

XX. MISCELLANEOUS ENACTMENTS

**1. African American History Landmark Theme Study Act**

PUBLIC LAW 102-98—AUG. 17, 1991

105 STAT. 485

Public Law 102-98  
102d Congress

An Act

To direct the Secretary of the Interior to prepare a national historic landmark theme study on African American history.

Aug. 17, 1991  
[H.R. 904]

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

African American History Landmark Theme Study Act.  
16 USC 1a-5 note.  
16 USC 1a-5 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “African American History Landmark Theme Study Act”.

SEC. 2. THEME STUDY.

(a) The Secretary of the Interior (hereafter in this Act referred to as the “Secretary”) shall prepare and transmit to the Congress a national historic landmark theme study on African American history (hereafter in this Act referred to as the “theme study”).

(b) The purpose of the theme study shall be to identify the key sites in the history and experience of those Americans who trace their origins to Africa so that all Americans will gain better understanding of American history.

(c) In the theme study, the Secretary shall identify, evaluate, and nominate as national historic landmarks the districts, sites, buildings, and structures and landscapes that illustrate or commemorate African American history.

(d) On the basis of the theme study, the Secretary shall—

(1) identify possible new park units appropriate to the theme of African American history; and

(2) prepare a list of the most appropriate sites, including a discussion of the feasibility and suitability of their inclusion in the National Park System.

(e) The theme study shall be completed not later than 3 years after the date funds are made available for such study.

16 USC 1a-5 note.

SEC. 3. CONSULTATION.

The Secretary shall prepare the theme study in consultation with scholars of African American history and historic preservationists.

16 USC 1a-5 note.

SEC. 4. COOPERATIVE AGREEMENT.

(a) The Secretary shall enter into a cooperative agreement with one or more scholarly and public historic organizations to—

(1) prepare the theme study; and

(2) ensure that the theme study is prepared in accordance with generally accepted scholarly standards.

(b) The scholarly and public historic organization or organizations described in subsection (a) shall be—



105 STAT. 486

PUBLIC LAW 102-98—AUG. 17, 1991

(1) knowledgeable of African American history; and  
(2) recognized in the scholarly community as adhering to generally accepted scholarly standards.

16 USC 1a-5  
note.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$500,000 to carry out this Act.

Approved August 17, 1991.

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LEGISLATIVE HISTORY—H.R. 904:

HOUSE REPORTS: No. 102-49 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-90 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 137 (1991):

May 7, considered and passed House.

June 25, considered and passed Senate, amended.

August 1, House concurred in Senate amendments.

## 2. American Labor History Historic Landmark Theme Study

PUBLIC LAW 102-101—AUG. 17, 1991

105 STAT. 493

Public Law 102-101  
102d Congress

### An Act

To authorize a study of nationally significant places in American labor history.

Aug. 17, 1991  
[H.R. 1143]

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

#### SECTION 1. THEME STUDY.

16 USC 1a-5 note.

(a) The Secretary of the Interior (hereafter in this Act referred to as the “Secretary”) shall prepare and transmit to the Congress a National Historic Landmark Theme Study on American Labor History (hereafter in this Act referred to as the “Theme Study”). The Theme Study shall be prepared in consultation with the Secretary of Labor and pursuant to the guidelines prepared under section 2. The purpose of the Theme Study shall be to identify the key sites in American labor history, including the history of workers and their work, of organizing, unions and strikes, of the impacts of industrial and technological change, and of the contributions of American labor to American history. The Theme Study shall identify, evaluate, and nominate as national historic landmarks those districts, sites, buildings, and structures that best illustrate or commemorate American labor history in its fullest variety. On the basis of the Theme Study, the Secretary shall identify possible new park units appropriate to this theme and prepare a list in order of importance or merit of the most appropriate sites. The list shall include a discussion of the feasibility and suitability of such sites.

(b) The theme study shall be completed not later than 3 years after the date funds are made available for such study.

#### SEC. 2. CONSULTATION.

16 USC 1a-5  
note.

The Secretary shall consult with workers, workers’ representatives, scholars of labor history, and historic preservationists for technical assistance and for the preparation of guidelines for the Theme Study.

105 STAT. 494

PUBLIC LAW 102-101—AUG. 17, 1991

16 USC 1a-5 note. SEC. 3. COOPERATIVE AGREEMENTS.

The Secretary shall enter into cooperative agreements with one or more major scholarly and public historic organizations knowledgeable of American labor history to prepare the Theme Study and ensure that the Theme Study meets scholarly standards.

16 USC 1a-5 note. SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized to be appropriated \$250,000 to carry out this Act.

Approved August 17, 1991.

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**LEGISLATIVE HISTORY—H.R. 1143:**

HOUSE REPORTS: No. 102-50 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-91 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 137 (1991):

May 7, considered and passed House.

June 25, considered and passed Senate, amended.

Aug. 1, House concurred in Senate amendments.

**4. Bodie Bowl, California**

108 STAT. 4471

PUBLIC LAW 103-433—OCT. 31, 1994

Public Law 103-433  
103d Congress

An Act

Oct. 31, 1994  
[S. 21]

To designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks, to establish the Mojave National Preserve, and for other purposes.

Conservation.

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

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108 STAT. 4509  
Bodie Protection  
Act of 1994.

TITLE X—PROTECTION OF BODIE BOWL

SEC. 1001. SHORT TITLE.

This title may be cited as the “Bodie Protection Act of 1994”.

SEC. 1002. FINDINGS.

The Congress finds that—

(1) the historic Bodie gold mining district in the State of California is the site of the largest and best preserved authentic ghost town in the western United States;

(2) the Bodie Bowl area contains important natural, historical, and aesthetic resources;

(3) Bodie was designated as a National Historical Landmark in 1961 and a California State Historic Park in 1962, is listed on the National Register of Historic Places, and is included in the Federal Historic American Buildings Survey;

(4) nearly 200,000 persons visit Bodie each year, providing the local economy with important annual tourism revenues;

(5) the town of Bodie is threatened by proposals to explore and extract minerals: mining in the Bodie Bowl area may have adverse physical and aesthetic impacts on Bodie’s historical integrity, cultural values, and ghost town character as well as on its recreational values and the area’s flora and fauna;

(6) the California State Legislature, on September 4, 1990, requested the President and the Congress to direct the Secretary of the Interior to protect the ghost town character, ambience, historic buildings, and scenic attributes of the town of Bodie and nearby areas;

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4509

(7) the California State Legislature also requested the Secretary, if necessary to protect the Bodie Bowl area, to withdraw the Federal lands within the area from all forms of mineral entry and patent;

(8) the National Park Service listed Bodie as a priority one endangered National Historic Landmark in its fiscal year 1990 and 1991 report to Congress entitled "Threatened and Damaged National Historic Landmarks" and recommended protection of the Bodie area; and

(9) it is necessary and appropriate to provide that all Federal lands within the Bodie Bowl area are not subject to location, entry, and patent under the mining laws of the United States, subject to valid existing rights, and to direct the Secretary to consult with the Governor of the State of California before approving any mining activity plan within the Bodie Bowl.

SEC. 1003. DEFINITIONS.

For the purposes of this title:

(1) The term "Bodie Bowl" means the Federal lands and interests therein within the area generally depicted on the map referred to in section 1004(a).

(2) The term "mineral activities" means any activity involving mineral prospecting, exploration, extraction, milling, beneficiation, processing, and reclamation.

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

108 STAT. 4510

SEC. 1004. APPLICABILITY OF MINERAL MINING, LEASING AND DISPOSAL LAWS.

(a) RESTRICTION.—Subject to valid existing rights, after the date of enactment of this title Federal lands and interests in lands within the area generally depicted on the map entitled "Bodie Bowl" and dated June 12, 1992, shall not be—

(1) open to the location of mining and mill site claims under the general mining laws of the United States;

(2) subject to any lease under the Mineral Leasing Act (30 U.S.C. 181 and following) or the Geothermal Steam Act of 1970 (30 U.S.C. 100 and following), for lands within the Bodie Bowl; and

(3) available for disposal of mineral materials under the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 and following).

Such map shall be on file and available for public inspection in the Office of the Secretary, and appropriate offices of the Bureau of Land Management and the National Park Service. As soon as practicable after the date of enactment of this title, the Secretary shall publish a legal description of the Bodie Bowl area in the Federal Register.

(b) **VALID EXISTING RIGHTS.**—As used in this section, the term “valid existing rights” in reference to the general mining laws means that a mining claim located on lands within the Bodie Bowl was properly located and maintained under the general mining laws prior to the date of enactment of this title, was supported by a discovery of a valuable mineral deposit within the meaning of the general mining laws on the date of enactment of this title, and that such claim continues to be valid.

(c) **VALIDITY REVIEW.**—The Secretary shall undertake an expedited program to determine the validity of all unpatented mining claims located within the Bodie Bowl. The expedited program shall include an examination of all unpatented mining claims, including those for which a patent application has not been filed. If a claim is determined to be invalid, the Secretary shall promptly declare the claim to be null and void, except that the Secretary shall not challenge the validity of any claim located within the Bodie Bowl for the failure to do assessment work for any period after the date of enactment of this title. The Secretary shall make a determination with respect to the validity of each claim referred to under this subsection within two years after the date of enactment of this title.

(d) **LIMITATION ON PATENT ISSUANCE.**—

(1) **MINING CLAIMS.**—(A) After January 11, 1993, no patent shall be issued by the United States for any mining claim located under the general mining laws within the Bodie Bowl unless the Secretary determines that, for the claim concerned—

(i) a patent application was filed with the Secretary on or before such date; and

(ii) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, 37) for placer claims were fully complied with by that date.

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4511

(B) If the Secretary makes the determinations referred to in subparagraph (A) for any mining claim, the holder of the claim shall be entitled to the issuance of a patent in the same manner and degree to which such claim holder would have been entitled to prior to the enactment of this title, unless and until such determinations are withdrawn or invalidated by the Secretary or by a court of the United States.

(2) MILL SITE CLAIMS.—(A) After January 11, 1993, no patent shall be issued by the United States for any mill site claim located under the general mining laws within the Bodie Bowl unless the Secretary determines that, for the claim concerned—

(i) a patent application was filed with the Secretary on or before January 11, 1993; and

(ii) all requirements applicable to such patent application were fully complied with by that date.

(B) If the Secretary makes the determinations referred to in subparagraph (A) for any mill site claim, the holder of the claim shall be entitled to the issuance of a patent in the same manner and degree to which such claim holder would have been entitled to prior to the enactment of this title, unless and until such determinations are withdrawn or invalidated by the Secretary or by a court of the United States.

#### SEC. 1005. MINERAL ACTIVITIES.

(a) IN GENERAL.—Notwithstanding the last sentence of section 302(b) of the Federal Land Policy and Management Act of 1976, and in accordance with this title and other applicable law, the Secretary shall require that mineral activities be conducted in the Bodie Bowl so as to—

(1) avoid adverse effects on the historic, cultural, recreational, and natural resource values of the Bodie Bowl; and

(2) minimize other adverse impacts to the environment.

(b) RESTORATION OF EFFECTS OF MINING EXPLORATION.—As soon as possible after the date of enactment of this Act, visible evidence or other effects of mining exploration activity within the Bodie Bowl conducted on or after September 1, 1988, shall be reclaimed by the operator in accordance with regulations prescribed pursuant to subsection (d).

(c) ANNUAL EXPENDITURES; FILING.—The requirements for annual expenditures on unpatented mining claims imposed by Revised Statute 2324 (30 U.S.C. 28) shall not apply to any such claim located within the Bodie Bowl. In lieu of filing the affidavit of assessment work referred to under section 314(a)(1) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a)(1)), the holder of any unpatented mining or mill site claim located within the Bodie Bowl shall only be required to file the notice of intention to hold the mining claim referred to in such section 314(a)(1).

(d) REGULATIONS.—The Secretary shall promulgate rules to implement this section, in consultation with the Governor of the State of California, within 180 days after the date of enactment of this title. Such rules shall be no less stringent than the rules promulgated pursuant to the Act of September 28, 1976 entitled "An Act to provide for the regulation of mining activity within, and to repeal the application of mining laws to, areas of the National

108 STAT. 4512

PUBLIC LAW 103-433—OCT. 31, 1994

Park System, and for other purposes" (Public Law 94-429; 16 U.S.C. 1901-1912).

