

XI. NATIONAL MONUMENTS

1. Bandelier

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 511

Public Law 106-246
106th Congress

An Act

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

July 13, 2000
[H.R. 4425]

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

* * * * *

DIVISION C—CERRO GRANDE FIRE

114 STAT. 583
Cerro Grande
Fire
Supplemental.
New Mexico.

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

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TITLE II—CERRO GRANDE FIRE EMERGENCY
SUPPLEMENTAL APPROPRIATIONS

114 STAT. 590

* * * * *

GENERAL PROVISION—THIS TITLE

114 STAT. 592

SEC. 2101. The Secretary of the Interior shall allow enrolled members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants, including the parts or products thereof, and mineral resources within the Bandelier National Monument for traditional and cultural uses. All collection activity, except quantity limitations in current regulations of the National Park Service, shall be consistent with applicable laws, and shall be subject to such conditions as the Secretary deems necessary to protect the resources and values of the Monument.

This division may be cited as the “Cerro Grande Fire Supplemental”.

Approved July 13, 2000.

LEGISLATIVE HISTORY—H.R. 4425 (S. 2521):

HOUSE REPORTS: Nos. 106-614 (Comm. on Appropriations) and 106-710 (Comm. of Conference).

SENATE REPORTS: No. 106-290 accompanying S. 2521 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 16, considered and passed House.

May 18, considered and passed Senate, amended, in lieu of S. 2521.

June 29, House agreed to conference report.

June 30, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 13, Presidential statement.



114 STAT. 598

PUBLIC LAW 106-248—JULY 25, 2000

Public Law 106-248
106th Congress

An Act

July 25, 2000
[S. 1892]

To authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture, and for other purposes.

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

Valles Caldera
Preservation Act.
New Mexico.

TITLE I—VALLES CALDERA NATIONAL
PRESERVE AND TRUST

16 USC 698v
note.

SEC. 101. SHORT TITLE.

This title may be cited as the “Valles Caldera Preservation Act”.

16 USC 698v.

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Baca ranch comprises most of the Valles Caldera in central New Mexico, and constitutes a unique land mass, with significant scientific, cultural, historic, recreational, ecological, wildlife, fisheries, and productive values;

(2) the Valles Caldera is a large resurgent lava dome with potential geothermal activity;

(3) the land comprising the Baca ranch was originally granted to the heirs of Don Luis Maria Cabeza de Vaca in 1860;

(4) historical evidence, in the form of old logging camps and other artifacts, and the history of territorial New Mexico indicate the importance of this land over many generations for domesticated livestock production and timber supply;

(5) the careful husbandry of the Baca ranch by the current owners, including selective timbering, limited grazing and hunting, and the use of prescribed fire, have preserved a mix of healthy range and timber land with significant species diversity, thereby serving as a model for sustainable land development and use;

(6) the Baca ranch’s natural beauty and abundant resources, and its proximity to large municipal populations, could provide numerous recreational opportunities for hiking, fishing, camping, cross-country skiing, and hunting;

(7) the Forest Service documented the scenic and natural values of the Baca ranch in its 1993 study entitled “Report on the Study of the Baca Location No. 1, Santa Fe National Forest, New Mexico”, as directed by Public Law 101-556;

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(8) the Baca ranch can be protected for current and future generations by continued operation as a working ranch under a unique management regime which would protect the land and resource values of the property and surrounding ecosystem while allowing and providing for the ranch to eventually become financially self-sustaining;

(9) the current owners have indicated that they wish to sell the Baca ranch, creating an opportunity for Federal acquisition and public access and enjoyment of these lands;

(10) certain features on the Baca ranch have historical and religious significance to Native Americans which can be preserved and protected through Federal acquisition of the property;

(11) the unique nature of the Valles Caldera and the potential uses of its resources with different resulting impacts warrants a management regime uniquely capable of developing an operational program for appropriate preservation and development of the land and resources of the Baca ranch in the interest of the public;

(12) an experimental management regime should be provided by the establishment of a Trust capable of using new methods of public land management that may prove to be cost-effective and environmentally sensitive; and

(13) the Secretary may promote more efficient management of the Valles Caldera and the watershed of the Santa Clara Creek through the assignment of purchase rights of such watershed to the Pueblo of Santa Clara.

(b) PURPOSES.—The purposes of this title are—

(1) to authorize Federal acquisition of the Baca ranch;

(2) to protect and preserve for future generations the scientific, scenic, historic, and natural values of the Baca ranch, including rivers and ecosystems and archaeological, geological, and cultural resources;

(3) to provide opportunities for public recreation;

(4) to establish a demonstration area for an experimental management regime adapted to this unique property which incorporates elements of public and private administration in order to promote long term financial sustainability consistent with the other purposes enumerated in this subsection; and

(5) to provide for sustained yield management of Baca ranch for timber production and domesticated livestock grazing insofar as is consistent with the other purposes stated herein.

SEC. 103. DEFINITIONS.

16 USC 698v-1.

In this title:

(1) BACA RANCH.—The term “Baca ranch” means the lands and facilities described in section 104(a).

(2) BOARD OF TRUSTEES.—The terms “Board of Trustees” and “Board” mean the Board of Trustees as described in section 107.

(3) COMMITTEES OF CONGRESS.—The term “Committees of Congress” means the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(4) FINANCIALLY SELF-SUSTAINING.—The term “financially self-sustaining” means management and operating expenditures equal to or less than proceeds derived from fees and

other receipts for resource use and development and interest on invested funds. Management and operating expenditures shall include Trustee expenses, salaries and benefits of staff, administrative and operating expenses, improvements to and maintenance of lands and facilities of the Preserve, and other similar expenses. Funds appropriated to the Trust by Congress, either directly or through the Secretary, for the purposes of this title shall not be considered.

(5) MULTIPLE USE AND SUSTAINED YIELD.—The term “multiple use and sustained yield” has the combined meaning of the terms “multiple use” and “sustained yield of the several products and services”, as defined under the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 531).

(6) PRESERVE.—The term “Preserve” means the Valles Caldera National Preserve established under section 105.

(7) SECRETARY.—Except where otherwise provided, the term “Secretary” means the Secretary of Agriculture.

(8) TRUST.—The term “Trust” means the Valles Caldera Trust established under section 106.

16 USC 698v-2.

SEC. 104. ACQUISITION OF LANDS.

