purposes of this title are to—
 - (1) require the Secretary of the Interior to conduct a study to consider appropriate means to protect the discoveries and identify the scientific, interpretive, and public education values associated with the trackways and fossils located in the Robledo Mountains in southeastern New Mexico; and
 - (2) provide for interim protection of such trackways and fossils.

SEC. 302. INTERIM WITHDRAWAL.

- (a) IN GENERAL.—The area consisting of approximately 736 acres, as generally depicted on the map entitled “Prehistoric Trackways Study Area”, numbered NM 030-01 and dated September, 1990 (hereafter referred to as the “study area”), is hereby withdrawn,

104 STAT. 2861

PUBLIC LAW 101-578—NOV. 15, 1990

subject to valid existing rights, from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the mining laws, but not from operation under the mineral leasing laws. Such withdrawal shall terminate on the date 2 years after the date the study referred to in section 303 is transmitted to Congress.

(b) MAP.—The map referred to in subsection (a) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, Department of the Interior.

Inter-
governmental
relations.

SEC. 303. STUDY.

(a) STUDY.—(1) The Secretary of the Interior, in cooperation with State and local governments, and institutions of higher education, shall conduct a study of the alternatives for the protection and interpretation of the fossil resources within the study area.

(2) The study shall include an analysis of the importance of the discoveries at the site and an evaluation of the feasibility of developing a facility in New Mexico to evaluate, curate, display, and interpret the fossil resources located within the study area.

(3) The study shall recommend the preferred administrative designation for the area, including but not limited to potential designation as a unit of the National Park System, and the appropriate management agency.

(b) TRANSMITTAL TO CONGRESS.—Not later than 1 year after the date that funds are made available for the study required in subsection (a), the Secretary shall transmit such study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

Approved November 15, 1990.

LEGISLATIVE HISTORY—H. R. 5796:
HOUSE REPORTS: No 101-878 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 136 (1990):
Oct. 15, considered and passed House.
Oct. 26, considered and passed Senate.

24. Roanoke, Virginia Land Conveyance

PUBLIC LAW 101-68—AUG. 1, 1989

103 STAT. 175

Public Law 101-68
101st Congress**An Act**

To remove a restriction from a parcel of land in Roanoke, Virginia, in order for that land to be conveyed to the State of Virginia for use as a veterans nursing home.

Aug. 1, 1989
[H.R. 310]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. REMOVAL OF RESTRICTION.**

(a) **IN GENERAL.**—Subject to section 2, the Secretary of the Interior shall execute such instruments as may be necessary to remove the restriction that the parcel of land described in subsection (b) be used exclusively for public park or public recreation purposes in perpetuity on the condition that the city of Roanoke, Virginia, transfer such land to the State of Virginia for use as a veterans nursing home.

(b) **LAND DESCRIPTION.**—The parcel of land referred to in subsection (a) is that parcel known as Veterans Park which is comprised of approximately 16.8 acres and was conveyed to the city of Roanoke, Virginia, by the United States on June 25, 1980 (recorded in the city of Roanoke Deed Book 1455, page 1154).

SEC. 2. LIMITATION ON REMOVAL.

The Secretary of the Interior may not remove the restriction described in section 1(a) if, within 4 years after the date of enactment of this Act, the State of Virginia has not committed funds with respect to the parcel described in section 1(b) in an amount sufficient—

- (1) to comply with the State's obligation under section 5035 of title 38, United States Code (relating to applications with respect to projects; payments), or
- (2) to construct, without a Federal grant, a veterans nursing home.

SEC. 3. REVERSION.

If, after the removal of the restriction described in section 1(a), the parcel referred to in section 1(b) ceases to be used for the purposes of a veterans nursing home, the parcel shall revert to the United States.

Approved August 1, 1989.

LEGISLATIVE HISTORY—H.R. 310:

HOUSE REPORTS: No. 101-18 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-64 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 135 (1989):

Apr. 11, considered and passed House.

July 14, considered and passed Senate.