SEC. 1006. STUDY.

Beginning as soon as possible after the date of enactment of this title, the Secretary shall review possible actions to preserve the scenic character, historical integrity, cultural and recreational values, flora and fauna, and ghost town characteristics of lands and structures within the Bodie Bowl. No later than 3 years after the date of such enactment, the Secretary shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives a report that discusses the results of such review and makes recommendations as to which steps (including but not limited to acquisition of lands or valid mining claims) should be undertaken in order to achieve these objectives.

SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.

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

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108 STAT. 4525

Approved October 31, 1994.

LEGISLATIVE HISTORY—S. 21 (H.R. 518):

HOUSE REPORTS: Nos. 103-498 accompanying H.R. 518 (Comm. on Natural Resources) and 103-832 (Comm. of Conference).

SENATE REPORTS: No. 103-165 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Apr. 12, 13, considered and passed Senate.

May 17, June 10, 13, July 12-14, 27, H.R. 518 considered and passed House;

S. 21, amended, passed in lieu.

Oct. 6, House agreed to conference report.

Oct. 7, 8, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Oct. 31, Presidential remarks and statement.

**5. Boston Harbor Islands (Study)**

PUBLIC LAW 102-525—OCT. 26, 1992

106 STAT. 3438

Public Law 102-525  
102d Congress**An Act**To provide for the establishment of the Brown v. Board of Education National  
Historic Site in the State of Kansas, and for other purposes.Oct. 26, 1992  
[S. 2890]*Be it enacted by the Senate and House of Representatives of the  
United States of America in Congress assembled,*

\* \* \* \* \*

**TITLE V—BOSTON HARBOR ISLANDS STUDY**106 STAT. 3442  
16 USC 1a-5.**SEC. 501. BOSTON HARBOR ISLANDS STUDY.**

(a) **IN GENERAL.**—The Secretary of the Interior shall, within 1 year after the date of the enactment of this title, conduct a study of the Boston Harbor Islands to assess the opportunities for the National Park Service to contribute to State, regional, and local efforts to promote the conservation of the Boston Harbor Islands and their use and enjoyment by the public. In conducting the study, the Secretary shall—

(1) consult closely with and explore means for expanded cooperation with the Massachusetts Department of Environmental Management, the Metropolitan District Commission, and the City of Boston;

(2) evaluate the suitability of establishing the Boston Harbor Islands as a unit of the National Park System;

(3) assess the opportunities for expanded tourism, public education, and visibility by managing the Boston Harbor Islands in conjunction with units of the National Park System in the vicinity, including the Adams National Historic Site in Quincy, Massachusetts; and

(4) evaluate the possibility for developing ferry service and other transportation links among those units to enhance their public use and enjoyment.

(b) **REPORT.**—The Secretary of the Interior shall submit to the Congress a report on the findings, conclusions, and recommendations of the study under subsection (a), by not later than 1 year after the date of the enactment of this title.

Approved October 26, 1992.

**LEGISLATIVE HISTORY—S. 2890 (H.R. 5484):**

HOUSE REPORTS: No. 102-1038 accompanying H.R. 5484 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-468 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 138 (1992):

Oct. 1, considered and passed Senate.

Oct. 4, 5, considered and passed House, amended.

Oct. 8, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 26, Presidential statement.

## 7. Civil War Battlefield Commemorative Coin Act of 1992

106 STAT. 1362

PUBLIC LAW 102-379—OCT. 5, 1992

Public Law 102-379  
102d Congress

An Act

Oct. 5, 1992  
[H.R. 5126]

To direct the Secretary of the Treasury to mint coins in commemoration of the 100th anniversary of the beginning of the protection of Civil War battlefields, and for other purposes.

Civil War  
Battlefield  
Commemorative  
Coin Act of 1992.  
31 USC 5112  
note.

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil War Battlefield Commemorative Coin Act of 1992".

31 USC 5112  
note.

### SEC. 2. COIN SPECIFICATIONS.

(a) FIVE DOLLAR GOLD COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall issue not more than 300,000 five dollar coins which shall—

- (1) weigh 8.359 grams,
- (2) have a diameter of 0.850 inches, and
- (3) contain 90 percent gold and 10 percent alloy.

(b) ONE DOLLAR SILVER COINS.—The Secretary shall issue not more than 1,000,000 one dollar coins which shall—

- (1) weigh 26.73 grams,
- (2) have a diameter of 1.500 inches, and
- (3) contain 90 percent silver and 10 percent copper.

(c) HALF DOLLAR CLAD COINS.—The Secretary shall issue not more than 2,000,000 half dollar coins which shall be minted to the specifications for half dollar coins contained in section 5112(b) of title 31, United States Code.

(d) DESIGN.—

(1) DESIGN REQUIREMENTS.—The design of the coins authorized under this Act shall be emblematic of the Civil War. On each such coin there shall be a designation of the value of the coin, an inscription of the year "1995", and inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(2) SELECTION OF DESIGN.—The Secretary shall select the design of each coin authorized under this Act after consultation with the Secretary of the Interior, the Commission of Fine Arts, and the Civil War Battlefield Foundation (hereafter in this Act referred to as the "Foundation").

(e) LEGAL TENDER.—The coins issued under this Act shall be legal tender as provided in section 5103 of title 31, United States Code.

(f) TERMINATION OF AUTHORITY.—Coins may not be minted under this Act after December 31, 1995.

## PUBLIC LAW 102-379—OCT. 5, 1992

106 STAT. 1363

(g) **PROOF AND UNCIRCULATED COINS.**—The coins authorized under this section shall be issued in uncirculated and proof qualities.

(h) **BUREAU OF THE MINT.**—Not more than 1 facility of the Bureau of the Mint may be used to strike any particular combination of denomination and quality of coins under this Act.

## SEC. 3. SOURCES OF BULLION.

31 USC 5112  
note.

(a) **GOLD.**—The Secretary shall obtain gold for the coins minted under this Act pursuant to the authority of the Secretary under existing law.

(b) **SILVER.**—The Secretary shall obtain silver for the coins minted under this Act only from stockpiles established under the Strategic and Critical Minerals Stock Piling Act (50 U.S.C. 98 et seq.).

31 USC 5112  
note.

## SEC. 4. SALE OF COINS.

(a) **SALE PRICE.**—Notwithstanding any other provision of law, the coins issued under this Act shall be sold by the Secretary at a price equal to the face value, used in minting such coins, plus the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **BULK SALES.**—The Secretary shall make bulk sales of coins issued under this Act at a reasonable discount.

(c) **PREPAID ORDERS AT A DISCOUNT.**—The Secretary shall accept prepaid orders for the coins issued under this Act prior to the issuance of such coins. Sales under this subsection shall be at a reasonable discount.

(d) **SURCHARGE REQUIRED.**—All sales of coins issued under this Act shall include a surcharge of \$35 per coin for the five dollar coins, \$7 per coin for the one dollar coins, and \$2 per coin for the half dollar coins.

(e) **MARKETING.**—The Secretary, in cooperation with the Foundation, shall develop and implement a marketing program to promote and sell the coins authorized under this Act both within the United States and internationally.

31 USC 5112  
note.

## SEC. 5. COINAGE PROFIT FUND.

(a) **DEPOSITS.**—All amounts received from the sale of coins issued under this Act shall be deposited into the coinage profit fund.

(b) **PAYMENTS.**—The Secretary shall pay the amounts authorized under section 6 from the coinage profit fund.

(c) **EXPENDITURES.**—The Secretary shall charge the coinage profit fund with all expenditures under this Act.

31 USC 5112  
note.

## SEC. 6. DISTRIBUTION AND USE OF SURCHARGES.

(a) **DISTRIBUTION.**—Notwithstanding any other provision of law, the total surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Foundation and used by the Foundation for the preservation of historically significant Civil War battlefields.

(b) **APPROVAL OF EXPENDITURES REQUIRED.**—The Foundation may not expend any amount attributable to amounts paid to the Foundation under this section unless the Secretary of the Interior approves that expenditure.



106 STAT. 1364

PUBLIC LAW 102-379—OCT. 5, 1992

(c) ACCOUNTING.—The Foundation shall account for all sums received by the Foundation under this section in accordance with generally accepted accounting principles and shall utilize such sums in a prudent manner to achieve battlefield protection. The books and records of the Foundation shall be made available to the Secretary and the Secretary of the Interior upon request.

(d) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Foundation as may be related to the expenditure of amounts paid to the Foundation under this section.

31 USC 5112  
note.

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

31 USC 5112  
note.

SEC. 8. FINANCIAL ASSURANCES.

(a) NO NET COST.—The Secretary shall take such actions as may be necessary to ensure that the minting and issuance of coins under this Act will not result in any net cost to the Federal Government.

(b) FULL PAYMENT.—No coin shall be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

31 USC 5112  
note.

SEC. 9. REPORTS TO CONGRESS.

(a) REPORTS REQUIRED.—Not later than 15 days after the last day of each calendar quarter which ends before April 1, 1996, the Secretary shall transmit to the Committee on Banking, Finance

PUBLIC LAW 102-379—OCT. 5, 1992

106 STAT. 1365

and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report detailing activities carried out under this Act during such quarter.

(b) CONTENTS OF REPORT.—The report shall include a review of all marketing activities under section 4 and a financial statement.

Approved October 5, 1992.

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LEGISLATIVE HISTORY—H.R. 5126:

CONGRESSIONAL RECORD, Vol. 138 (1992):

June 30, considered and passed House.

Sept. 18, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 5, Presidential statement.

**9. Japanese American National Historic Landmark Theme Study Act**

PUBLIC LAW 102-248—MAR. 3, 1992

106 STAT. 40

Public Law 102-248  
102d Congress

An Act

To establish the Manzanar National Historic Site in the State of California, and for other purposes.

Mar. 3, 1992  
[H.R. 543]

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

\* \* \* \* \*

TITLE II—JAPANESE AMERICAN NATIONAL HISTORIC LANDMARK THEME STUDY

106 STAT. 42  
Japanese American National Historic Landmark Theme Study Act.

SEC. 201. SHORT TITLE.

This title may be cited as the “Japanese American National Historic Landmark Theme Study Act”.

SEC. 202. THEME STUDY.

(a) STUDY.—The Secretary of the Interior (hereinafter in this title referred to as the “Secretary”) is authorized and directed to prepare and transmit to the Congress no later than 2 years after the date funds are made available for this title a National Historic Landmark Theme Study on Japanese American history (hereinafter in this title referred to as the “Theme Study”). The purpose of the Theme Study shall be to identify the key sites in Japanese American history that illustrate the period in American history when personal justice was denied Japanese Americans. The Theme Study shall identify, evaluate, and nominate as national historic landmarks those sites, buildings, and structures that best illustrate or commemorate the period in American history from 1941 to 1946 when Japanese Americans were ordered to be detained, relocated, or excluded pursuant to Executive Order Number 9066, and other actions. The study shall include (but not be limited to) the following sites:

(1) Internment and temporary detention camps where Japanese Americans were relocated, detained, and excluded pursuant to Executive Order Number 9066, issued on February 19, 1942. The internment camps include: Tule Lake, California; Rohwer, Arkansas; Gila River, Arizona; Poston, Arizona; Granada, Colorado; Jerome, Arkansas; Heart Mountain, Wyoming; Minidoka, Idaho; and Topaz, Utah. The temporary detention camps include: Pomona, California; Santa Anita, California; Fresno, California; Pinedale, California; Tanforan in San Bruno, California; Sacramento, California; Marysville, California; Mayer, Arizona; Salinas, California; Turlock, California; Merced, California; Stockton, California; Tulare, California; Puyallup, Washington; and Portland, Oregon.

106 STAT. 43

(2) Angel Island California, the port of entry for many Japanese Issei.

(3) Camp Shelby, Mississippi, the training ground for the 442nd Infantry Regimental Combat Team.

(4) Camp Savage and Fort Snelling, Minnesota, locations for the Military Intelligence Service Language School where Japanese Americans received Japanese language instruction, enabling the Japanese Americans to translate Japanese war plans into English.

(5) Camp McCoy, Wisconsin, where the 100th Infantry Battalion was trained.

(6) Terminal Island, California, the first location where Japanese Americans were forced to evacuate.

(7) Bainbridge Island, Washington, where Japanese Americans were evacuated pursuant to Exclusion Order Number 1.