(a) ACQUISITION OF BACA RANCH.—

(1) IN GENERAL.—In compliance with the Act of June 15, 1926 (16 U.S.C. 471a), the Secretary is authorized to acquire all or part of the rights, title, and interests in and to approximately 94,761 acres of the Baca ranch, comprising the lands, facilities, and structures referred to as the Baca Location No. 1, and generally depicted on a plat entitled “Independent Resurvey of the Baca Location No. 1”, made by L.A. Osterhoudt, W.V. Hall, and Charles W. Devendorf, U.S. Cadastral Engineers, June 30, 1920–August 24, 1921, under special instructions for Group No. 107 dated February 12, 1920, in New Mexico.

(2) SOURCE OF FUNDS.—The acquisition under paragraph (1) may be made by purchase through appropriated or donated funds, by exchange, by contribution, or by donation of land. Funds appropriated to the Secretary from the Land and Water Conservation Fund shall be available for this purpose.

(3) BASIS OF SALE.—The acquisition under paragraph (1) shall be based on an appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and—

(A) in the case of purchase, such purchase shall be on a willing seller basis for no more than the fair market value of the land or interests therein acquired; and

(B) in the case of exchange, such exchange shall be for lands, or interests therein, of equal value, in conformity with the existing exchange authorities of the Secretary.

(4) DEED.—The conveyance of the offered lands to the United States under this subsection shall be by general warranty or other deed acceptable to the Secretary and in conformity with applicable title standards of the Attorney General.

(b) ADDITION OF LAND TO BANDELIER NATIONAL MONUMENT.—Upon acquisition of the Baca ranch under subsection (a), the Secretary of the Interior shall assume administrative jurisdiction over

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those lands within the boundaries of the Bandelier National Monument as modified under section 3 of Public Law 105-376 (112 Stat. 3389).

(c) PLAT AND MAPS.—

(1) PLAT AND MAPS PREVAIL.—In case of any conflict between a plat or a map and acreages, the plat or map shall prevail.

(2) MINOR CORRECTIONS.—The Secretary and the Secretary of the Interior may make minor corrections in the boundaries of the Upper Alamo watershed as depicted on the map referred to in section 3 of Public Law 105-376 (112 Stat. 3389).

(3) BOUNDARY MODIFICATION.—Upon the conveyance of any lands to any entity other than the Secretary, the boundary of the Preserve shall be modified to exclude such lands.

(4) FINAL MAPS.—Within 180 days of the date of acquisition of the Baca ranch under subsection (a), the Secretary and the Secretary of the Interior shall submit to the Committees of Congress a final map of the Preserve and a final map of Bandelier National Monument, respectively.

Deadline.

(5) PUBLIC AVAILABILITY.—The plat and maps referred to in the subsection shall be kept and made available for public inspection in the offices of the Chief, Forest Service, and Director, National Park Service, in Washington, D.C., and Supervisor, Santa Fe National Forest, and Superintendent, Bandelier National Monument, in the State of New Mexico.

(d) WATERSHED MANAGEMENT REPORT.—The Secretary, acting through the Forest Service, in cooperation with the Secretary of the Interior, acting through the National Park Service, shall—

(1) prepare a report of management alternatives which may—

(A) provide more coordinated land management within the area known as the upper watersheds of Alamo, Capulin, Medio, and Sanchez Canyons, including the areas known as the Dome Diversity Unit and the Dome Wilderness;

(B) allow for improved management of elk and other wildlife populations ranging between the Santa Fe National Forest and the Bandelier National Monument; and

(C) include proposed boundary adjustments between the Santa Fe National Forest and the Bandelier National Monument to facilitate the objectives under subparagraphs (A) and (B); and

(2) submit the report to the Committees of Congress within 120 days of the date of enactment of this title.

Deadline.

(e) OUTSTANDING MINERAL INTERESTS.—The acquisition of the Baca ranch by the Secretary shall be subject to all outstanding valid existing mineral interests. The Secretary is authorized and directed to negotiate with the owners of any fractional interest in the subsurface estate for the acquisition of such fractional interest on a willing seller basis for not to exceed its fair market value, as determined by appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions. Any such interests acquired within the boundaries of the Upper Alamo watershed, as referred to in subsection (b), shall be administered by the Secretary of the Interior as part of Bandelier National Monument.

(f) BOUNDARIES OF THE BACA RANCH.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16

U.S.C. 4601-9), the boundaries of the Baca ranch shall be treated as if they were National Forest boundaries existing as of January 1, 1965.

(g) PUEBLO OF SANTA CLARA.—

(1) IN GENERAL.—The Secretary may assign to the Pueblo of Santa Clara rights to acquire for fair market value portions of the Baca ranch. The portion that may be assigned shall be determined by mutual agreement between the Pueblo and the Secretary based on optimal management considerations for the Preserve including manageable land line locations, public access, and retention of scenic and natural values. All appraisals shall be done in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

(2) STATUS OF LAND ACQUIRED.—As of the date of acquisition, the fee title lands, and any mineral estate underlying such lands, acquired under this subsection by the Pueblo of Santa Clara are deemed transferred into trust in the name of the United States for the benefit of the Pueblo of Santa Clara and such lands and mineral estate are declared to be part of the existing Santa Clara Indian Reservation.

(3) MINERAL ESTATE.—Any mineral estate acquired by the United States pursuant to section 104(e) underlying fee title lands acquired by the Pueblo of Santa Clara shall not be developed without the consent of the Secretary of the Interior and the Pueblo of Santa Clara.

(4) SAVINGS.—Any reservations, easements, and covenants contained in an assignment agreement entered into under paragraph (1) shall not be affected by the acquisition of the Baca ranch by the United States, the assumption of management by the Valles Caldera Trust, or the lands acquired by the Pueblo being taken into trust.

16 USC 698v-3.
Effective date.

SEC. 105. THE VALLES CALDERA NATIONAL PRESERVE.

(a) ESTABLISHMENT.—Upon the date of acquisition of the Baca ranch under section 104(a), there is hereby established the Valles Caldera National Preserve as a unit of the National Forest System which shall include all Federal lands and interests in land acquired under sections 104(a) and 104(e), except those lands and interests in land administered or held in trust by the Secretary of the Interior under sections 104(b) and 104(g), and shall be managed in accordance with the purposes and requirements of this title.

(b) PURPOSES.—The purposes for which the Preserve is established are to protect and preserve the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the Preserve, and to provide for multiple use and sustained yield of renewable resources within the Preserve, consistent with this title.