25. Rockingham County, Virginia Land Conveyance

104 STAT. 1158

PUBLIC LAW 101-479—OCT. 31, 1990

Public Law 101-479
101st Congress

An Act

Oct. 31, 1990
[H.R. 3888]

To allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL USE AUTHORIZED.

Subject to the requirements of this Act, the County of Rockingham, Commonwealth of Virginia, hereafter referred to as “the county”, is authorized to permit use of the land described in section 3, hereafter referred to as “the land”, for purposes of a child care center, notwithstanding the restrictions on use of such land otherwise applicable under the terms of the conveyance of such land to the county by the United States.

SEC. 2. REQUIREMENTS.

(a) A use permitted under this Act shall be confined to buildings in existence as of the date of enactment of this Act (which may be appropriately modified or altered so as to meet other applicable requirements of law) and shall involve fencing or enclosing of no more than 3,500 square feet of the open space portions of the lands, and shall not preclude use of any of the land for other permissible purposes, subject to reasonable restrictions necessary to allow a use authorized under this Act.

(b) The authority of the county under this Act shall be limited to the authorization of use of the land by a child care center serving children without regard to their race, creed, color, national origin, physical or mental disability, or sex, operated by a nonsectarian organization on a nonprofit basis and in compliance with all applicable requirements of the laws of the United States and the Commonwealth of Virginia.

(c) Except as specified in this Act, this Act shall not increase or diminish the authority or responsibility of the county with respect to the land.

(d)(1) If the county, pursuant to this Act, authorizes use of the lands for a child care center, the county shall include information concerning such use in the biennial reports to the Secretary of the Interior required under the terms of the conveyance of the land to the county by the United States and shall also provide a copy of such information to appropriate officials of the United States and the Commonwealth of Virginia responsible for implementation of laws concerning the operation of child care centers.

(2) Any violation of the provisions of this Act shall be deemed to be a breach of the conditions and covenants under which the lands were conveyed to the county by the United States, and shall have the same effect, as provided in the deed whereby the United States conveyed the lands to the county.

PUBLIC LAW 101-479—OCT. 31, 1990

104 STAT. 1159

SEC. 3. LAND DESCRIPTION.

The land referred to in sections 1 and 2 is that parcel comprised of approximately 3.03 acres of land transferred by the United States on April 11, 1989, to the county of Rockingham, Virginia, in deed book number 953 at page 600, together with improvements thereon.

Approved October 31, 1990.

LEGISLATIVE HISTORY—H.R. 3888:

HOUSE REPORTS: No. 101-578 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-525 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

July 10, considered and passed House.

Oct. 17, considered and passed Senate.

26. Route 66 (Study)

104 STAT. 861

PUBLIC LAW 101-400—SEPT. 28, 1990

Public Law 101-400
101st Congress

An Act

Sept. 28, 1990
[S. 963]

To authorize a study on methods to commemorate the nationally significant highway known as Route 66, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Route 66
Study Act
of 1990.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Route 66 Study Act of 1990".

SEC. 2. FINDINGS.

The Congress finds that—

(1) United States Route 66, the 2,000 mile highway from Chicago, Illinois, to Santa Monica, California, played a significant role in the 20th-century history of our Nation, including the westward migration from the Dust Bowl and the increase in tourist travel;

(2) Route 66, an early example of the 1926 National Highway System program, transverses the States of Illinois, Missouri, Kansas, Oklahoma, Texas, New Mexico, Arizona, and California;

(3) Route 66 has become a symbol of the American people's heritage of travel and their legacy of seeking a better life and has been enshrined in American popular culture;

(4) although the remnants of Route 66 are disappearing, many structures, features, and artifacts of Route 66 remain; and

(5) given the interest by organized groups and State governments in the preservation of features associated with Route 66, the route's history, and its role in American popular culture, a coordinated evaluation of preservation options should be undertaken.

SEC. 3. STUDY AND REPORT BY THE NATIONAL PARK SERVICE.