(8) Immigration and Naturalization Service internment camps at Crystal City, Kennedy, and Seagoville, Texas, Missoula, Montana, and Bismarck, North Dakota.

(b) IDENTIFICATION AND LIST.—On the basis of the Theme Study, the Secretary shall identify possible new national historic landmarks appropriate to this theme and prepare a list in order of importance or merit of the most appropriate sites for national historic landmark designation.

#### SEC. 203. CONSULTATION.

In carrying out the study, the Secretary shall consult with Japanese American citizens groups, scholars of Japanese American history, and historic preservationists. In preparing the study, if the Secretary determines that it is necessary to have access to Indian lands, the Secretary shall request permission from the appropriate tribe.

#### SEC. 204. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with one or more Japanese American citizens organizations knowledgeable of Japanese American history, especially the relocation and internment period during World War II to prepare the Theme Study and ensure that the Theme Study meets current scholarly standards.

#### SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

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

Approved March 3, 1992.

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#### LEGISLATIVE HISTORY—H.R. 543:

HOUSE REPORTS: No. 102-125 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-236 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 137 (1991): June 24, considered and passed House.

Nov. 26, considered and passed Senate, amended.

Vol. 138 (1992): Feb. 18, 19, House considered and concurred in Senate amendments.

**10. Jefferson Commemorative Coin Act and United States  
Veterans Commemorative Coin Act**

PUBLIC LAW 103-186—DEC. 14, 1993

107 STAT. 2245

Public Law 103-186  
103d Congress

An Act

To require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of Thomas Jefferson, Americans who have been prisoners of war, the Vietnam Veterans Memorial on the occasion of the 10th anniversary of the Memorial, and the Women in Military Service for America Memorial, and for other purposes.

Dec. 14, 1993  
[H.R. 3616]

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

TITLE I—THOMAS JEFFERSON  
COMMORATIVE COIN

Jefferson  
Commemorative  
Coin Act of  
1993.  
31 USC 5112  
note.

SEC. 101. SHORT TITLE.

This title may be cited as the “Jefferson Commemorative Coin Act of 1993”.

SEC. 102. COIN SPECIFICATIONS.

(a) ONE-DOLLAR SILVER COINS.—

(1) ISSUANCE.—The Secretary of the Treasury (hereafter in this title referred to as the “Secretary,”) shall issue not more than 600,000 one-dollar coins, which shall—

- (A) weigh 26.73 grams;
- (B) have a diameter of 1.500 inches; and
- (C) contain 90 percent silver and 10 percent copper.

(2) DESIGN.—The design of the coins issued under this title shall be emblematic of a profile of Thomas Jefferson and a frontal view of his home Monticello. On each coin there shall be a designation of the value of the coin, an inscription of the year “1993”, and inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) LEGAL TENDER.—The coins issued under this title shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5132(a)(1) of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

SEC. 103. SOURCES OF BULLION.

The Secretary shall obtain silver for the coins minted under this title only from stockpiles established under the Strategic and Critical Minerals Stock Piling Act.

## SEC. 104. SELECTION OF DESIGN.

Subject to section 102(a)(2), the design for the coins authorized by this title shall be—

(1) selected by the Secretary after consultation with the Executive Director of the Thomas Jefferson Memorial Foundation and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Advisory Committee.

## SEC. 105. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this title shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this title.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this title during the period beginning on May 1, 1994, and ending on April 30, 1995.

## SEC. 106. SALE OF COINS.

(a) SALE PRICE.—The coins authorized under this title shall be sold by the Secretary at a price equal to the sum of the face value of the coins, the surcharge provided in subsection (c) with respect to such coins, and the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) PREPAID ORDERS.—The Secretary shall accept prepaid orders for the coins authorized under this title prior to the issuance of such coins. Sale prices with respect to such prepaid orders shall be at a reasonable discount.

(c) SURCHARGES.—All sales shall include a surcharge of \$10 per coin.

## SEC. 107. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this title.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity.

## SEC. 108. DISTRIBUTION OF SURCHARGES.

All surcharges received by the Secretary from the sale of coins issued under this title shall be promptly paid by the Secretary—

(1) in the case of surcharges received in connection with the sale of the first 500,000 coins issued, to the Jefferson Endowment Fund, to be used—

(A) to establish and maintain an endowment to be a permanent source of support for Monticello and its historic furnishings; and

(B) for the Jefferson Endowment Fund's educational programs, including the International Center for Jefferson Studies; and

(2) in the case of surcharges received in connection with the sale of all other such coins, to the Corporation for Jefferson's



## PUBLIC LAW 103-186—DEC. 14, 1993

107 STAT. 2247

Poplar Forest, to be used for the restoration and maintenance of Poplar Forest.

## SEC. 109. AUDITS.

The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the entities specified in section 108, as may be related to the expenditures of amounts paid under section 108.

## SEC. 110. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this title unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

TITLE II—UNITED STATES VETERANS  
COMMEMORATIVE COINS

## SEC. 201. SHORT TITLE.

This title may be cited as the “United States Veterans Commemorative Coin Act of 1993”.

## SEC. 202. COIN SPECIFICATIONS.

(a) ONE-DOLLAR SILVER COINS.—

(1) ISSUANCE.—The Secretary of the Treasury (hereafter in this title referred to as the “Secretary”) shall issue one-dollar coins of 3 different designs, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(2) DESIGNATION OF VALUE AND INSCRIPTIONS.—On each coin there shall be a designation of the value of the coin, an inscription of the year “1994”, and inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(3) Design Of 3 Coins.—

(A) PRISONER-OF-WAR COMMEMORATIVE COIN.—1 type of coin issued under this title shall be a prisoner-of-war commemorative coin the design of which shall be emblematic of the experience of Americans who have been prisoners-of-war.

(B) VIETNAM VETERANS MEMORIAL COMMEMORATIVE COIN.—1 type of coin issued under this title shall be a Vietnam Veterans Memorial commemorative coin the design of which shall be emblematic of the Vietnam Veterans Memorial.

United States  
Veterans  
Commemorative  
Coin Act of  
1993.  
31 USC 5112  
note.



(C) WOMEN IN MILITARY SERVICE FOR AMERICA MEMORIAL COMMEMORATIVE COIN.—1 type of coin issued under this title shall be Women in Military Service for America Memorial commemorative coin the design of which shall be symbolic of women's service in the Armed Forces of the United States.

(4) MAXIMUM NUMBER FOR COINS OF EACH DESIGN.—The Secretary shall issue no more than 500,000 coins of each design.

(b) LEGAL TENDER.—The coins issued under this title shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5132(a)(1) of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

#### SEC. 203. SOURCES OF BULLION.

The Secretary shall obtain silver for the coins minted under this title only from stockpiles established under the Strategic and Critical Minerals Stock Piling Act.

#### SEC. 204. SELECTION OF DESIGN.

Subject to section 202(a)(3), the design for the coins authorized by this title shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts and—

(A) in the case of the coin described in section 202(a)(3)(B), the Vietnam Veterans Memorial Fund; and

(B) in the case of the coin described in section 202(a)(3)(C), the Women in Military Service for America Memorial Foundation, Incorporated; and

(2) reviewed by the Citizens Commemorative Advisory Committee.

#### SEC. 205. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this title shall be sold by the Secretary at a price equal to the face value, plus the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, and overhead expenses) and the surcharge provided for in subsection (d).

(b) BULK SALES.—The Secretary shall make bulk sales at a reasonable discount.

(c) PREPAID ORDERS.—The Secretary shall accept prepaid orders for the coins issued under this title before the issuance of such coins. Sales under this subsection shall be at a reasonable discount to reflect the benefit of prepayment.

(d) SURCHARGES.—All sales of coins issued under this title shall include a surcharge of \$10 per coin.

#### SEC. 206. ISSUANCE OF THE COINS.

(a) COMMENCEMENT OF ISSUANCE.—The coins minted under this title may be issued beginning May 1, 1994.

(b) TERMINATION OF AUTHORITY.—The coins authorized under this title may not be minted after April 30, 1995.

(c) PROOF AND UNCIRCULATED COINS.—The coins authorized under this title shall be issued in uncirculated and proof qualities.

(d) 3-COIN SETS.—

(1) IN GENERAL.—In addition to any other manner and form of sales of coins minted under this title, the Secretary

## PUBLIC LAW 103-186—DEC. 14, 1993

107 STAT. 2249

shall make a portion of such coins available for sale in 3-coin sets containing 1 of each of the 3 designs of coins required pursuant to section 202(a)(3).

(2) NUMBER OF SETS.—The number of 3-coin sets made available pursuant to paragraph (1) shall be at the discretion of the Secretary.

## SEC. 207. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this title.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity.

## SEC. 208. DISTRIBUTION OF SURCHARGES.

(a) PRISONER-OF-WAR COMMEMORATIVE COINS.—Except as provided in subsection (d), an amount equal to the surcharges received by the Secretary from the sale of prisoner-of-war commemorative coins described in section 202(a)(3)(A) shall be promptly paid by the Secretary in the order that follows:

(1) AMOUNTS TO BE MADE AVAILABLE FOR CONSTRUCTION OF MUSEUM.—The Secretary of the Treasury shall make available to the Secretary of the Interior the first \$3,000,000 of such surcharges for the construction of the Andersonville Prisoner-of-War Museum in Andersonville, Georgia.

(2) AMOUNTS TO BE PAID TO ENDOWMENT FUND.—After payment of the amount required by paragraph (1), the Secretary of the Treasury shall pay 50 percent of the remaining surcharges to the endowment fund established pursuant to section 209(a).

(3) AMOUNTS TO BE PAID TO MAINTAIN NATIONAL CEMETERIES.—After payment of the amount required by paragraph (1), the Secretary shall pay 50 percent of the remaining surcharges to the Secretary of Veterans Affairs for purposes of maintaining national cemeteries pursuant to chapter 24 of title 38, United States Code.

(b) VIETNAM VETERANS MEMORIAL COMMEMORATIVE COINS.—Except as provided in subsection (d), an amount equal to the surcharges received by the Secretary from the sale of Vietnam Veterans Memorial commemorative coins described in section 202(a)(3)(B) shall be promptly paid by the Secretary to the Vietnam Veterans Memorial Fund to assist the Fund's efforts to raise an endowment to be a permanent source of support for the repair, maintenance, and addition of names to the Vietnam Veterans Memorial.

(c) WOMEN IN MILITARY SERVICE FOR AMERICA MEMORIAL COMMEMORATIVE COINS.—Except as provided in subsection (d), an amount equal to the surcharges received by the Secretary from the sale of Women in Military Service for America Memorial commemorative coins described in section 202(a)(3)(C) shall be promptly paid by the Secretary to the Women in Military Service for America Memorial Foundation, Inc., for the purpose of creating, endowing, and dedicating the Women in Military Service for America Memorial.

(d) SURCHARGES FROM 3-COIN SETS.—In the case of surcharges derived from the sale of 3-coin sets pursuant to section 206(d)—



- (1) 1/3 of such amount shall be distributed as provided in subsection (a); and
- (2) 1/3 shall be distributed as provided in subsection (b); and
- (3) 1/3 shall be distributed as provided in subsection (c).

SEC. 209. ANDERSONVILLE PRISONER-OF-WAR MUSEUM ENDOWMENT FUND.

(a) ESTABLISHMENT.—There is hereby established in the Department of the Interior an endowment fund (hereinafter in this section referred to as the “fund”) to be administered by the Secretary of the Interior and to consist of the amounts deposited under subsection (b).

(b) DEPOSIT INTO FUND.—

(1) DEPOSIT FROM SURCHARGES.—There shall be deposited into the fund such amounts that are paid by the Secretary under section 208(a)(2).

(2) INVESTMENT.—The Secretary of the Interior shall have the authority to invest the portion of the fund that is not, in the determination of such Secretary, required to meet the current needs of the fund, in obligations of the United States or in obligations guaranteed as to the principal and interest by the United States. In making such investments, the Secretary of the Interior shall select obligations having maturities suitable to the needs of the fund.

(c) EXPENDITURES.—The Secretary of the Interior may use the amounts deposited in the fund under this title to pay for the maintenance of the Andersonville Prisoner-of-War Museum in Andersonville, Georgia.

SEC. 210. AUDITS.

The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the entities specified in section 208, as may be related to the expenditures of amounts paid under section 208.