(c) MANAGEMENT AUTHORITY.—Except for the powers of the Secretary enumerated in this title, the Preserve shall be managed by the Valles Caldera Trust established by section 106.

(d) ELIGIBILITY FOR PAYMENT IN LIEU OF TAXES.—Lands acquired by the United States under section 104(a) shall constitute entitlement lands for purposes of the Payment in Lieu of Taxes Act (31 U.S.C. 6901-6904).

(e) WITHDRAWALS.—

(1) IN GENERAL.—Upon acquisition of all interests in minerals within the boundaries of the Baca ranch under section

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104(e), subject to valid existing rights, the lands comprising the Preserve are thereby withdrawn from disposition under all laws pertaining to mineral leasing, including geothermal leasing.

(2) MATERIALS FOR ROADS AND FACILITIES.—Nothing in this title shall preclude the Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, from allowing the utilization of common varieties of mineral materials such as sand, stone, and gravel as necessary for construction and maintenance of roads and facilities within the Preserve.

(f) FISH AND GAME.—Nothing in this title shall be construed as affecting the responsibilities of the State of New Mexico with respect to fish and wildlife, including the regulation of hunting, fishing, and trapping within the Preserve, except that the Trust may, in consultation with the Secretary and the State of New Mexico, designate zones where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, the protection of nongame species and their habitats, or public use and enjoyment.

(g) REDONDO PEAK.—

(1) IN GENERAL.—For the purposes of preserving the natural, cultural, religious, and historic resources on Redondo Peak upon acquisition of the Baca ranch under section 104(a), except as provided in paragraph (2), within the area of Redondo Peak above 10,000 feet in elevation—

(A) no roads, structures, or facilities shall be constructed; and

(B) no motorized access shall be allowed.

(2) EXCEPTIONS.—Nothing in this subsection shall preclude—

(A) the use and maintenance of roads and trails existing as of the date of enactment of this Act;

(B) the construction, use and maintenance of new trails, and the relocation of existing roads, if located to avoid Native American religious and cultural sites; and

(C) motorized access necessary to administer the area by the Trust (including measures required in emergencies involving the health or safety of persons within the area).

SEC. 106. THE VALLES CALDERA TRUST.

16 USC 698v-4.

(a) ESTABLISHMENT.—There is hereby established a wholly owned government corporation known as the Valles Caldera Trust which is empowered to conduct business in the State of New Mexico and elsewhere in the United States in furtherance of its corporate purposes.

(b) CORPORATE PURPOSES.—The purposes of the Trust are—

(1) to provide management and administrative services for the Preserve;

(2) to establish and implement management policies which will best achieve the purposes and requirements of this title;

(3) to receive and collect funds from private and public sources and to make dispositions in support of the management and administration of the Preserve; and

(4) to cooperate with Federal, State, and local governmental units, and with Indian tribes and Pueblos, to further the purposes for which the Preserve was established.

(c) **NECESSARY POWERS.**—The Trust shall have all necessary and proper powers for the exercise of the authorities vested in it.

(d) **STAFF.**—

(1) **IN GENERAL.**—The Trust is authorized to appoint and fix the compensation and duties of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may pay them without regard to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates. No employee of the Trust shall be paid at a rate in excess of that payable to the Supervisor of the Santa Fe National Forest or the Superintendent of the Bandelier National Monument, whichever is greater.

(2) **FEDERAL EMPLOYEES.**—

(A) **IN GENERAL.**—Except as provided in this title, employees of the Trust shall be Federal employees as defined by title 5, United States Code, and shall be subject to all rights and obligations applicable thereto.

(B) **USE OF FEDERAL EMPLOYEES.**—At the request of the Trust, the employees of any Federal agency may be provided for implementation of this title. Such employees detailed to the Trust for more than 30 days shall be provided on a reimbursable basis.

(e) **GOVERNMENT CORPORATION.**—

(1) **IN GENERAL.**—The Trust shall be a Government Corporation subject to chapter 91 of title 31, United States Code (commonly referred to as the Government Corporation Control Act). Financial statements of the Trust shall be audited annually in accordance with section 9105 of title 31 of the United States Code.

Deadline.

(2) **REPORTS.**—Not later than January 15 of each year, the Trust shall submit to the Secretary and the Committees of Congress a comprehensive and detailed report of its operations, activities, and accomplishments for the prior year including information on the status of ecological, cultural, and financial resources being managed by the Trust, and benefits provided by the Preserve to local communities. The report shall also include a section that describes the Trust's goals for the current year.

(3) **ANNUAL BUDGET.**—

(A) **IN GENERAL.**—The Trust shall prepare an annual budget with the goal of achieving a financially self-sustaining operation within 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

(B) **BUDGET REQUEST.**—The Secretary shall provide necessary assistance (including detailees as necessary) to the Trust for the timely formulation and submission of the annual budget request for appropriations, as authorized under section 111(a), to support the administration, operation, and maintenance of the Preserve.

(f) **TAXES.**—The Trust and all properties administered by the Trust shall be exempt from all taxes and special assessments of every kind by the State of New Mexico, and its political subdivisions including the counties of Sandoval and Rio Arriba.

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(g) DONATIONS.—The Trust may solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private or public entities for the purposes of carrying out its duties. The Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, may accept donations from such entities notwithstanding that such donors may conduct business with the Department of Agriculture or any other department or agency of the United States.

(h) PROCEEDS.—

(1) IN GENERAL.—Notwithstanding sections 1341 and 3302 of title 31 of the United States Code, all monies received from donations under subsection (g) or from the management of the Preserve shall be retained and shall be available, without further appropriation, for the administration, preservation, restoration, operation and maintenance, improvement, repair, and related expenses incurred with respect to properties under its management jurisdiction.

(2) FUND.—There is hereby established in the Treasury of the United States a special interest bearing fund entitled “Valles Caldera Fund” which shall be available, without further appropriation for any purpose consistent with the purposes of this title. At the option of the Trust, or the Secretary in accordance with section 110, the Secretary of the Treasury shall invest excess monies of the Trust in such account, which shall bear interest at rates determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturity.

(i) RESTRICTIONS ON DISPOSITION OF RECEIPTS.—Any funds received by the Trust, or the Secretary in accordance with section 109(b), from the management of the Preserve shall not be subject to partial distribution to the State under—

(1) the Act of May 23, 1908, entitled “an Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine” (35 Stat. 260, chapter 192; 16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500); or

(3) any other law.