(a) STUDY.—(1) The Secretary of the Interior, acting through the Director of the National Park Service and in cooperation with the respective States, shall coordinate a comprehensive study of United States Route 66. Such study shall include an evaluation of the significance of Route 66 in American history, options for preservation and use of remaining segments of Route 66, and options for the preservation and interpretation of significant features associated with the highway. The study shall consider private sector preservation alternatives.

(2) The study shall include participation by representatives from each of the States traversed by Route 66, the State historic preservation offices, representatives of associations interested in the preservation of Route 66 and its features, and persons knowledgeable in American history, historic preservation, and popular culture.

(b) REPORT.—Not later than two years from the date that funds are made available for the study referred to in subsection (a), the Secretary shall transmit such study to the Committee on

PUBLIC LAW 101-400—SEPT. 28, 1990

104 STAT. 862

and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives.

(c) LIMITATION.—Nothing in this Act shall be construed to authorize the National Park Service to assume responsibility for the maintenance of United States Route 66.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$200,000 to carry out the provisions of this Act.

Approved September 28, 1990.

LEGISLATIVE HISTORY—S. 963 (H.R. 3493):

HOUSE REPORTS: No. 101-637 accompanying H.R. 3493 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-89 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 135 (1989): Aug. 2, considered and passed Senate.

Vol. 136 (1990): July 30, H.R. 3493 considered and passed House.

July 31, S. 963 considered and passed House, amended, in lieu of H.R. 3493.

Sept. 13, Senate concurred in House amendment.

27. Shenandoah Valley Civil War Sites (Study)

104 STAT. 4469

PUBLIC LAW 101-628—NOV. 28, 1990

Public Law 101-628
101st Congress

An Act

Nov. 28, 1990
[H.R. 2570]

To provide for the designation of certain public lands as wilderness in the State of Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

104 STAT. 4503

TITLE XII—CIVIL WAR AND OTHER STUDIES

16 USC 1a-5 note.

SEC. 1202. DEFINITIONS.

104 STAT. 4504

(3) the term “Shenandoah Valley Civil War sites” means those sites and structures situated in the Shenandoah Valley in the Commonwealth of Virginia which are thematically tied with the nationally significant events that occurred in the region during the Civil War, including, but not limited to, General Thomas “Stonewall” Jackson’s 1862 “Valley Campaign” and General Philip Sheridan’s 1864 campaign culminating in the battle of Cedar Creek on October 19, 1864.

16 USC 1a-5 note.

* * * * *

SEC. 1204. SHENANDOAH VALLEY CIVIL WAR SITES STUDY.

(a) STUDY.—(1) The Secretary is authorized and directed to prepare a study of Shenandoah Valley Civil War sites. Such study shall identify the sites, determine the relative significance of such sites, assess short- and long-term threats to their integrity, and provide alternatives for the preservation and interpretation of such sites by Federal, State, and local governments, or other public or private entities, as may be appropriate. Such alternatives may include, but shall not be limited to, designation as units of the National Park System or as affiliated areas. The study shall examine methods and make recommendations to continue current land use practices, such as agriculture, where feasible.

(2) The Secretary shall designate at least two nationally recognized Civil War historians to participate in the study required by paragraph (1).

(3) The study shall include the views and recommendations of the National Park System Advisory Board.

(b) TRANSMITTAL TO CONGRESS.—Not later than 1 year after the date that funds are made available for the study referred to in subsection (a), the Secretary shall transmit such study to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.

* * * * *

PUBLIC LAW 101-628—NOV. 28, 1990

104 STAT. 4510

Approved November 28, 1990.

LEGISLATIVE HISTORY—H.R. 2570:**HOUSE REPORTS:** No. 101-405 (Comm. on Interior and Insular Affairs).**SENATE REPORTS:** No. 101-359 (Comm. on Energy and Natural Resources).**CONGRESSIONAL RECORD,** Vol. 136 (1990):

Feb. 28, considered and passed House.

Oct. 27, considered and passed Senate, amended. House concurred in Senate amendment with an amendment. Senate concurred in House amendment.