SEC. 211. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this title unless the Secretary has received—

- (1) full payment for the coin;
- (2) security satisfactory to the Secretary to indemnify the United States for full payment; or
- (3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

## PUBLIC LAW 103-186—DEC. 14, 1993

107 STAT. 2251

TITLE III—REFORM OF  
COMMEMORATIVE COIN PROGRAMS31 USC 5112  
note.

## SEC. 301. SENSE OF CONGRESS RESOLUTION.

(a) FINDINGS.—The Congress hereby makes the following findings:

(1) Congress has authorized 18 commemorative coin programs in the 9 years since 1984.

(2) There are more meritorious causes, events, and people worthy of commemoration than can be honored with commemorative coinage.

(3) Commemorative coin legislation has increased at a pace beyond that which the numismatic community can reasonably be expected to absorb.

(4) It is in the interests of all Members of Congress that a policy be established to control the flow of commemorative coin legislation.

(b) DECLARATION.—It is the sense of the Congress that the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate should not report or otherwise clear for consideration by the House of Representatives or the Senate legislation providing for more than 2 commemorative coin programs for any year, unless the committee determines, on the basis of a recommendation by the Citizens Commemorative Coin Advisory Committee, that extraordinary merit exists for an additional commemorative coin program.

## SEC. 302. REPORTS BY RECIPIENTS OF COMMEMORATIVE COIN SURCHARGES.

(a) QUARTERLY FINANCIAL REPORT.—

(1) IN GENERAL.—Each person who receives, after the date of the enactment of this Act, any surcharge derived from the sale of commemorative coins under any Act of Congress shall submit a quarterly financial report to the Director of the United States Mint and the Comptroller General of the United States describing in detail the expenditures made by such person from the proceeds of the surcharge.

(2) INFORMATION TO BE INCLUDED.—The report under paragraph (1) shall include information on the proportion of the surcharges received during the period covered by the report to the total revenue of such person during such period, expressed as a percentage, and the percentage of total revenue during such period which was spent on administrative expenses (including salaries, travel, overhead, and fund raising).

(3) DUE DATES.—Quarterly reports under this subsection shall be due at the end of the 30-day period beginning on the last day of any calendar quarter during which any surcharge derived from the sale of commemorative coins is received by any person.

(b) FINAL REPORT.—Each person who receives, after the date of the enactment of this Act, any surcharge derived from the sale of commemorative coins under any Act of Congress shall submit a final report on the expenditures made by such person from the proceeds of all surcharges received by such person, including information described in subsection (a)(2), before the end of the



107 STAT. 2252

PUBLIC LAW 103-186—DEC. 14, 1993

1-year period beginning on the last day on which sales of such coins may be made.

SEC. 303. GAO REPORTS TO CONGRESS.

Before the end of the 1-year period beginning on the last day on which sales of commemorative coins may be made under the Act of Congress which authorized such coins, the Comptroller General of the United States shall submit a financial accounting statement to the Congress on the payment of any surcharges derived from the sale of such coins and the use and expenditure of the proceeds of such surcharges by any recipient (other than a recipient which is an agency or department of the Federal Government) based on the reports filed by such recipient with the Comptroller General in accordance with section 302 and any audit of such recipient which is conducted by the Comptroller General with respect to the use and expenditure of such proceeds.

Bicentennial of  
the United  
States Capitol  
Commemorative  
Coin Act.  
31 USC 5112  
note.

TITLE IV—BICENTENNIAL OF THE UNITED  
STATES CAPITOL COMMEMORATIVE COIN ACT

SEC. 401. SHORT TITLE.

This title may be cited as the “Bicentennial of the United States Capitol Commemorative Coin Act”.

SEC. 402. SPECIFICATIONS OF COINS.

(a) ONE-DOLLAR SILVER COINS.—

(1) ISSUANCE.—The Secretary of the Treasury (hereinafter in this title referred to as the “Secretary”) shall mint and issue not more than 500,000 one-dollar coins each of which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) be composed of 90 percent silver and 10 percent copper.

(2) DESIGN.—The design of the one-dollar coins shall, in accordance with section 404, be emblematic of the bicentennial of the United States Capitol. Each one-dollar coin shall bear a designation of the value of the coin, an inscription of the year “1994”, and inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) LEGAL TENDER.—The coins minted under this title shall be legal tender as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5132(a)(1) of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

SEC. 403. SOURCES OF BULLION.

The Secretary shall obtain silver for minting coins under this title only from stockpiles established under the Strategic and Critical Minerals Stock Piling Act.

SEC. 404. DESIGN OF COINS.

The design for the coin authorized by this title shall be selected by the Secretary after consultation with the Speaker of the House



## PUBLIC LAW 103-186—DEC. 14, 1993

107 STAT. 2253

of Representatives, the President pro tempore of the Senate, and the Commission of Fine Arts.

## SEC. 405. ISSUANCE OF COINS.

(a) ONE-DOLLAR COINS.—The one-dollar coins minted under this title may be issued in uncirculated and proof qualities, except that not more than 1 facility of the United States Mint may used to strike any particular quality.

(b) COMMENCEMENT OF ISSUANCE.—The Secretary may issue the coins minted under this title beginning May 1, 1994.

(c) TERMINATION OF AUTHORITY.—Coins may not be minted under this title after April 30, 1995.

(d) CONTRACTS.—Any contract to be made by the Secretary involving the promotion, advertising, or marketing of any coins authorized under this title shall be valid only upon approval by the United States Capitol Preservation Commission.

## SEC. 406. SALE OF COINS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall sell the coins minted under this title at a price equal to the face value, plus the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, and overhead expenses).

(b) BULK SALES.—The Secretary shall make any bulk sales of the coins minted under this title at a reasonable discount.

(c) PREPAID ORDERS.—The Secretary shall accept prepaid orders for the coins minted under this title prior to the issuance of such coins. Sale prices with respect to such prepaid orders shall be at a reasonable discount.

(d) SURCHARGES.—All sales of coins minted under this title shall include a surcharge of \$15 per coin.

## SEC. 407. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this title unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

## SEC. 408. USE OF SURCHARGES.

(a) USE OF SURCHARGES.—All surcharges that are received by the Secretary from the sale of coins minted under this title shall be deposited in the Capitol Preservation Fund and be available to the United States Capitol Preservation Commission.

(b) TECHNICAL AMENDMENT.—Section 8(b)(1) of Public Law 100-673 is amended to read as follows:

“(2) LIMITATIONS ON REIMBURSEMENTS.—No amount received by the Commission from the Capitol Preservation Fund from the sale of coins minted under this Act may be used to pay representational expenses of the Commission.”.

31 USC 5112  
note.

107 STAT. 2254

PUBLIC LAW 103-186—DEC. 14, 1993

## SEC. 409. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this title.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity.

Approved December 14, 1993.

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**LEGISLATIVE HISTORY—H.R. 3616:**  
CONGRESSIONAL RECORD, Vol. 139 (1993):  
Nov. 22, considered and passed House.  
Nov. 24, considered and passed Senate.



**11. Knox and Boyd Counties, Nebraska (Study)**

PUBLIC LAW 102-50—MAY 24, 1991

105 STAT. 254

Public Law 102-50  
102d Congress

An Act

To amend the Wild and Scenic Rivers Act to designate certain segments of the Niobrara River in Nebraska and a segment of the Missouri River in Nebraska and South Dakota as components of the wild and scenic rivers system, and for other purposes.

May 24, 1991  
[S. 248]

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

\* \* \* \* \*

SEC. 7. NATIONAL RECREATION AREA STUDY.

105 STAT. 256

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, shall undertake and complete a study, within 18 months after the date of enactment of this section, regarding the feasibility and suitability of the designation of lands in Knox County and Boyd County, Nebraska, generally adjacent to the recreational river segments designated by the amendments made by section 2 of this Act and adjacent to the Lewis and Clark Reservoir, as a national recreation area. The Secretary may provide grants and technical assistance to the State of Nebraska, the Santee Sioux Indian Tribal Council, and the political subdivisions having jurisdiction over lands in these 2 counties to assist the Secretary in carrying out such study. The study under this section shall be prepared in consultation with the Santee Sioux Tribe, affected political subdivisions, and relevant State agencies. The study shall include as a minimum each of the following:

16 USC 1274  
note.

- (1) A comprehensive evaluation of the public recreational opportunities and the flood plain management options which are available with respect to the river and creek corridors involved.
- (2) An evaluation of the natural, historical, paleontological, and recreational resources and values of such corridors.
- (3) Recommendations for possible land acquisition within the corridor which are deemed necessary for the purpose of resource protection, scenic protection and integrity, recreational activities, or management and administration of the corridor areas.
- (4) Alternative cooperative management proposals for the administration and development of the corridor areas.
- (5) An analysis of the number of visitors and types of public use within the corridor areas that can be accommodated in accordance with the full protection of its resources.
- (6) An analysis of the facilities deemed necessary to accommodate and provide access for such recreational uses by visitors, including the location and estimated costs of such facilities.

105 STAT. 257

105 STAT. 257

PUBLIC LAW 102-50—MAY 24, 1991

(b) SUBMISSION OF REPORT.—The results of such study shall be 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.

\* \* \* \* \*

105 STAT. 258  
16 USC 1274  
note.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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

Approved May 24, 1991.

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**LEGISLATIVE HISTORY—S. 248:**

HOUSE REPORTS: No. 102-51, Pt. 1 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-19 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 137 (1991):

Apr. 17, considered and passed Senate.

May 14, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 137 (1991):

May 24, Presidential statement.

**12. Lechuguilla Cave Protection Act**

PUBLIC LAW 103-169—DEC. 2, 1993

107 STAT. 1983

Public Law 103-169  
103d Congress

An Act

To protect Lechuguilla Cave and other resources and values in and adjacent to  
Carlsbad Caverns National Park.

Dec. 2, 1993  
[H.R. 698]

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lechuguilla Cave Protection Act of  
1993”.

Lechuguilla  
Cave  
Protection  
Act of  
1993.  
16 USC 4301  
note.  
16 USC 4301  
note.

SEC. 2. FINDING.

Congress finds that Lechuguilla Cave and adjacent public lands  
have internationally significant scientific, environmental, and other  
values, and should be retained in public ownership and protected  
against adverse effects of mineral exploration and development and  
other activities presenting threats to the areas.

SEC. 3. LAND WITHDRAWAL.

(a) WITHDRAWAL.—Subject to valid existing rights, all Federal  
lands within the boundaries of the cave protection area described in  
subsection (b) 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.

USC 4301  
note.

(b) Land Description.—The cave protection area referred to in  
subsection (a) shall consist of approximately 6,280 acres of lands in  
New Mexico as generally depicted on the map entitled “Lechuguilla  
Cave Protection Area” numbered 130/80,055 and dated April 1993.

107 STAT. 1983

PUBLIC LAW 103-169—DEC. 2, 1993

Federal  
Register,  
publication.

(c) PUBLICATION, FILING, CORRECTION, AND INSPECTION.—(1) As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall publish in the Federal Register the legal description of the lands withdrawn under subsection (a) and shall file such legal description and a detailed map with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives.

107 STAT. 1984

(2) Such map and legal description shall have the same force and effect as if included in this Act except that the Secretary may correct clerical and typographical errors.

(3) Copies of such map and legal description shall be available for inspection in the appropriate offices of the Bureau of Land Management.

16 USC 4301  
note.

SEC. 4. MANAGEMENT OF EXISTING LEASES.

(a) SUSPENSION.—The Secretary shall not permit any new drilling on or involving any Federal mineral or geothermal lease within the cave protection area referred to in section 3(a) until the effective date of the Record of Decision for the Dark Canyon Environmental Impact Statement, or for 12 months after the date of enactment of this Act, whichever occurs first.

PUBLIC LAW 103-169—DEC. 2, 1993

107 STAT. 1984

(b) **AUTHORITY TO CANCEL EXISTING MINERAL OR GEOTHERMAL LEASES.**—Upon the effective date of the Record of Decision for the Dark Canyon Environmental Impact Statement and in order to protect Lechuguilla Cave or other cave resources, the Secretary is authorized to—

(1) cancel any Federal mineral or geothermal lease in the cave protection area referred to in section 3(a); or

(2) enter into negotiations with the holder of a Federal mineral or geothermal lease in the cave protection area referred to in section 3(a) to determine appropriate compensation, if any, for the complete or partial termination of such lease.