(j) SUITS.—The Trust may sue and be sued in its own name to the same extent as the Federal Government. For purposes of such suits, the residence of the Trust shall be the State of New Mexico. The Trust shall be represented by the Attorney General in any litigation arising out of the activities of the Trust, except that the Trust may retain private attorneys to provide advice and counsel.

(k) BYLAWS.—The Trust shall adopt necessary bylaws to govern its activities.

(l) INSURANCE AND BOND.—The Trust shall require that all holders of leases from, or parties in contract with, the Trust that are authorized to occupy, use, or develop properties under the management jurisdiction of the Trust, procure proper insurance against any loss in connection with such properties, or activities authorized in such lease or contract, as is reasonable and customary.

(m) NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words “Valles Caldera Trust”, and any seal, emblem, or other insignia adopted by the Board of Trustees.

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Without express written authority of the Trust, no person may use the words “Valles Caldera Trust” as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.

16 USC 698v-5.

SEC. 107. BOARD OF TRUSTEES.

(a) **IN GENERAL.**—The Trust shall be governed by a 9-member Board of Trustees consisting of the following:

(1) **VOTING TRUSTEES.**—The voting Trustees shall be—

(A) the Supervisor of the Santa Fe National Forest, United States Forest Service;

(B) the Superintendent of the Bandelier National Monument, National Park Service; and

President.

(C) seven individuals, appointed by the President, in consultation with the congressional delegation from the State of New Mexico. The seven individuals shall have specific expertise or represent an organization or government entity as follows—

(i) one trustee shall have expertise in aspects of domesticated livestock management, production, and marketing, including range management and livestock business management;

(ii) one trustee shall have expertise in the management of game and nongame wildlife and fish populations, including hunting, fishing, and other recreational activities;

(iii) one trustee shall have expertise in the sustainable management of forest lands for commodity and noncommodity purposes;

(iv) one trustee shall be active in a nonprofit conservation organization concerned with the activities of the Forest Service;

(v) one trustee shall have expertise in financial management, budget and program analysis, and small business operations;

(vi) one trustee shall have expertise in the cultural and natural history of the region; and

(vii) one trustee shall be active in State or local government in New Mexico, with expertise in the customs of the local area.

(2) **QUALIFICATIONS.**—Of the trustees appointed by the President—

(A) none shall be employees of the Federal Government; and

(B) at least five shall be residents of the State of New Mexico.

President.
Deadline.

(b) **INITIAL APPOINTMENTS.**—The President shall make the initial appointments to the Board of Trustees within 90 days after acquisition of the Baca ranch under section 104(a).

(c) **TERMS.**—

(1) **IN GENERAL.**—Appointed trustees shall each serve a term of 4 years, except that of the trustees first appointed, four shall serve for a term of 4 years, and three shall serve for a term of 2 years.

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(2) VACANCIES.—Any vacancy among the appointed trustees shall be filled in the same manner in which the original appointment was made, and any trustee appointed to fill a vacancy shall serve for the remainder of that term for which his or her predecessor was appointed.

(3) LIMITATIONS.—No appointed trustee may serve more than 8 years in consecutive terms.

(d) QUORUM.—A majority of trustees shall constitute a quorum of the Board for the conduct of business.

(e) ORGANIZATION AND COMPENSATION.—

(1) IN GENERAL.—The Board shall organize itself in such a manner as it deems most appropriate to effectively carry out the activities of the Trust.

(2) COMPENSATION OF TRUSTEES.—Trustees shall serve without pay, but may be reimbursed from the funds of the Trust for the actual and necessary travel and subsistence expenses incurred by them in the performance of their duties.

(3) CHAIR.—Trustees shall select a chair from the membership of the Board.

(f) LIABILITY OF TRUSTEES.—Appointed trustees shall not be considered Federal employees by virtue of their membership on the Board, except for purposes of the Federal Tort Claims Act, the Ethics in Government Act, and the provisions of chapter 11 of title 18, United States Code.

(g) MEETINGS.—

(1) LOCATION AND TIMING OF MEETINGS.—The Board shall meet in sessions open to the public at least three times per year in New Mexico. Upon a majority vote made in open session, and a public statement of the reasons therefore, the Board may close any other meetings to the public: *Provided*, That any final decision of the Board to adopt or amend the comprehensive management program under section 108(d) or to approve any activity related to the management of the land or resources of the Preserve shall be made in open public session.

(2) PUBLIC INFORMATION.—In addition to other requirements of applicable law, the Board shall establish procedures for providing appropriate public information and periodic opportunities for public comment regarding the management of the Preserve.

Procedures.

SEC. 108. RESOURCE MANAGEMENT.

16 USC 698v-6.

(a) ASSUMPTION OF MANAGEMENT.—The Trust shall assume all authority provided by this title to manage the Preserve upon a determination by the Secretary, which to the maximum extent practicable shall be made within 60 days after the appointment of the Board, that—

Deadline.

(1) the Board is duly appointed, and able to conduct business; and

(2) provision has been made for essential management services.

(b) MANAGEMENT RESPONSIBILITIES.—Upon assumption of management of the Preserve under subsection (a), the Trust shall manage the land and resources of the Preserve and the use thereof including, but not limited to such activities as—

(1) administration of the operations of the Preserve;

(2) preservation and development of the land and resources of the Preserve;

(3) interpretation of the Preserve and its history for the public;

(4) management of public use and occupancy of the Preserve; and

(5) maintenance, rehabilitation, repair, and improvement of property within the Preserve.

(c) AUTHORITIES.—

(1) IN GENERAL.—The Trust shall develop programs and activities at the Preserve, and shall have the authority to negotiate directly and enter into such agreements, leases, contracts and other arrangements with any person, firm, association, organization, corporation or governmental entity, including without limitation, entities of Federal, State, and local governments, and consultation with Indian tribes and Pueblos, as are necessary and appropriate to carry out its authorized activities or fulfill the purposes of this title. Any such agreements may be entered into without regard to section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(2) PROCEDURES.—The Trust shall establish procedures for entering into lease agreements and other agreements for the use and occupancy of facilities of the Preserve. The procedures shall ensure reasonable competition, and set guidelines for determining reasonable fees, terms, and conditions for such agreements.

(3) LIMITATIONS.—The Trust may not dispose of any real property in, or convey any water rights appurtenant to the Preserve. The Trust may not convey any easement, or enter into any contract, lease, or other agreement related to use and occupancy of property within the Preserve for a period greater than 10 years. Any such easement, contract, lease, or other agreement shall provide that, upon termination of the Trust, such easement, contract, lease or agreement is terminated.