28. Spanish Colonization Commemorative (Study)

102 STAT. 2797

PUBLIC LAW 100-559—OCT. 28, 1988

Public Law 100-559
100th Congress

An Act

Oct. 28, 1988	To redesignate Salinas National Monument in the State of New Mexico, and for other purposes.
[S. 2545]	

Conservation.
Historic
preservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

102 STAT. 2798

TITLE IV—SPANISH COLONIZATION COMMEMORATIVE STUDY

Spanish
Colonization
Commemorative
Act of 1988.

SEC. 401. SHORT TITLE.

This title may be cited as the “Spanish Colonization Commemorative Act of 1988”.

SEC. 402. AUTHORIZATION OF STUDY.

102 STAT. 2799

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to conduct a study of the Spanish Frontier culture and Spanish Borderlands story to determine their significance in illustrating and commemorating the Spanish colonization of the Southwest, the Spanish colonial frontier culture, and Spanish colonialism in New Mexico. The study shall include an analysis of the significance of the San Gabriel Historic Landmark and the Los Luceros Hacienda as they relate to the Spanish Borderlands story of the Southwest.

(b) RECOMMENDATIONS.—The study shall include recommendations with respect to—

(1) measures for the preservation and interpretation of resources associated with the Spanish colonization of the Southwest; and

(2) indications of types and general intensities of development, including the feasibility of visitor facilities, that would be associated with public enjoyment and use of the sites, including general location and anticipated costs.

(c) COMPLETION OF STUDY.—The study shall be completed and transmitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than two years after the date on which funds are appropriated for the study.

SEC. 403. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

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PUBLIC LAW 100-559—OCT. 28, 1988

102 STAT. 2802

Approved October 28, 1988.

LEGISLATIVE HISTORY—S. 2545 (H.R. 3541):

HOUSE REPORTS: No. 100-790 accompanying H.R. 3541 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 100-572 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 134 (1988):

July 26, H.R. 3541 considered and passed House.

Oct. 7, S. 2545 considered and passed Senate.

Oct. 12, considered and passed House.

29. Underground Railroad (Study)

104 STAT. 4469

PUBLIC LAW 101-628—NOV. 28, 1990

Public Law 101-628
101st Congress

An Act

Nov. 28, 1990
[H.R. 2570]

To provide for the designation of certain public lands as wilderness in the State of Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

104 STAT. 4495
Historic
preservation.
16 USC 1a-5 note.

TITLE VI—UNDERGROUND RAILROAD STUDY**SEC. 601. PURPOSE.**

The purpose of this title is to study the Underground Railroad, its routes and operations in order to preserve and interpret this aspect of American history.

104 STAT. 4496

SEC. 602. (a) The Secretary of the Interior, acting through the Director of the National Park Service, shall conduct a study of alternatives for commemorating and interpreting the Underground Railroad, the approximate routes taken by slaves escaping to freedom before the conclusion of the Civil War. The study shall include—

- (1) the consideration of the establishment of a new unit of the national park system;
- (2) the consideration of the establishment of various appropriate designations for those routes and sites utilized by the Underground Railroad, and alternative means to link those sites, including in Canada and Mexico;
- (3) recommendations for cooperative arrangements with State and local governments, local historical organizations, and other entities; and
- (4) cost estimates for the alternatives.

(b) The study shall be—

- (1) conducted with public involvement and in consultation with the advisory committee established by section 4, State and local officials, scholarly and other interested organizations and individuals,
- (2) completed no later than two years after the date on which funds are made available for the study, and
- (3) submitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

Government
publications.

SEC. 603. Within three years after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall prepare and publish an interpretive handbook on the Underground Railroad in the larger context of American antebellum society, including the history of slavery and abolitionism.

PUBLIC LAW 101-628—NOV. 28, 1990

104 STAT. 4496

SEC. 604. (a) The Secretary, upon funds being made available to carry out this title, shall establish the Underground Railroad Advisory Committee (hereafter in this subsection referred to as the "Advisory Committee"). The Advisory Committee shall be composed of nine members, appointed by the Secretary of the Interior, of whom—

- (1) three shall have expertise in African-American History;
- (2) two shall have expertise in historic preservation;
- (3) one shall have expertise in American History; and
- (4) three shall be from the general public.