SEC. 5. **ADDITIONAL PROTECTION AND RELATION TO OTHER LAWS.**

16 USC 4301  
note.

(a) **IN GENERAL.**—In order to protect Lechuguilla Cave or Federal lands within the cave protection area, the Secretary, subject to valid existing rights, may limit or prohibit access to or across lands owned by the United States or prohibit the removal from such lands of any mineral, geological, or cave resources: *Provided*, That existing access to private lands within the cave protection area shall not be affected by this subsection.

(b) **NO EFFECT ON PIPELINES.**—Nothing in this title shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair, and replacement activities in such right-of-way; prohibiting the upgrading of and construction on existing facilities in such right-of-way for the purpose of increasing capacity of the existing pipeline; or prohibiting the renewal of such right-of-way within the cave protection area referred to in section 3(a).

(c) **RELATION TO OTHER LAWS.**—Nothing in this Act shall be construed as increasing or diminishing the ability of any party to seek compensation pursuant to other applicable law, including but not limited to the Tucker Act (28 U.S.C. 1491), or as precluding any defenses or claims otherwise available to the United States in connection with any action seeking such compensation from the United States.

107 STAT. 1985

PUBLIC LAW 103-169—DEC. 2, 1993

16 USC 4301  
note.

## SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized to be appropriated such sums as may be necessary to carry out this Act: *Provided*, That no funds shall be made available except to the extent, or in such amounts as are provided in advance in appropriation Acts.

Approved December 2, 1993.

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**LEGISLATIVE HISTORY—H.R. 698:**

HOUSE REPORTS: No. 103-86 (Comm. on Natural Resources).

CONGRESSIONAL RECORD, Vol. 139 (1993):

May 11, considered and passed House.

Nov. 18, considered and passed Senate, amended.

Nov. 21, House concurred in Senate amendment.

**13. Lower Mississippi Delta Region Initiatives**

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4471

Public Law 103-433  
103d Congress

An Act

To designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks, to establish the Mojave National Preserve, and for other purposes.

Oct. 31, 1994  
[S. 21]

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

Conservation.

\* \* \* \* \*

TITLE XI—LOWER MISSISSIPPI DELTA  
REGION INITIATIVES

108 STAT. 4512  
16 USC 1a-5  
note.

SEC. 1101. FINDINGS.

(a) The Congress finds that—

(1) in 1988, Congress enacted Public Law 100-460, establishing the Lower Mississippi Delta Development Commission, to assess the needs, problems, and opportunities of people living in the Lower Mississippi Delta Region that includes 219 counties and parishes within the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee;

(2) the Commission conducted a thorough investigation to assess these needs, problems, and opportunities, and held several public hearings throughout the Delta Region;

(3) on the basis of these investigations, the Commission issued the Delta Initiatives Report, which included recommendations on natural resource protection, historic preservation, and the enhancement of educational and other opportunities for Delta residents;

(4) the Delta Initiatives Report recommended—

(A) designating the Great River Road as a scenic byway, and designating other hiking and motorized trails throughout the Delta Region;

(B) that the Federal Government identify sites and structures of historic and prehistoric importance throughout the Delta Region;

(C) the further study of potential new units of the National Park System within the Delta Region; and

(D) that Federal agencies target more monies in the Delta Region, especially Historically Black Colleges and Universities.

108 STAT. 4513

PUBLIC LAW 103-433—OCT. 31, 1994

## SEC. 1102. DEFINITIONS.

As used in this title, the term—

(1) “Commission” means the Lower Mississippi Delta Development Commission established pursuant to Public Law 100-460;

(2) “Delta Initiatives Report” means the May 14, 1990 Final Report of the Commission entitled “The Delta Initiatives: Realizing the Dream . . . Fulfilling the Potential”;

(3) “Delta Region” means the Lower Mississippi Delta Region including the 219 counties and parishes within the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, as defined in the Delta Initiatives Report, except that, for any State for which the Delta Region as defined in such report comprises more than half of the geographic area of such State, the entire State shall be considered part of the Delta Region for purposes of this title;

(4) “Department” means the United States Department of the Interior, unless otherwise specifically stated;

(5) “Historically Black College or University” means a college or university that would be considered a “part B institution” by section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2));

(6) “minority college or university” means a Historically Black College or University that would be considered a “part B institution” by section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) or a “minority institution” as that term is defined in section 1046 of the Higher Education Act of 1965 (20 U.S.C. 1135d-5(3));

(7) “Secretary” means the Secretary of the Interior, unless otherwise specifically stated.

## SEC. 1103. LOWER MISSISSIPPI DELTA REGION HERITAGE STUDY.

(a) IN GENERAL.—The Secretary, in consultation with the States of the Delta Region, the Lower Mississippi Delta Development Center, and other appropriate Delta Region institutions, is directed to prepare and transmit to the Congress within three years after the date of the enactment of this title, a study of significant natural, recreational, historical or prehistorical, and cultural lands, waters, sites, and structures located within the Delta Region. This study shall take into consideration the research and inventory of resources conducted by the Mississippi River Heritage Corridor Study Commission.

(b) TRANSPORTATION ROUTES.—(1) The study shall include recommendations on appropriate designation and interpretation of historically significant roads, trails, byways, waterways, or other routes within the Delta Region.

(2) In order to provide for public appreciation, education, understanding, interpretation, and enjoyment of the significant sites identified pursuant to subsection (a), which are accessible by public roads, the Secretary shall recommend in the study vehicular tour routes along existing public roads linking such sites within the Delta Region.

(3) Such recommendations shall include an analysis of designating the Great River Road (as depicted on the map entitled “Proposed Delta Transportation Network” on pages 102-103 of the Delta Initiatives Report) and other sections of the Great River

Road between Baton Rouge and New Orleans, Louisiana and an analysis of des-

ignating that portion of the Old Antonio Road and the Louisiana Natchez Trace which extends generally along Highway 84 from Vidalia, Louisiana, to Clarence, Louisiana, and Louisiana Highway 6 from Clarence, Louisiana, to the Toledo Bend Reservoir, Louisiana, as a National Scenic Byway, or as a component of the National Trails System, or such other designation as the Secretary deems appropriate.

(4) The Secretary shall also recommend in the study an appropriate route along existing public roads to commemorate the importance of timber production and trade to the economic development of the Delta Region in the early twentieth century, and to highlight the continuing importance of timber production and trade to the economic life of the Delta Region. Recommendations shall include an analysis of designating that portion of US 165 which extends from Alexandria, Louisiana, to Monroe, Louisiana, as a National Scenic Byway, or as a component of the National Trails System, or such other designation as the Secretary deems appropriate.

(5) The study shall also include a comprehensive recreation, interpretive, and visitor use plan for the routes described in the above paragraphs, including bicycle and hiking paths, and make specific recommendations for the acquisition and construction or related interpretive and visitor information facilities at selected sites along such routes.

(6) The Secretary is authorized to make grants to States for work necessary to stabilize, maintain, and widen public roads to allow for adequate access to the nationally significant sites and structures identified by the study, to allow for proper use of the vehicular tour route, trails, byways, including the routes defined in paragraphs (3) and (4) or other public roads within the Delta Region and to implement the comprehensive recreation, interpretive, and visitor use plan required in paragraph (5).

(c) LISTING.—On the basis of the study, and in consultation with the National Trust for Historic Preservation, the Secretary shall inventory significant structures and sites in the Delta Region. The Secretary shall further recommend and encourage cooperative preservation and economic development efforts such as the establishment of preservation districts linking groups of contiguous counties or parishes, especially those that lie along the aforementioned designated routes. The Secretary shall prepare a list of the sites and structures for possible inclusion by the National Park Service as National Historic Landmarks or such other designation as the Secretary deems appropriate.

SEC. 1104. DELTA REGION HERITAGE CORRIDORS AND HERITAGE AND CULTURAL CENTERS.

(a) FINDINGS.—The Congress finds that—

(1) in 1990, the Congress authorized the Institute of Museum Services to prepare a report assessing the needs of small, emerging, minority, and rural museums in order to identify the resources such museums needed to meet their educational mission, to identify the areas of museum operation in which the needs were greatest, and to make recommendations on how these needs could best be met;

(2) the Institute of Museum Services undertook a comprehensive eighteen month study of such needs with the assistance of two advisory groups, surveyed 524 museums from throughout the Nation, held discussion groups in which rep-



representatives of 25 museum groups participated, and conducted case studies of 12 museum facilities around the Nation;

(3) on the basis of this assessment, the Institute of Museum Services issued a report in September, 1992, entitled, "National Needs Assessment of Small, Emerging, Minority and Rural Museums in the United States" (hereinafter "National Needs Assessment") which found that small, emerging, minority, and rural museums provide valuable educational and cultural resources for their communities and contain a reservoir of the Nation's material, cultural and historical heritage, but due to inadequate resources are unable to meet their full potential or the demands of the surrounding communities;

(4) the needs of these institutions are not being met through existing Federal programs;

(5) fewer than half of the participants in the survey had applied for Federal assistance in the past two years and that many small, emerging, minority and rural museums believe existing Federal programs do not meet their needs;

(6) based on the National Needs Assessment, that funding agencies should increase support available to small, emerging, minority, and rural museums and make specific recommendations for increasing technical assistance in order to identify such institutions and provide assistance to facilitate their participation in Federal programs;

(7) the Delta Initiatives Report made specific recommendations for the creation and development of centers for the preservation of the cultural, historical, and literary heritage of the Delta Region, including recommendations for the establishment of a Delta Region Native American Heritage and Cultural Center and a Delta Region African American Heritage and Cultural Center with additional satellite centers or museums linked throughout the Delta Region;

(8) the Delta Initiatives Report stated that new ways of coordinating, preserving, and promoting the Delta Region's literature, art, and music should be established including the creation of a network to promote the Delta Region's literary, artistic, and musical heritage; and

(9) wholesale destruction and attrition of archeological sites and structures has eliminated a significant portion of Native American heritage as well as the interpretive potential of the Delta Region's parks and museums. Furthermore, site and structure destruction is so severe that an ambitious program of site and structure acquisition in the Delta Region is necessary.

(b) IN GENERAL.—The Secretary, in consultation with the States of the Delta Region, the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the Director of the Smithsonian Institution, the Lower Mississippi Delta Development Center, Historically Black Colleges and Universities, and appropriate African American, Native American and other relevant institutions or organizations in the Delta Region, is further directed to prepare and transmit to the Congress a plan outlining specific recommendations, including recommendations for necessary funding, for the establishment of a Delta Region Native American Heritage Corridor and Heritage and Cultural Center and a Delta Region African American Heritage Corridor and

## PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4516

Heritage and Cultural Center with a network of satellite or cooperative units.

(c) DELTA REGION NATIVE AMERICAN HERITAGE CORRIDOR AND CULTURAL CENTER.—(1) The plan referred to in subsection (b) of this section shall include recommendations for establishing a network of parks, museums, and other centers to interpret Native American culture and heritage in the Delta Region, including a ten year development strategy for such a network.

(2) Such plan shall include specific proposals for the development of a Native American Heritage Corridor and Heritage and Cultural Center in the Delta Region, along with recommendations for the appropriate Federal role in such a center including matching grants, technical and interpretive assistance.

(3) Such plan shall be conducted in consultation with tribal leaders in the Delta Region.

(4) Such plan shall also include specific proposals for educational and training assistance for Delta Region Native Americans to carry out the recommendations provided in the study.

(d) DELTA REGION AFRICAN AMERICAN HERITAGE CORRIDOR AND HERITAGE AND CULTURAL CENTER.—(1) The plan referred to in subsection (b) of this section shall include recommendations for establishing a heritage corridor or trail system, consisting of one or two major north-south routes and several east-west-spur loops to preserve, interpret and commemorate the African American heritage and culture in the Delta Region during all significant historical periods.

(2) Such plan shall make specific recommendations for representing all forms of expressive culture including the musical, folklore, literary, artistic, scientific, historical, educational, and political contributions and accomplishments of African Americans in the Delta Region.

(3) Such plan shall make specific recommendations for implementing the findings of the Delta Initiatives Report with respect to establishing an African American Heritage Corridor and Heritage and Cultural Center and related satellite museums in the Delta Region, together with specific funding levels necessary to carry out these recommendations and shall also include recommendations for improving access of small, emerging, minority or rural museums to technical and financial assistance.