(4) APPLICATION OF PROCUREMENT LAWS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, Federal laws and regulations governing procurement by Federal agencies shall not apply to the Trust, with the exception of laws and regulations related to Federal Government contracts governing health and safety requirements, wage rates, and civil rights.

(B) PROCEDURES.—The Trust, in consultation with the Administrator of Federal Procurement Policy, Office of Management and Budget, shall establish and adopt procedures applicable to the Trust's procurement of goods and services, including the award of contracts on the basis of contractor qualifications, price, commercially reasonable buying practices, and reasonable competition.

Deadline.

(d) MANAGEMENT PROGRAM.—Within two years after assumption of management responsibilities for the Preserve, the Trust shall, in accordance with subsection (f), develop a comprehensive program for the management of lands, resources, and facilities within the Preserve to carry out the purposes under section 105(b). To the extent consistent with such purposes, such program shall provide for—

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(1) operation of the Preserve as a working ranch, consistent with paragraphs (2) through (4);

(2) the protection and preservation of the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural and recreational values of the Preserve;

(3) multiple use and sustained yield of renewable resources within the Preserve;

(4) public use of and access to the Preserve for recreation;

(5) renewable resource utilization and management alternatives that, to the extent practicable—

(A) benefit local communities and small businesses;

(B) enhance coordination of management objectives with those on surrounding National Forest System land; and

(C) provide cost savings to the Trust through the exchange of services, including but not limited to labor and maintenance of facilities, for resources or services provided by the Trust; and

(6) optimizing the generation of income based on existing market conditions, to the extent that it does not unreasonably diminish the long-term scenic and natural values of the area, or the multiple use and sustained yield capability of the land.

(e) PUBLIC USE AND RECREATION.—

(1) IN GENERAL.—The Trust shall give thorough consideration to the provision of appropriate opportunities for public use and recreation that are consistent with the other purposes under section 105(b). The Trust is expressly authorized to construct and upgrade roads and bridges, and provide other facilities for activities including, but not limited to camping and picnicking, hiking, and cross country skiing. Roads, trails, bridges, and recreational facilities constructed within the Preserve shall meet public safety standards applicable to units of the National Forest System and the State of New Mexico.

Public safety.

(2) FEES.—Notwithstanding any other provision of law, the Trust is authorized to assess reasonable fees for admission to, and the use and occupancy of, the Preserve: *Provided*, That admission fees and any fees assessed for recreational activities shall be implemented only after public notice and a period of not less than 60 days for public comment.

Public notice.

(3) PUBLIC ACCESS.—Upon the acquisition of the Baca ranch under section 104(a), and after an interim planning period of no more than two years, the public shall have reasonable access to the Preserve for recreation purposes. The Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, may reasonably limit the number and types of recreational admissions to the Preserve, or any part thereof, based on the capability of the land, resources, and facilities. The use of reservation or lottery systems is expressly authorized to implement this paragraph.

(f) APPLICABLE LAWS.—

(1) IN GENERAL.—The Trust, and the Secretary in accordance with section 109(b), shall administer the Preserve in conformity with this title and all laws pertaining to the National Forest System, except the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended (16 U.S.C. 1600 et seq.).

(2) ENVIRONMENTAL LAWS.—The Trust shall be deemed a Federal agency for the purposes of compliance with Federal environmental laws.

(3) CRIMINAL LAWS.—All criminal laws relating to Federal property shall apply to the same extent as on adjacent units of the National Forest System.

(4) REPORTS ON APPLICABLE RULES AND REGULATIONS.—The Trust may submit to the Secretary and the Committees of Congress a compilation of applicable rules and regulations which in the view of the Trust are inappropriate, incompatible with this title, or unduly burdensome.

(5) CONSULTATION WITH TRIBES AND PUEBLOS.—The Trust is authorized and directed to cooperate and consult with Indian tribes and Pueblos on management policies and practices for the Preserve which may affect them. The Trust is authorized to allow the use of lands within the Preserve for religious and cultural uses by Native Americans and, in so doing, may set aside places and times of exclusive use consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996 (note)) and other applicable statutes.

(6) NO ADMINISTRATIVE APPEAL.—The administrative appeals regulations of the Secretary shall not apply to activities of the Trust and decisions of the Board.

(g) LAW ENFORCEMENT AND FIRE MANAGEMENT.—The Secretary shall provide law enforcement services under a cooperative agreement with the Trust to the extent generally authorized in other units of the National Forest System. The Trust shall be deemed a Federal agency for purposes of the law enforcement authorities of the Secretary (within the meaning of section 15008 of the National Forest System Drug Control Act of 1986 (16 U.S.C. 559g)). At the request of the Trust, the Secretary may provide fire suppression, fire suppression, and rehabilitation services: *Provided*, That the Trust shall reimburse the Secretary for salaries and expenses of fire management personnel, commensurate with services provided.

16 USC 698v-7.

SEC. 109. AUTHORITIES OF THE SECRETARY.

(a) IN GENERAL.—Notwithstanding the assumption of management of the Preserve by the Trust, the Secretary is authorized to—

(1) issue any rights-of-way, as defined in the Federal Land Policy and Management Act of 1976, of over 10 years duration, in cooperation with the Trust, including, but not limited to, road and utility rights-of-way, and communication sites;

(2) issue orders under and enforce prohibitions generally applicable on other units of the National Forest System, in cooperation with the Trust;

(3) exercise the authorities of the Secretary under the Wild and Scenic Rivers Act (16 U.S.C. 1278, et seq.) and the Federal Power Act (16 U.S.C. 797, et seq.), in cooperation with the Trust;

(4) acquire the mineral rights referred to in section 104(e);

(5) provide law enforcement and fire management services under section 108(g);

(6) at the request of the Trust, exchange land or interests in land within the Preserve under laws generally applicable to other units of the National Forest System, or otherwise

PUBLIC LAW 106-248—JULY 25, 2000

114 STAT. 611

dispose of land or interests in land within the Preserve under Public Law 97-465 (16 U.S.C. 521c through 521i);

(7) in consultation with the Trust, refer civil and criminal cases pertaining to the Preserve to the Department of Justice for prosecution;

(8) retain title to and control over fossils and archaeological artifacts found within the Preserve;

(9) at the request of the Trust, construct and operate a visitors' center in or near the Preserve, subject to the availability of appropriated funds;

(10) conduct the assessment of the Trust's performance, and, if the Secretary determines it necessary, recommend to Congress the termination of the Trust, under section 110(b)(2); and

(11) conduct such other activities for which express authorization is provided to the Secretary by this title.