The Advisory Committee shall designate one of its members as Chairperson.

(b) The Secretary, or the Secretary's designee, shall from time to time, but at least on three occasions, meet and consult with the Advisory Committee on matters relating to the study conducted under section 2.

(c) Members of the Advisory Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairperson.

SEC. 605. There are authorized to be appropriated such sums as may be necessary to carry out this title.

Appropriation authorization.

* * * * *

Approved November 28, 1990.

104 STAT. 4510

LEGISLATIVE HISTORY—H.R. 2570:

HOUSE REPORTS: No. 101-405 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-359 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Feb. 28, considered and passed House.

Oct. 27, considered and passed Senate, amended. House concurred in Senate amendment with an amendment. Senate concurred in House amendment.

30. Vancouver National Historical Reserve (Study)

104 STAT. 2297

PUBLIC LAW 101-523—NOV. 5, 1990

Public Law 101-523
101st Congress

An Act

Nov. 5, 1990
[H.R. 5144]

To provide for the study of certain historical and cultural resources located in the city of Vancouver, Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STATEMENT OF FINDINGS.

The Congress finds that—

(1) the city of Vancouver, Washington, has a unique array of contiguous historical sites which chronicle important steps in the settlement and development of the Northwest, including—

(A) Fort Vancouver National Historic Site, the site of the Hudson's Bay Company trading post established in 1825;

(B) Vancouver Barracks, an active military installation since 1849;

(C) Officers' Row National Register Historic District, 21 adaptively rehabilitated military officers' quarters;

(D) Pearson Airpark, an early United States Army airfield and one of the oldest operating airports in the country; and

(E) the Columbia River, an early Northwest exploration and settlement corridor, including the route of the Lewis and Clark expedition, center of Indian trade, shipbuilding, and fishing;

(2) these historical assets are owned and managed by several governmental entities, including the National Park Service, city of Vancouver, and the United States Army;

(3) sites within the Vancouver historical area are in a state of transition and are the focus of various proposals and initiatives;

(4) there is a lack of formal coordination of management or planning among the various entities; and

(5) failure to coordinate the planning and management within the Area may result in lost opportunities to preserve and enhance irreplaceable historical sites and open space.

SEC. 2. VANCOUVER HISTORICAL STUDY COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a Vancouver Historical Study Commission which shall study and make recommendations regarding—

(1) the preservation, protection, enhancement, enjoyment, and utilization of the historic, cultural, natural, and recreational resources of the Area, and

(2) the feasibility of establishing a Vancouver National Historical Reserve.

(b) MEMBERSHIP.—The Commission shall consist of the following 5 members:

(1) The Director of the National Park Service, or his designee.

PUBLIC LAW 101-523—NOV. 5, 1990

104 STAT. 2298

(2) One individual appointed by the Secretary of the Interior from recommendations submitted by the Mayor of Vancouver to represent the city of Vancouver.

(3) The Secretary of the Army, or his designee.

(4) One individual appointed by the Secretary of the Interior from recommendations submitted by the Governor of Washington to represent the State Historic Preservation Office.

(5) One individual appointed by the Secretary of the Interior to represent the general public.

Members shall be appointed within 60 days after the date of enactment of this Act.

(c) VACANCY.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(e) CHAIRPERSON.—The Chairperson of the Commission shall be appointed by the Secretary.

(f) QUORUM.—Three members of the Commission shall constitute a quorum.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of its members.

(h) STAFF.—The Secretary shall provide the Commission with such staff and technical assistance as the Secretary, after consultation with the Commission, considers appropriate to enable the Commission to carry out its duties. Upon request of the Secretary, any Federal agency may provide to the Commission on a reimbursable basis information, personnel, property, and services to assist in carrying out its duties under this Act. The Secretary may accept the services of personnel detailed from the State of Washington or any political subdivision of the State and may reimburse the State or such political subdivision for such services. The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(i) TERMINATION OF COMMISSION.—The Commission shall terminate upon submission of the study report as provided in section 3.