(4) Such plan shall be conducted in consultation with institutions of higher education in the Delta Region with expertise in African American studies, Southern studies, archeology, anthropology, history and other relevant fields.

(5) Such plan shall make specific recommendations for improving educational programs offered by existing cultural facilities and museums as well as establishing new outreach programs for elementary, middle and secondary schools, including summer programs for youth in the Delta Region.

(e) GRANTS.—(1) In furtherance of the purposes of this section, the Secretary is authorized to make planning grants to State Humanities Councils in the Delta Region to assist small, emerging, minority and rural museums selected on a financial needs basis in the development of a comprehensive long term plan for these institutions. The Secretary is also authorized to make implementation grants to State Humanities Councils in the Delta Region who, in consultations with State Museum Associations, shall make grants to small, emerging, minority or rural museums for the



108 STAT. 4517

PUBLIC LAW 103-433—OCT. 31, 1994

of carrying out an approved plan for training personnel, improving exhibits or other steps necessary to assure the integrity of collections in their facilities, for educational outreach programs, or for other activities the Secretary deems appropriate including the promotion of tourism in the region. Such institutions shall be selected competitively and on the basis of demonstrated financial need. The Secretary is also authorized to make grants to State Humanities Councils to update, simplify and coordinate the respective State Works Progress Administration guides and to develop a single comprehensive guide for the Delta Region.

(2) The Secretary is authorized to provide grants and other appropriate technical assistance to State Humanities Councils, State museum Associations, and State Arts Councils in the Delta Region for the purpose of assessing the needs of such institutions. Such grants may be used by these institutions to undertake such an assessment and to provide other technical, administrative and planning assistance to small, emerging, minority or rural institutions seeking to preserve the Delta Region's literary, artistic, and musical heritage.

(f) MUSIC HERITAGE PROGRAM.—(1) The plan referred to in subsection (b) of this section shall include recommendations for establishing a Music Heritage Program, with specific emphasis on the Mississippi Delta Blues. The plan shall include specific recommendations for developing a network of heritage sites, structures, small museums, and festivals in the Delta Region.

(2) The plan shall include an economic strategy for the promotion of the Delta Region's music, through the participation of musicians, festival developers, museum operators, universities, economic development districts, and other relevant individuals and organizations.

(g) COMPLETION DATE.—The plan authorized in this section shall be completed not later than three years after the date funds are made available for such plan.

Minorities.

## SEC. 1105. HISTORIC AND PREHISTORIC STRUCTURES AND SITES SURVEY.

(a) ASSISTANCE.—The Secretary is authorized to provide technical and financial assistance to Historically Black Colleges and Universities to undertake a comprehensive survey of historic and prehistoric structures and sites located on their campuses, including recommendations as to the inclusion of appropriate structures and sites on the National Register of Historic Places, designation as National Historic Landmarks, or other appropriate designation as determined by the Secretary. The Secretary shall also make specific proposals and recommendations, together with estimates of necessary funding levels, for a comprehensive plan to be carried out by the Department to assist Historically Black Colleges and Universities in the preservation and interpretation of such sites and structures.

(b) GRANTS.—In furtherance of the purposes of this section, the Secretary is authorized to provide technical and financial assistance to Historically Black Colleges and Universities for stabilization, preservation and interpretation of such sites and structures.

## SEC. 1106. DELTA ANTIQUITIES SURVEY.

(a) IN GENERAL.—(1) The Secretary is directed to prepare and transmit to the Congress, in cooperation with the States of the Delta Region, State Archaeological Surveys and Regional



Archeological Centers, a study of the feasibility of establishing a Delta Antiquities Trail or Delta Antiquities Heritage Corridor in the Delta Region.

(2) Such study shall, to the extent practicable, use nonintrusive methods of identifying, surveying, inventorying, and stabilizing ancient archeological sites and structures.

(3) In undertaking this study, the Secretary is directed to enter into cooperative agreements with the States of the Delta Region, the State Archeological Surveys, and Regional Archeological Centers located in Delta Region institutions of higher education for on-site activities including surveys, inventories, and stabilization and other activities which the Secretary deems appropriate.

(4) In addition to the over 100 known ancient archeological sites located in the Delta Region including Watson's Brake, Frenchman's Bend, Hedgepeth, Monte Sano, Banana Bayou, Hornsby, Parkin, Toltec, Menard-Hodges, Eaker, Blytheville Mound, Nodena, Taylor Mounds, DeSoto Mound and others, such study shall also employ every practical means possible, including assistance from the National Aeronautics and Space Administration, the Forest Service and Soil Conservation Service of the Department of Agriculture, the Army Corps of Engineers of the Department of Defense, and other appropriate Federal agencies, to locate and confirm the existence of a site known as Balbansha in southern Louisiana and a site known as Autiamque in Arkansas. The heads of these Federal agencies shall cooperate with the Secretary as the Secretary requires on a non-reimbursable basis.

(b) TECHNICAL ASSISTANCE.—In furtherance of the purposes of this section, the Secretary is authorized to provide technical assistance and grants to private landowners for necessary stabilization activities of identified sites and for preparing recommendations for designating such sites as National Landmarks or other appropriate designations as the Secretary, with the concurrence of the landowners, determines to be appropriate.

(c) COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into cooperative agreements with the States, State Archeological Surveys, and Regional Archeological Centers of the Delta Region to develop a ten-year plan for the stabilization, preservation and interpretation of those sites and structures as may be identified by the Secretary.

#### SEC. 1107. HISTORIC AND ARCHEOLOGICAL RESOURCES PROGRAM.

(a) PROGRAM.—The Secretary shall conduct a comprehensive program for the research, interpretation, and preservation of significant historic and archeological resources in the Delta Region.

(b) ELEMENTS OF THE PROGRAM.—The program shall include, but not be limited to—

(1) identification of research projects related to historic and archeological resources in the Delta Region and a proposal for the regular publication of related research materials and publications;

(2) the development of a survey program to investigate, inventory and further evaluate known historic and archeological sites and structures and identify those sites and structures that require additional study;

(3) identification of a core system of interpretive sites and structures that would provide a comprehensive overview of historic and archeological resources of the Delta Region;

(4) preparation of educational materials to interpret the historical and archeological resources of the Delta Region;

(5) preparation of surveys and archeological and historical investigations of sites, structures, and artifacts relating to the Delta Region, including the preparation of reports, maps, and other related activities.

(c) GRANTS AND TECHNICAL ASSISTANCE.—(1) The Secretary is authorized to award grants to qualified tribal, governmental and non-governmental entities and individuals to assist the Secretary in carrying out those elements of the program which the Secretary deems appropriate.

(2) The Secretary is further authorized to award grants and provide other types of technical and financial assistance to such entities and individuals to conserve and protect historic and archeological sites and structures in the Delta Region identified in the program prepared pursuant to this section.

(d) DEMONSTRATION PROJECT.—The Secretary shall establish a national demonstration project for the conservation and curation of the archeological records and collections of Federal and State management agencies in the Delta Region.

SEC. 1108. AUTHORIZATION OF APPROPRIATIONS.

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

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Approved October 31, 1994.

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LEGISLATIVE HISTORY—S. 21 (H.R. 518):

HOUSE REPORTS: Nos. 103-498 accompanying H.R. 518 (Comm. on Natural Resources) and 103-832 (Comm. of Conference).

SENATE REPORTS: No. 103-165 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Apr. 12, 13, considered and passed Senate.

May 17, June 10, 13, July 12-14, 27, H.R. 518 considered and passed House;

S. 21, amended, passed in lieu.

Oct. 6, House agreed to conference report.

Oct. 7, 8, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Oct. 31, Presidential remarks and statement.

**14. New Jersey Coastal Heritage Trail Route**

PUBLIC LAW 103-243—MAY 4, 1994

108 STAT. 613

Public Law 103-243  
103d Congress**An Act**To authorize appropriations for the Coastal Heritage Trail Route in the State of  
New Jersey, and for other purposes.May 4, 1994  
[S. 1574]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended—*

(1) by striking “There” and inserting “(a) There”; and

(2) by adding at the end the following:

“(b)(1) Notwithstanding the provisions of subsection (a), there are hereby authorized to be appropriated to the Secretary to carry out the purposes of this Act \$1,000,000, which is in addition to any sums appropriated for such purposes for use during fiscal years ending on or before September 30, 1993.

“(2) Funds appropriated pursuant to this subsection to carry out the purposes of this Act shall be used solely for technical assistance and the design and fabrication of interpretive materials, devices and signs. In addition to the limitation on funds contained in subsection (a), no funds made available under this subsection shall be used for operation, maintenance, repair or construction except for construction of interpretive exhibits.

“(3) The Federal share of any project carried out with funds appropriated pursuant to this subsection may not exceed 50 percent of the total cost for that project and shall be provided on a matching basis. The non-Federal share of such cost may be in the form of cash, materials or in-kind services fairly valued by the Secretary.

“(c) The authorities provided to the Secretary under this Act shall terminate five years after the date of enactment of this subsection.”.

Termination  
date.

Approved May 4, 1994.

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**LEGISLATIVE HISTORY—S. 1574:**

HOUSE REPORTS: No. 103-443 (Comm. on Natural Resources).

SENATE REPORTS: No. 103-212 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 139 (1993): Nov. 19, considered and passed Senate.

Vol. 140 (1994): Mar. 21, considered and passed House, amended.

Apr. 19, Senate concurred in House amendment.

**15. Niobrara-Buffalo Prairie (Study)**

105 STAT. 254

PUBLIC LAW 102-50—MAY 24, 1991

Public Law 102-50  
102d Congress**An Act**May 24, 1991  
[S. 248]

To amend the Wild and Scenic Rivers Act to designate certain segments of the Niobrara River in Nebraska and a segment of the Missouri River in Nebraska and South Dakota as components of the wild and scenic rivers system, and for other purposes.

Niobrara Scenic  
River  
Designation  
Act of 1991.  
Natural  
resources.  
16 USC 1271  
note.

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

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Niobrara Scenic River Designation Act of 1991".

\* \* \* \* \*

105 STAT. 257  
16 USC 1a-5  
note.

SEC. 8. STUDY OF FEASIBILITY AND SUITABILITY OF ESTABLISHING  
NIOBRARA-BUFFALO PRAIRIE NATIONAL PARK.

(a) IN GENERAL.—The Secretary of the Interior shall undertake and complete a study of the feasibility and suitability of establishing a national park in the State of Nebraska to be known as the Niobrara-Buffalo Prairie National Park within 18 months after the date of enactment of this Act.

(b) AREA TO BE STUDIED.—The areas studied under this section shall include the area generally depicted on the map entitled "Boundary Map, Proposed Niobrara-Buffalo Prairie National Park", numbered NBP-80,000, and dated March 1990. The study area shall not include any lands within the boundaries of the Fort Niobrara National Wildlife Refuge.

(c) RESOURCES.—In conducting the study under this section, the Secretary shall conduct an assessment of the natural, cultural, historic, scenic, and recreational resources of such areas studied to determine whether they are of such significance as to merit inclusion in the National Park System.

(d) STUDY REGARDING MANAGEMENT.—In conducting the study under this section, the Secretary shall study the feasibility of managing the area by various methods, in consultation with appropriate Federal agencies, the Nature Conservancy, and the Nebraska Game and Parks Commission.

(e) SUBMISSION OF REPORT.—The results of the study shall be 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.

MISCELLANEOUS ENACTMENTS  
PUBLIC LAW 102-50—MAY 24, 1991

495  
105 STAT. 258

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

16 USC 1274  
note.

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

Approved May 24, 1991.

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LEGISLATIVE HISTORY—S. 248:

HOUSE REPORTS: No. 102-51, Pt. 1 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-19 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 137 (1991):

Apr. 17, considered and passed Senate.

May 14, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 137 (1991):

May 24, Presidential statement.

**19. Thomas Jefferson Commemoration Commission**

PUBLIC LAW 102-343—AUG. 17, 1992

106 STAT. 915

Public Law 102-343  
102d Congress

An Act

To establish a commission to commemorate the 250th anniversary of the birth of Thomas Jefferson.

Aug. 17, 1992  
[S. 959]

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

Thomas Jefferson  
Commemoration  
Commission Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Thomas Jefferson Commemoration Commission Act”.

36 USC 149 note.

SEC. 2. CONGRESSIONAL FINDINGS.