(b) INTERIM MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Preserve in accordance with this title during the interim period from the date of acquisition of the Baca ranch under section 104(a) to the date of assumption of management of the Preserve by the Trust under section 108. The Secretary may enter into any agreement, lease, contract, or other arrangement on the same basis as the Trust under section 108(c)(1): *Provided*, That any agreement, lease, contract, or other arrangement entered into by the Secretary shall not exceed two years in duration unless expressly extended by the Trust upon its assumption of management of the Preserve.

(2) USE OF THE FUND.—All monies received by the Secretary from the management of the Preserve during the interim period under paragraph (1) shall be deposited into the "Valles Caldera Fund" established under section 106(h)(2), and such monies in the fund shall be available to the Secretary, without further appropriation, for the purpose of managing the Preserve in accordance with the responsibilities and authorities provided to the Trust under section 108.

(c) SECRETARIAL AUTHORITY.—The Secretary retains the authority to suspend any decision of the Board with respect to the management of the Preserve if he finds that the decision is clearly inconsistent with this title. Such authority shall only be exercised personally by the Secretary, and may not be delegated. Any exercise of this authority shall be in writing to the Board, and notification of the decision shall be given to the Committees of Congress. Any suspended decision shall be referred back to the Board for reconsideration.

(d) ACCESS.—The Secretary shall at all times have access to the Preserve for administrative purposes.

SEC. 110. TERMINATION OF THE TRUST.

16 USC 698v-8.

(a) IN GENERAL.—The Valles Caldera Trust shall terminate at the end of the twentieth full fiscal year following acquisition of the Baca ranch under section 104(a).

(b) RECOMMENDATIONS.—

(1) BOARD.—

(A) If after the fourteenth full fiscal years from the date of acquisition of the Baca ranch under section 104(a),

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the Board believes the Trust has met the goals and objectives of the comprehensive management program under section 108(d), but has not become financially self-sustaining, the Board may submit to the Committees of Congress, a recommendation for authorization of appropriations beyond that provided under this title.

(B) During the eighteenth full fiscal year from the date of acquisition of the Baca ranch under section 104(a), the Board shall submit to the Secretary its recommendation that the Trust be either extended or terminated including the reasons for such recommendation.

Deadline.

(2) SECRETARY.—Within 120 days after receipt of the recommendation of the Board under paragraph (1)(B), the Secretary shall submit to the Committees of Congress the Board's recommendation on extension or termination along with the recommendation of the Secretary with respect to the same and stating the reasons for such recommendation.

(c) EFFECT OF TERMINATION.—In the event of termination of the Trust, the Secretary shall assume all management and administrative functions over the Preserve, and it shall thereafter be managed as a part of the Santa Fe National Forest, subject to all laws applicable to the National Forest System.

(d) ASSETS.—In the event of termination of the Trust, all assets of the Trust shall be used to satisfy any outstanding liabilities, and any funds remaining shall be transferred to the Secretary for use, without further appropriation, for the management of the Preserve.

(e) VALLES CALDERA FUND.—In the event of termination, the Secretary shall assume the powers of the Trust over funds under section 106(h), and the Valles Caldera Fund shall not terminate. Any balances remaining in the fund shall be available to the Secretary, without further appropriation, for any purpose consistent with the purposes of this title.

16 USC 698v-9.

SEC. 111. LIMITATIONS ON FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to the Secretary and the Trust such funds as are necessary for them to carry out the purposes of this title for each of the 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

Deadline.

(b) SCHEDULE OF APPROPRIATIONS.—Within two years after the first meeting of the Board, the Trust shall submit to Congress a plan which includes a schedule of annual decreasing appropriated funds that will achieve, at a minimum, the financially self-sustained operation of the Trust within 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

Deadline.

SEC. 112. GENERAL ACCOUNTING OFFICE STUDY.

Reports.
16 USC 698v-10.
Deadline.

(a) INITIAL STUDY.—Three years after the assumption of management by the Trust, the General Accounting Office shall conduct an interim study of the activities of the Trust and shall report the results of the study to the Committees of Congress. The study shall include, but shall not be limited to, details of programs and activities operated by the Trust and whether it met its obligations under this title.

Reports.

(b) SECOND STUDY.—Seven years after the assumption of management by the Trust, the General Accounting Office shall conduct a study of the activities of the Trust and shall report

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114 STAT. 613

the results of the study to the Committees of Congress. The study shall provide an assessment of any failure to meet obligations that may be identified under subsection (a), and further evaluation on the ability of the Trust to meet its obligations under this title.

* * * * *

Approved July 25, 2000.

114 STAT. 618

LEGISLATIVE HISTORY—S. 1892:

HOUSE REPORTS: No. 106-724 (Comm. on Resources).

SENATE REPORTS: No. 106-267 (Comm on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

July 11, 12, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 25, Presidential statement.



2. Booker T. Washington

116 STAT. 1054

PUBLIC LAW 107-215—AUG. 21, 2002

Public Law 107-215
107th Congress**An Act**Aug. 21, 2002
[H.R. 1456]To expand the boundary of the Booker T. Washington National Monument, and
for other purposes.*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*Booker T.
Washington
National
Monument
Boundary
Adjustment Act
of 2002.
Virginia.
16 USC 450ll
note.**SECTION 1. SHORT TITLE.**This Act may be cited as the “Booker T. Washington National
Monument Boundary Adjustment Act of 2002”.**SEC. 2. BOUNDARY OF BOOKER T. WASHINGTON NATIONAL MONU-
MENT EXPANDED.**The Act entitled “An Act to provide for the establishment
of the Booker T. Washington National Monument”, approved April
2, 1956 (16 U.S.C. 450ll et seq.), is amended by adding at the
end the following new section:

16 USC 450ll-3.

“SEC. 5. ADDITIONAL LANDS.**“(a) LANDS ADDED TO MONUMENT.—**The boundary of the Booker
T. Washington National Monument is modified to include the
approximately 15 acres, as generally depicted on the map entitled
‘Boundary Map, Booker T. Washington National Monument,
Franklin County, Virginia’, numbered BOWA 404/80,024, and dated
February 2001. The map shall be on file and available for inspection
in the appropriate offices of the National Park Service, Department
of the Interior.**“(b) ACQUISITION OF ADDITIONAL LANDS.—**The Secretary of the
Interior is authorized to acquire from willing owners the land
or interests in land described in subsection (a) by donation, purchase
with donated or appropriated funds, or exchange.**“(c) ADMINISTRATION OF ADDITIONAL LANDS.—**Lands added to
the Booker T. Washington National Monument by subsection (a)
shall be administered by the Secretary of the Interior as part
of the monument in accordance with applicable laws and regula-
tions.”.