SEC. 3. DUTIES OF THE COMMISSION.

(a) REPORT.—(1) The Commission shall prepare a report—

(A) specifying the results of the study required by section 2(a); and

(B) containing—

(i) an inventory and assessment of the historic, cultural, natural, and recreational resources located within the Area;

(ii) specific preservation and interpretation goals;

(iii) proposed alternative management strategies whereby the funds, data, personnel, and authorities of public and private entities may be coordinated; and

(iv) recommendations concerning the continued operation of Pearson Airpark in a manner that will preserve and promote historic aviation and interpretation of the Area,

compatible with other historic and cultural resources of the Area, including Fort Vancouver National Historic Site.

(2) In making recommendations under paragraph (1)(B)(iv), the Commission shall assess—

(A) the impact of current airport operations on the preservation, use, and interpretation of historic and cultural resources in the Area; and

(B) future operation of the airport undertaking such mitigation measures as may be necessary to minimize the intrusion on adjacent historic and cultural resources.

(b) DEVELOPMENT OF STUDY.—

(1) In undertaking the study under section 2(a), the Commission shall consult on a regular basis with appropriate officials of any local government or Federal or State agency which has jurisdiction over lands and waters within the Area.

(2) In undertaking the study under section 2(a), the Commission shall consult with interested conservation, business, professional and citizen organizations.

(3) In undertaking the study under section 2(a), the Commission shall conduct public hearings within the Area, and at such other places as may be appropriate, for the purpose of providing interested persons with the opportunity to testify with respect to matters to be addressed by the study.

(c) TRANSMITTAL OF STUDY REPORT.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit the report required under subsection (a) to the Secretary of the Interior and the Secretary of the Army. The Secretary of the Interior shall submit the report along with any comments or recommendations that the Secretary may wish to make to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate within 30 days after receipt of such report from the Commission.

SEC. 4. DETERMINATION OF SUITABILITY OF CERTAIN REAL PROPERTY.

(a) NOTIFICATION OF SECRETARY OF THE INTERIOR.—The Secretary of Defense shall notify the Secretary of the Interior upon any determination by the Secretary of Defense that any real property located at Vancouver Barracks is excess property of the Department of Defense.

(b) REVIEW OF PROPERTY BY SECRETARY OF THE INTERIOR.—Not later than 90 days after receiving notification from the Secretary of Defense under subsection (a), the Secretary of the Interior shall—

(1) review the property that is the subject of the notification with respect to the suitability of all or part of the property for administration by the Secretary of the Interior or the State of Washington or its political subdivisions; and

(2) report to the Congress the findings of that review and recommendations for any legislation.

Reports.

SEC. 5. RESTRICTION ON DISPOSAL OR USE OF PROPERTY.

Notwithstanding any other provision of law, any real property located at Vancouver Barracks that is determined by the Secretary of Defense to be excess property of the Department of Defense may not be disposed of or used by any Federal agency before the end of the one-year period following submission of a report to the Congress regarding that property under section 4(b).

PUBLIC LAW 101-523—NOV. 5, 1990

104 STAT. 2300

SEC. 6. DUTIES OF OTHER FEDERAL ENTITIES.

Any Federal entity conducting or supporting activities directly affecting the Area shall—

- (1) consult with the Secretary and the Commission with respect to such activities;
- (2) cooperate with the Secretary and the Commission in carrying out their duties under this Act and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and
- (3) to the maximum extent practicable, conduct or support such activities in a manner consistent with the provisions of this Act.

SEC. 7. DEFINITIONS.

As used in this Act—

- (1) the term “Area” means the area which incorporates those resources listed in section (1);
- (2) the term “Commission” means the Vancouver Historical Study Commission established by section 2; and
- (3) the term “Secretary” means the Secretary of the Interior.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved November 5, 1990.

LEGISLATIVE HISTORY—H. R. 5144 (S. 2771):

HOUSE REPORTS: No. 101-740 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-502 accompanying S. 2771 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Sept. 27, considered and passed House.