36 USC 149 note.

The Congress finds that—

- (1) April 13, 1993, marks the 250th anniversary of the birth of Thomas Jefferson;
- (2) as author of the Declaration of Independence, Thomas Jefferson conceived and executed an affirmation of democratic government unequalled in both its eloquence and clarity;
- (3) in an age of democratic awakening, Thomas Jefferson worked to promote government based on the consent of the people, to hold rulers continually responsible to the ruled, and to secure fundamental rights and liberties of free citizens;
- (4) Thomas Jefferson was elected 3d President of the United States in 1801 and helped to establish the process by which political change is carried forward through public debate and free elections;
- (5) with the Louisiana Purchase, Thomas Jefferson virtually doubled the size of the United States;
- (6) the genius of Thomas Jefferson extended beyond the realm of politics and government to the adaptation of classic architecture, as exemplified by his home at Monticello and the grounds of the University of Virginia, which set an American standard of dignity, simplicity, and elegance;
- (7) Thomas Jefferson encouraged American science in its infancy, and with his friend James Madison, laid the cornerstone of the American tradition of religious freedom and separation of church and state;
- (8) Thomas Jefferson also championed universal public education, believing such education essential to democratic government as well as to advancement of knowledge and the pursuit of happiness;
- (9) it is appropriate to remember and renew the legacy of Thomas Jefferson for the American people and, indeed for all mankind, during a time when the light of democracy is again bursting upon the world; and
- (10) as the Nation approaches the 250th anniversary of the birth of Thomas Jefferson, it is appropriate to celebrate and commemorate this anniversary through local, national, and international observances and activities planned and coordinated by a national commission.

106 STAT. 916

PUBLIC LAW 102-343—AUG. 17, 1992

36 USC 149 note. SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Thomas Jefferson Commemoration Commission (in this Act referred to as the "Commission").

36 USC 149 note. SEC. 4. DUTIES.

The Commission shall—

(1) plan and develop programs and activities appropriate to commemorate the 250th anniversary of the birth of Thomas Jefferson, including a limited number of projects to be undertaken by the Federal Government that harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) generally coordinate activities throughout the several States;

(3) honor historical locations associated with the life of Thomas Jefferson;

(4) recognize individuals and organizations that have significantly contributed to the preservation of Jefferson's ideals, writings, architectural designs, and other professional accomplishments, by the award and presentation of medals and certificates;

(5) encourage civic, patriotic, and historical organizations, and State and local governments, to organize and participate in anniversary activities commemorating the birth of Thomas Jefferson; and

(6) develop and coordinate any other activities relating to the anniversary of the birth of Thomas Jefferson as may be appropriate.

36 USC 149 note. SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 21 members, including—

(A) the Chief Justice of the United States or such individual's delegate;

(B) the Librarian of Congress or such individual's delegate;

(C) the Archivist of the United States or such individual's delegate;

(D) the President pro tempore of the Senate or such individual's delegate;

(E) the Speaker of the House of Representatives or such individual's delegate;

(F) the Secretary of the Interior or such individual's delegate;

(G) the Secretary of the Smithsonian Institution or such individual's delegate;

(H) the Secretary of Education or such individual's delegate;

(I) the Chairman of the National Endowment for the Humanities or such individual's delegate;

(J) the Executive Director of the Thomas Jefferson Memorial Foundation or such individual's delegate; and

(K) 11 citizens of the United States who are not officers or employees of any government, except to the extent they

are considered such officers or employees by virtue of their membership on the Commission.

(2) APPOINTMENTS BY PRESIDENT.—

(A) IN GENERAL.—The individuals referred to in paragraph (1)(K) shall be appointed by the President. The individuals shall be chosen based on their distinctive qualifications or experience in the fields of history, government, architecture, the applied sciences, or other professions that would enhance the work of the Commission and reflect the professional accomplishments of Thomas Jefferson.

(B) POLITICAL AFFILIATION.—Not more than 6 of the individuals appointed under subparagraph (A) may be affiliated with the same political party.

(C) RECOMMENDATIONS.—Of the individuals appointed under subparagraph (A)—

(i) 3 shall be appointed from among individuals who are recommended by the majority leader of the Senate in consultation with the minority leader of the Senate; and

(ii) 3 shall be appointed from among individuals who are recommended by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives.

(b) TERMS.—Each member of the Commission shall be appointed not later than 90 days after the date of the enactment of this Act for the life of the Commission.

(c) VACANCIES.—A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) CHAIRPERSON.—The President shall designate the chairperson of the Commission from among the individuals appointed under subsection (a)(2).

President.

(e) COMPENSATION.—

(1) RATES OF PAY.—Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

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

(g) APPROVAL OF ACTIONS.—All official actions of the Commission under this Act shall be approved by the affirmative vote of not less than a majority of the members.

SEC. 6. POWERS.

36 USC 149 note.

(a) ADVISORY COMMITTEES.—The Commission may appoint such advisory committees as it determines to be necessary to carry out this Act.

(b) DELEGATION OF AUTHORITY.—Any member or employee of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(c) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Commission may procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements, in order to carry out this Act.

(2) RESTRICTION.—The contracts, leases, or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission.

(3) TERMINATION.—All supplies and property acquired by the Commission under this Act that remain in the possession of the Commission on the date of termination of the Commission shall become the property of the General Services Administration upon the date of the termination.

(d) INFORMATION.—

(1) IN GENERAL.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out this Act. Upon request of the chairperson of the Commission, the head of the Federal agency shall furnish the information to the Commission.

(2) EXCEPTION.—Paragraph (1) shall not apply to any information that the Commission is prohibited to secure or request by another law.

(e) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

36 USC 149 note.

#### SEC. 7. STAFF AND SUPPORT SERVICES.

(a) EXECUTIVE DIRECTOR.—The Commission shall have an executive director appointed by the chairperson of the Commission with the advice of the Commission. The executive director may be paid at a rate not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule.

(b) STAFF.—The Commission may appoint and fix the pay of additional personnel as it considers appropriate, except that an individual so appointed may not receive pay in excess of the maximum rate of basic pay payable for GS-13 of the General Schedule.

(c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The executive director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except as provided in subsections (a) and (b).

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the chairperson of the Commission, the head of any Federal agency may detail, on a nonreimbursable basis, any of the personnel of the agency to the Commission to assist it in carrying out its duties under this Act.

(e) EXPERTS AND CONSULTANTS.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at a rate which does not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

36 USC 149 note.

#### SEC. 8. CONTRIBUTIONS.

(a) DONATIONS.—The Commission may accept donations of money, personal services, and property, both real and personal, including

## PUBLIC LAW 102-343—AUG. 17, 1992

106 STAT. 919

books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials related to Thomas Jefferson.

## (b) USE OF FUNDS.—

(1) IN GENERAL.—Any finds donated to the Commission may be used by the Commission to carry out this Act. The source and amount of such funds shall be listed in the interim and final reports required under section 9.

(2) PROCUREMENT REQUIREMENTS.—In addition to any procurement requirement otherwise applicable to the Commission, the Commission shall conduct procurements of property or services involving donated finds pursuant to the small purchase procedures required by section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)). Section 15(j) of the Small Business Act (15 U.S.C. 644(j)) shall not apply to such procurements.

(3) DEFINITION.—For purposes of paragraph (2), the term “donated finds” means any funds of which 50 percent or more derive from funds donated to the Commission.

(c) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(d) REMAINING FUNDS.—Funds remaining upon the date of termination of the Commission shall be used to ensure the proper disposition of property donated to the Commission as specified in the final report required by section 9.

## SEC. 9. REPORTS.

36 USC 149 note.

(a) INTERIM REPORT.—Not later than December 31, 1992, the Commission shall prepare and submit to the President and the Congress a report detailing the activities of the Commission, including an accounting of funds received and expended by the Commission, during the period beginning on the date of the enactment of this Act and ending not earlier than 30 days prior to the submission of the interim report.

(b) FINAL REPORT.—Not later than December 31, 1993, the Commission shall submit to the President and to the Congress a final report. The final report shall contain—

- (1) a summary of the activities of the Commission;
- (2) a final accounting of finds received and expended by the Commission;
- (3) the findings, conclusions, and recommendations of the Commission;
- (4) specific recommendations concerning the final disposition of historically significant items donated to the Commission under section 8(a); and
- (5) any additional views of any member of the Commission concerning the Commission's recommendations that such member requests to be included in the final report.

## SEC. 10. AUDIT OF FINANCIAL TRANSACTIONS.

36 USC 149 note.

(a) IN GENERAL.—The Inspector General of the General Services Administration shall audit financial transactions of the Commission, including financial transactions involving donated finds, in accordance with generally accepted auditing standards. In conducting an audit pursuant to this section, the Inspector General shall have access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as

necessary to facilitate the audit, and shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) REPORTS.—Not later than December 31, 1992, the Inspector General of the General Services Administration shall submit to the President and to the Congress a report detailing the results of any audit of the financial transactions of the Commission conducted before such date. Not later than March 4, 1994, such Inspector General shall submit to the President and to the Congress a report detailing the results of any audit of the financial transactions of the Commission conducted during the period beginning on December 31, 1992, and ending on December 31, 1993.

36 USC 149 note.

SEC. 11. TERMINATION.

The Commission shall terminate not later than 60 days following submission of the final report required by section 9.

36 USC 149 note.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$250,000 for fiscal year 1993 and \$62,500 for fiscal year 1994.

Approved August 17, 1992.

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LEGISLATIVE HISTORY—S. 959 (H.R. 5056):

HOUSE REPORTS: No. 102-690 accompanying H.R. 5056 (Comm. on Post Office and Civil Service).

CONGRESSIONAL RECORD:

Vol. 137 (1991): Nov. 15, considered and passed Senate.

Vol. 138 (1992): July 28, H.R. 5056 considered and passed House; S. 959, amended, passed in lieu.

July 30, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Aug. 17, Presidential statement.

**20. Utah School and Lands Improvement Act**

PUBLIC LAW 103-93—OCT. 1, 1993

107 STAT. 995

Public Law 103-93  
103d Congress

## An Act

To provide for the exchange of certain lands within the State of Utah, and for other purposes.

Oct. 1, 1993  
[S. 184]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Utah Schools  
and Lands  
Improvement  
Act of 1993.

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Utah Schools and Lands Improvement Act of 1993".

## SEC. 2. UTAH-NAVAJO LAND EXCHANGE.

(a) ADDITIONS TO RESERVATION.—For the purpose of securing in trust for the Navajo Nation certain lands belonging to the State of Utah, which comprise approximately thirty-eight thousand five hundred acres of surface and subsurface estate, and approximately an additional nine thousand five hundred acres of subsurface estate, as generally depicted on the map entitled "Utah-Navajo Land Exchange", dated May 18, 1992, such lands are hereby declared to be part of the Navajo Indian Reservation in the State of Utah effective completion of conveyance from the State of Utah and acceptance of title by the United States.

(b) AUTHORIZATION.—The Secretary of the Interior is authorized to acquire through exchange those lands and interests in land described in subsection (a) which are owned by the State of Utah, subject to valid existing rights.

## SEC. 3. STATE LANDS WITHIN THE GOSHUTE INDIAN RESERVATION.

(a) ADDITIONS TO RESERVATION.—For the purpose of securing in trust for the Goshute Indian Tribe certain lands belonging to the State of Utah, which comprise approximately nine hundred eighty acres of surface and subsurface estate, and an additional four hundred and eighty acres of subsurface estate, as generally depicted on the map entitled "Utah-Goshute Land Exchange", dated May 18, 1992, such lands are hereby declared to be part of the Goshute Indian Reservation in the State of Utah effective upon the completion of conveyance from the State of Utah and acceptance of title by the United States.

(b) AUTHORIZATION.—The Secretary of the Interior is authorized to acquire through exchange those lands and interests in land described in subsection (a) which are owned by the State of Utah, subject to valid existing rights.

(c) OTHER LAND.—(1) The following tract of Federal land located in the State of Nevada, comprising approximately five acres more or less, together with all improvements thereon, is hereby declared



107 STAT. 996

PUBLIC LAW 103-93—OCT. 1, 1993

to be part of the Goshute Indian Reservation, and shall be held in trust for the Goshute Indian Tribe: Township 30 North, Range 69 East, lots 5, 6, 7, 9, 11, and 14 of section 34.