Approved August 21, 2002.

LEGISLATIVE HISTORY—H.R. 1456:

HOUSE REPORTS: No. 107-223 (Comm. on Resources).

SENATE REPORTS: No. 107-199 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Oct. 2, considered and passed House

Vol. 148 (2002): Aug. 1, considered and passed Senate.



3. Cape Krusenstern

PUBLIC LAW 106–488—NOV. 9, 2000

114 STAT. 2205

Public Law 106–488
106th Congress**An Act**To improve Native hiring and contracting by the Federal Government within the
State of Alaska, and for other purposes.Nov. 9, 2000
[S. 748]*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,***SECTION 1. REPORT.**

(a) Within six months after the enactment of this Act the Secretary of the Interior (hereinafter referred to as the “Secretary” shall submit a report detailing the progress the Department has made in the implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall include a detailed action plan on the future implementation of the provisions of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and provisions of the Indian Self-Determination and Education Assistance Act. The report shall describe, in detail, the measures and actions that will be taken, along with a description of the anticipated results to be achieved during the next three fiscal years. The report shall focus on lands under the jurisdiction of the Department of the Interior in Alaska and shall also address any laws, rules, regulations and policies which act as a deterrent to hiring Native Alaskans or contracting with Native Alaskans to perform and conduct activities and programs of those agencies and bureaus under the jurisdiction of the Department of the Interior.

Deadline.

(b) The report shall be completed within existing appropriations and shall be transmitted to the Committee on Resources of the United States Senate, and the Committee on Resources of the United States House of Representatives.

SEC. 2. PILOT PROGRAM.16 USC 3198
note.

(a) In furtherance of the goals of sections 1307 and 1308 of the Alaska National Interest Lands Conservation Act and the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall—

(1) implement pilot programs to employ residents of local communities at the following units of the National Park System located in northwest Alaska—

- (A) Bering Land Bridge National Preserve,
- (B) Cape Krusenstern National Monument,
- (C) Kobuk Valley National Park, and
- (D) Noatak National Preserve; and

114 STAT. 2206

PUBLIC LAW 106-488—NOV. 9, 2000

(2) report on the results of the programs within one year to the Committee on Energy and Natural Resources of the United States and the Committee on Resources of the House of Representatives.

(b) In implementing the programs, the Secretary shall consult with the Native Corporations, nonprofit organizations, and Tribal entities in the immediate vicinity of such units and shall also, to the extent practicable, involve such groups in the development of interpretive materials and the pilot programs relating to such units.

Approved November 9, 2000.

LEGISLATIVE HISTORY—S. 748:

SENATE REPORTS: No. 106-72 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): Oct. 23, considered and passed House.



4. Colorado

PUBLIC LAW 106-353—OCT. 24, 2000

114 STAT. 1374

Public Law 106-353
106th Congress

An Act

To establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

Oct. 24, 2000
[H.R. 4275]

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 “Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000”.

Colorado
Canyons
National
Conservation
Area and Black
Ridge Canyons
Wilderness Act of
2000.
Utah.
16 USC 460mmm
note.
114 STAT. 1380
16 USC
460mmm-7.

* * * * *

SEC. 9. PUBLIC ACCESS.

(a) IN GENERAL.—The Secretary shall continue to allow private landowners reasonable access to inholdings in the Conservation Area and Wilderness.

(b) GLADE PARK.—The Secretary shall continue to allow public right of access, including commercial vehicles, to Glade Park, Colorado, in accordance with the decision in Board of County Commissioners of Mesa County v. Watt (634 F. Supp. 1265 (D.Colo.; May 2, 1986)).

Approved October 24, 2000.

LEGISLATIVE HISTORY—H.R. 4275:

SENATE REPORTS: No. 106-460 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 146 (2000):
July 25, considered and passed House.
Oct. 5, considered and passed Senate.



5. Effigy Mounds

114 STAT. 1289

PUBLIC LAW 106–323—OCT. 19, 2000

**Public Law 106–323
106th Congress****An Act**Oct. 19, 2000
[H.R. 3745]

To authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

Effigy Mounds
National
Monument
Additions Act.
16 USC 431 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 “Effigy Mounds National Monument Additions Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **MAP.**—The term “map” means the map entitled “Proposed Boundary Adjustments/Effigy Mounds National Monument”, numbered 394/800 35, and dated May 1999.(2) **MONUMENT.**—The term “Monument” means the Effigy Mounds National Monument, Iowa.(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.**SEC. 3. ADDITIONS TO EFFIGY MOUNDS NATIONAL MONUMENT.**(a) **IN GENERAL.**—The Secretary may acquire by purchase, from willing sellers only, each of the parcels described in subsection (b).(b) **PARCELS.**—The parcels referred to in subsection (a) are the following:(1) **FERGUSON/KISTLER TRACT.**—The parcel consisting of approximately 1054 acres of undeveloped, privately-owned land located in portions of sections 28, 29, 31, 32, and 33, T. 95 N., R. 3 W., Fairview Township, Allamakee County, Iowa, as depicted on the map.(2) **RIVERFRONT TRACT.**—The parcel consisting of approximately 50 acres of bottom land located between the Mississippi River and the north unit of the Monument in sections 27 and 34, Fairview Township, Allamakee County, Iowa, as depicted on the map.(c) **BOUNDARY ADJUSTMENT.**—On acquisition of a parcel described in subsection (b), the Secretary shall modify the boundary of the Monument to include the parcel. Any parcel included within the boundary of the Monument pursuant to this subsection shall be administered by the Secretary as part of the Monument.(d) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

PUBLIC LAW 106-323—OCT. 19, 2000

114 STAT. 1290

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$750,000.

Approved October 19, 2000.

LEGISLATIVE HISTORY—H.R. 3745 (S. 1643):

HOUSE REPORTS: No. 106-826 (Comm. on Resources).

SENATE REPORTS: No. 106-374 accompany S. 1643 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 26, considered and passed House.

Oct. 5, considered and passed Senate.