Oct. 15, S. 2771 considered in Senate; proceedings vacated and H.R. 5144 passed in lieu.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Nov. 5, Presidential statement.

31. Warm Springs, New Mexico (Study)

102 STAT. 2797

PUBLIC LAW 100-559—OCT. 28, 1988

Public Law 100-559
100th Congress

An Act

Oct. 28, 1988
[S. 2545]

To redesignate Salinas National Monument in the State of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

102 STAT. 2801
Warm Springs
Study Act of
1988.

TITLE VIII—WARM SPRINGS STUDY

SEC. 801. SHORT TITLE.

This title may be cited as the “Warm Springs Study Act of 1988”.

SEC. 802. STUDY OF WARM SPRINGS CULTURE.

Indians.

(a) IN GENERAL.—The Secretary of the Interior is authorized and directed to conduct a study of the culture that evolved around Warm Springs in Southwestern, New Mexico, to determine its significance in illustrating and commemorating American frontier military history and the development of American Indian policy.

(b) SPECIFICS OF STUDY.—The study shall include—

(1) an evaluation of the history of the people from the Warm Springs area in Victorio’s War in relation to American frontier military history and the development of American Indian policy; and

(2) an evaluation of historic and prehistoric resources surrounding the Warm Springs at the headwaters of Canada de Alamosa, and the potential for preservation and public use.

(c) COMPLETION OF STUDY.—The study shall be completed and transmitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate within 1 year of the date on which funds are appropriated for the study.

102 STAT. 2802

SEC. 803. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

Approved October 28, 1988.

LEGISLATIVE HISTORY—S. 2545 (H.R. 3541):

HOUSE REPORTS: No. 100-790 accompanying H.R. 3541 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 100-572 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 134 (1988):

July 26, H.R. 3541 considered and passed House.

Oct. 7, S. 2545 considered and passed Senate.

Oct. 12, considered and passed House.

32. Wildlife Prairie Park, Illinois

PUBLIC LAW 100-336—JUNE 17, 1988

102 STAT. 617

Public Law 100-336
100th Congress

An Act

To authorize the Secretary of the Interior to provide assistance to Wildlife Prairie Park, in the State of Illinois, and for other purposes.

June 17, 1988
[H.R. 1100]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The Secretary of the Interior (hereinafter referred to as the “Secretary”) in recognition of the efforts to create Wildlife Prairie Park, is authorized and directed to prepare and make available within two years after the date of enactment of this Act to the Forest Park Foundation for publication and distribution, an interpretive handbook describing that area of approximately one thousand eight hundred acres near Peoria, Illinois, owned by the Forest Park Foundation and designated as the Wildlife Prairie Park. The handbook shall describe the purposes of the Wildlife Prairie Park, the historical, cultural, and ecological values, the methods of site acquisition and development, the management goals and the facilities that exist for public use.

Conservation.
National parks,
monuments, etc.

SEC. 2. (a) The Secretary shall, in consultation with interested conservation, professional, and park management organizations and individuals, prepare and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report of criteria for the elements of national significance and other factors necessary for a proposed area to be considered appropriate for inclusion as an affiliated area of the National Park System including an analysis of applicability to Wildlife Prairie Park. In addition the report shall address the responsibilities to be required of the operators of an affiliated area and the responsibilities of the National Park Service to any such designated area.

Reports.
16 USC 1a-5
note.

(b) The report shall be submitted not later than two years from the date of enactment of this Act and shall provide recommendations by the Secretary of the Interior including but not limited to how criteria for national significance and other factors should be made applicable to future proposed affiliated areas, when such areas are considered by the Secretary. The Secretary shall also recommend any criteria or procedures for such considerations by the Congress including recommendations for legislative action.

Appropriation
authorization.

SEC. 3. There are authorized for appropriation such sums as may be necessary to carry out the purposes of this Act.

Approved June 17, 1988.

LEGISLATIVE HISTORY—H.R. 1100:

HOUSE REPORTS: No. 100-186 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 100-374 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 133 (1987): June 29, considered and passed House.

Vol. 134 (1988): June 6, considered and passed Senate.