(2) No part of the lands referred to in paragraph (1) shall be used for gaming or any related purpose.

SEC. 4. IMPLEMENTATION.

The exchanges authorized by sections 2 and 3 of this Act shall be conducted without cost to the Navajo Nation and the Goshute Indian Tribe.

SEC. 5. STATE LANDS WITHIN THE NATIONAL FOREST SYSTEM.

(a) AUTHORIZATION.—The Secretary of Agriculture is authorized to accept on behalf of the United States title to the school and institutional trust lands by the State of Utah within units of the National Forest System, comprising approximately seventy-six thousand acres as depicted on a map entitled “Utah Forest Land Exchange”, dated May 18, 1992.

(b) STATUS.—Any lands acquired by the United States pursuant to this section shall become a part of the national forest within which such lands are located and shall be subject to all the laws and regulations applicable to the National Forest System.

SEC. 6. STATE LANDS WITHIN THE NATIONAL PARK SYSTEM.

(a) AUTHORIZATION.—The Secretary of the Interior is hereby authorized to accept on behalf of the United States title to all school and institutional trust lands owned by the State of Utah located within all units of the National Park System, comprising approximately eighty thousand acres, located within the State of Utah on the date of enactment of this Act.

(b) STATUS.—(1) Notwithstanding any other provision of law, all lands of the State of Utah within units of the National Park System that are conveyed to the United States pursuant to this section shall become a part of the appropriate unit of the National Park System, and shall be subject to all laws and regulations applicable to that unit of the National Park System.

(2) The Secretary of the Interior shall, as a part of the exchange process of this Act, compensate the State of Utah for the fair market value of five hundred eighty and sixty-four one-hundredths acres within Capitol Reef National Park that were conveyed by the State of Utah to the United States on July 2, 1971, for which the State has never been compensated. The fair market value of these lands shall be established pursuant to section 8 of this Act.

SEC. 7. OFFER TO STATE.

(a) SPECIFIC OFFERS.—Within thirty days after enactment of this Act, the Secretary of the Interior shall transmit to the State of Utah a list of lands, or interests in lands, within the State of Utah for transfer to the State of Utah in exchange for the State lands and interests described in sections 2, 3, 5, and 6 of this Act. Such list shall include only the following Federal lands, or interests therein:

(1) Blue Mountain Telecommunications Site, fee estate, approximately six hundred and forty acres.

(2) Beaver Mountain Ski Resort site, fee estate, approximately three thousand acres, as generally depicted on the map



## PUBLIC LAW 103-93—OCT. 1, 1993

107 STAT. 997

entitled "Beaver Mountain Ski Resort" dated September 16, 1992.

(3) The unleased coal located in the Winter Quarters Tract.

(4) The unleased coal located in the Crandall Canyon Tract.

(5) All royalties receivable by the United States with respect to coal leases in the Quitcupah (Convulsion Canyon) Tract.

(6) The unleased coal located in the Cottonwood Canyon Tract.

(7) The unleased coal located in the Soldier Creek Tract.

Minerals and  
mining.

(b) ADDITIONAL OFFERS.—(1) In addition to the lands and interests specified in subsection (a), the Secretary of the Interior shall offer to the State of Utah a portion of the royalties receivable by the United States with respect to Federal geothermal, oil, gas, or other mineral interests in Utah which on December 31, 1992, were under lease and covered by an approved permit to drill or plan of development and plan of reclamation, were in production, and were not under administrative or judicial appeal.

(2) No offer under this subsection shall be for royalties aggregating more than 50 per centum of the total appraised value of the State lands described in sections 2, 3, 5, and 6.

(3) The Secretary shall make no offer under this subsection which would enable the State of Utah to receive royalties under this section exceeding \$50,000,000.

(4) If the total value of lands and interests therein and royalties offered to the State pursuant to subsections (a) and (b) is less than the total value of the State lands described in sections 2, 3, 5, and 6, the Secretary shall provide the State a list of all public lands in Utah that as of December 31, 1992, the Secretary, in resource management plans prepared pursuant to the Federal Land Policy and Management Act of 1976, had identified as suitable for disposal by exchange or otherwise, and shall offer to transfer to the State any or all of such lands, as selected by the State, in partial exchange for such State lands, to the extent consistent with other applicable laws and regulations.

SEC. 8. APPRAISAL OF LANDS TO BE EXCHANGED.

(a) EQUAL VALUE.—All exchanges authorized under this Act shall be for equal value. No later than ninety days after enactment of this Act, the Secretary of the Interior, the Secretary of Agriculture, and the Governor of the State of Utah shall provide for an appraisal of the lands or interests therein involved in the exchanges authorized by this Act. A detailed appraisal report shall utilize nationally recognized appraisal standards including, to the extent appropriate, the uniform appraisal standards for Federal land acquisition.

(b) DEADLINE AND DISPUTE RESOLUTION.—(1) If after two years from the date of enactment of this Act the parties have not agreed upon the final terms of some or all of the exchanges authorized by this Act, including the value of the lands involved in some or all of such exchanges, notwithstanding any other provisions of law, any appropriate United States District Court, including but not limited to the United States District Court for the District of Utah, Central Division, shall have jurisdiction to hear, determine, and render judgment on the value of any and all lands, or interests therein, involved in the exchange.



107 STAT. 998

PUBLIC LAW 103-93—OCT. 1, 1993

(2) No action provided for in this subsection may be filed with the Court sooner than two years and later than five years after the date of enactment of this Act. Any decision of a District Court under this Act may be appealed in accordance with the applicable laws and rules.

(c) ADJUSTMENT.—If the State shares revenue from the selected Federal properties, the value of such properties shall be the value otherwise established under this section, less the percentage which represents the Federal revenue sharing obligation, but such adjustment shall not be considered as reflecting a property right of the State of Utah.

(d) INTEREST.—Any royalty offer by the Secretary pursuant to subsection 7(b) shall be adjusted to reflect net present value as of the effective date of the exchange. The State shall be entitled to receive a reasonable rate of interest at a rate equivalent to a five-year Treasury note on the balance of the value owed by the United States from the effective date of the exchange until full value is received by the State and mineral rights revert to the United States as prescribed by subsection 9(a)(3).

#### SEC. 9. TRANSFER OF TITLE.

(a) TERMS.—(1) The State of Utah shall be entitled to receive so much of those lands or interests in lands and additional royalties described in section 7 that are offered by the Secretary of the Interior and accepted by the State as are equal in value to the State lands and interests described in sections 2, 3, 5, and 6.

(2) For those properties where fee simple title is to be conveyed to the State of Utah, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest, subject to the provisions of subsection (b). For those properties where less than fee simple is to be conveyed to the State of Utah, the Secretary shall reserve to the United States all remaining right, title, and interest of the United States.

(3) All right, title, and interest in any mineral rights described in section 7 that are conveyed to the State of Utah pursuant to this Act shall revert to the United States upon removal of minerals equal in value to the value attributed to such rights in connection with an exchange under this Act.

(4) If the State of Utah accepts the offers provided for in this Act, the State shall convey to the United States, subject to valid existing rights, all right, title, and interest of the State to all school and institutional trust lands described in sections 2, 3, 5, and 6 of this Act. Except as provided in section 7(b), conveyance of all lands or interests in lands shall take place within sixty days following agreement by the Secretary of the Interior and the Governor of the State of Utah, or entry of an appropriate order of judgment by the District Court.

(b) INSPECTIONS.—Both parties shall inspect all pertinent records and shall conduct a physical inspection of the lands to be exchanged pursuant to this Act for the presence of any hazardous materials as presently defined by applicable law. The results of those inspections shall be made available to the parties. Responsibility for costs of remedial action related to materials identified by such inspections shall be borne by those entities responsible under existing law.

(c) CONDITIONS.—(1) With respect to the lands and interests described in section 7(a), enactment of this Act shall be construed

Minerals and  
mining.



## PUBLIC LAW 103-93—OCT. 1, 1993

107 STAT. 999

as satisfying the provisions of section 206(a) of the Federal Land Policy and Management Act of 1976 requiring that exchanges of lands be in the public interest.

(2) Development of any mineral interest transferred to the State of Utah pursuant to this Act shall be subject to all laws, rules, and regulations applicable to development of non-Federal mineral interests, including, where appropriate, laws, rules, and regulations applicable to such development within National Forests. Extraction of any coal resources described in section 7(a) shall occur only through underground coal mining operations.

Minerals and  
mining.

(3) Transfer of any mineral interests to the State of Utah shall be subject to such conditions as the Secretary shall prescribe to ensure due diligence on the part of the State of Utah to achieve the timely development of such resources.

## SEC. 10. LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, a map and legal description of the lands added to the Navajo and Goshute Indian Reservations and all lands exchanged under this Act shall be filed by the appropriate Secretary with the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and each such map and description shall have the same force and effect as if included in this Act, except that the appropriate Secretary may correct clerical and typographical errors in each such legal description and map. Each such map and legal description shall be on file and available for public inspection in the offices of the Secretary of Agriculture and the Secretary of the Interior and the Utah offices of the appropriate agencies of the Department of the Interior and Department of Agriculture.

(b) PILT.—Section 6902(b) of title 31, United States Code, is amended by striking “acquisition.” and inserting in lieu thereof “acquisition, nor does this subsection apply to payments for lands in Utah acquired by the United States if at the time of such acquisition units, under applicable State law, were entitled to receive payments from the State for such lands, but in such case no payment under this chapter with respect to such acquired lands shall exceed the payment that would have been made under State law if such lands had not been acquired.”.

(c) INTENT.—The lands and interests described in section 7 are an offer related only to the State lands and interests described in this Act, and nothing in this Act shall be construed as precluding conveyance of other lands or interests to the State of Utah pursuant to other exchanges under applicable existing law or subsequent act of Congress. It is the intent of Congress that the State should establish a funding mechanism, or some other mechanism, to assure that counties within the State are treated equitably as a result of this exchange.

(d) COSTS.—The United States and the State of Utah shall each bear its own respective costs incurred in the implementation of this Act.

(e) DEFINITION.—As used in this Act, the term (1) “School and Institutional Trust Lands” means those properties granted by the United States in the Utah Enabling Act to the State of Utah in trust and other lands which under State law must be managed for the benefit of the public school system or the institu-



107 STAT. 1000

PUBLIC LAW 103-93—OCT. 1, 1993

tions of the State which are designated by the Utah Enabling Act; and (2) "Secretary" means the Secretary of the Interior; unless specifically defined otherwise.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

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

Approved October 1, 1993.

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**LEGISLATIVE HISTORY—S. 184:**

HOUSE REPORTS: No. 103-207 (Comm. on Natural Resources).

SENATE REPORTS: No. 103-56 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 139 (1993):

June 24, considered and passed Senate.

Aug. 2, considered and passed House, amended.

Aug. 6, Senate concurred in House amendments with amendments.

Sept. 13, House concurred in Senate amendments.

**21. William O. Douglas Outdoor Classroom**

PUBLIC LAW 102-154—NOV. 13, 1991

105 STAT. 990

Public Law 102-154  
102d Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

Nov. 13, 1991  
[H.R. 2686]

*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, 1992, and for other purposes, namely:

Department of the Interior and Related Agencies Appropriations Act, 1992.

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

NATIONAL PARK SERVICE

105 STAT. 996

\* \* \* \* \*

ADMINISTRATIVE PROVISIONS

105 STAT. 998

\* \* \* \* \*

. . . *Provided further,* That the Secretary of the Interior, acting through the Director of the National Park Service, may enter into a cooperative agreement with the William O. Douglas Outdoor Classroom under which the Secretary may expend Federal funds on non-Federal property for environmental education purposes.

105 STAT. 999

\* \* \* \* \*

Approved November 13, 1991.

105 STAT. 1037

LEGISLATIVE HISTORY—H.R. 2686:

HOUSE REPORTS: Nos. 102-116 (Comm. on Appropriations) and 102-256 (Comm. of Conference).

SENATE REPORTS: No. 102-122 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 137 (1991):

June 24, 25, considered and passed House.

Sept. 12, 13, 16-19, considered and passed Senate, amended.

Oct. 24, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments; and disagreed to others.

Oct. 30, 31, Senate agreed to conference report; receded and concurred in certain House amendments, in another with an amendment.

Nov. 1, House disagreed to Senate amendment. Senate receded and concurred in House amendment.