6. Fort Matanzas

114 STAT. 2493

PUBLIC LAW 106-524—NOV. 22, 2000

Public Law 106-524
106th Congress

An Act

Nov. 22, 2000
[S. 1670]

To revise the boundary of Fort Matanzas National Monument, and for other purposes.

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

Florida.
16 USC 431 note.

SECTION 1. DEFINITIONS.

In this Act:

(1) **MAP.**—The term “Map” means the map entitled “Fort Matanzas National Monument”, numbered 347/80,004 and dated February, 1991.

(2) **MONUMENT.**—The term “Monument” means the Fort Matanzas National Monument in Florida.

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

SEC. 2. REVISION OF BOUNDARY.

(a) **IN GENERAL.**—The boundary of the Monument is revised to include an area totaling approximately 70 acres, as generally depicted on the Map.

(b) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.

SEC. 3. ACQUISITION OF ADDITIONAL LAND.

The Secretary may acquire any land, water, or interests in land that are located within the revised boundary of the Monument by—

- (1) donation;
- (2) purchase with donated or appropriated funds;
- (3) transfer from any other Federal agency; or
- (4) exchange.

SEC. 4. ADMINISTRATION.

Subject to applicable laws, all land and interests in land held by the United States that are included in the revised boundary under section 2 shall be administered by the Secretary as part of the Monument.

PUBLIC LAW 106-524—NOV. 22, 2000

114 STAT. 2494

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

Approved November 22, 2000.

LEGISLATIVE HISTORY—S. 1670:

SENATE REPORTS: No. 106-331 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 5, considered and passed Senate.

Oct. 31, considered and passed House.



7. Fort Sumter

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

* Public Law 106-554 106th Congress

An Act

Dec. 21, 2000
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,
and for other purposes.

Consolidated
Appropriations
Act, 2001.
Incorporation by
reference.

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

SECTION 1. (a) The provisions of the following bills of the
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except
that the text of H.R. 5666, as so enacted, shall not include
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.
1 USC 112 note.

(b) In publishing this Act in slip form and in the United
States Statutes at Large pursuant to section 112 of title 1, United
States Code, the Archivist of the United States shall include after
the date of approval at the end appendixes setting forth the texts
of the bills referred to in subsection (a) of this section and the
text of any other bill enacted into law by reference by reason
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping
Guidelines set forth in the joint explanatory statement of the
committee of conference accompanying Conference Report 105-217,
legislation enacted in section 505 of the Department of Transpor-
tation and Related Agencies Appropriations Act, 2001, section 312
of the Legislative Branch Appropriations Act, 2001, titles X and
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th
Congress), division B of H.R. 5666 (106th Congress) as enacted
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that
would have been estimated by the Office of Management and Budget
as changing direct spending or receipts under section 252 of the
Balanced Budget and Emergency Deficit Control Act of 1985 were
it included in an Act other than an appropriations Act shall be
treated as direct spending or receipts legislation, as appropriate,
under section 252 of the Balanced Budget and Emergency Deficit
Control Act of 1985.

(b) In preparing the final sequestration report required by
section 254(f)(3) of the Balanced Budget and Emergency Deficit
Control Act of 1985 for fiscal year 2001, in addition to the informa-
tion required by that section, the Director of the Office of Manage-
ment and Budget shall change any balance of direct spending

* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106-554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106-645 (Comm. on Appropriations) and 106-1033 (Comm. of Conference).

SENATE REPORTS: No. 106-293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12-14, considered and passed House.

June 22, 23, 26-30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX F—H.R. 5661

APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

APPENDIX D—H.R. 5666

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

* * * * *

DIVISION B

114 STAT.
2763A-214

TITLE I

* * * * *

SEC. 120. The National Park Service is directed to work with Fort Sumter Tours, Inc., the concessionaire currently providing services at Fort Sumter National Monument in South Carolina, on an amicable solution of the current legal dispute between the two parties. The Director of the Service is directed to extend immediately the current contract through March 15, 2001, to facilitate further negotiations and for 180 days if final settlement of all disputes is agreed to by both parties.

114 STAT.
2763A-229

* * * * *

8. George Washington Birthplace

116 STAT. 2984

PUBLIC LAW 107-354—DEC. 17, 2002

Public Law 107-354
107th Congress

An Act

Dec. 17, 2002
[H.R. 3449]

To revise the boundaries of the George Washington Birthplace National Monument,
and for other purposes.

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

16 USC 442 note. **SECTION 1. ADDITION TO NATIONAL MONUMENT.**

The boundaries of the George Washington Birthplace National Monument (hereinafter referred to as the “National Monument”) are hereby modified to include the area comprising approximately 115 acres, as generally depicted on the map entitled “George Washington Birthplace National Monument Boundary Map”, numbered 332/80,023 and dated October 2001, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

16 USC 442 note. **SEC. 2. ACQUISITION OF LANDS.**

Within the boundaries of the National Monument, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to acquire lands, or interests therein, from willing owners by donation, purchase with donated money or appropriated funds, or exchange.

16 USC 442 note. **SEC. 3. ADMINISTRATION OF NATIONAL MONUMENT.**

In administering the National Monument, the Secretary shall take actions necessary to preserve and interpret the history and resources associated with George Washington, the generations of the Washington family who lived in the vicinity and their contemporaries, and 18th century plantation life and society.

Approved December 17, 2002.

LEGISLATIVE HISTORY—H.R. 3449 (S. 1943):

HOUSE REPORTS: No. 107-631 (Comm. on Resources).

SENATE REPORTS: No. 107-267 accompanying S. 1943 (Comm. on Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Sept. 24, considered and passed House.

Nov. 19, considered and passed Senate.



9. Hagerman Fossil Beds

PUBLIC LAW 106–421—NOV. 1, 2000

114 STAT. 1870

Public Law 106–421
106th Congress**An Act**

To direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

Nov. 1, 2000
[S. 1705]

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 “Castle Rock Ranch Acquisition Act of 2000”.

Castle Rock
Ranch
Acquisition Act of
2000.
16 USC 431 note.

SEC. 2. DEFINITIONS.

In this Act:

(1) **MONUMENT.**—The term “Monument” means the Hagerman Fossil Beds National Monument, Idaho, depicted on the National Park Service map numbered 300/80,000, C.O. No. 161, and dated January 7, 1998.

(2) **RANCH.**—The term “Ranch” means the land comprising approximately 1,240 acres situated outside the boundary of the Reserve, known as the “Castle Rock Ranch”.

(3) **RESERVE.**—The term “Reserve” means the City of Rocks National Reserve, located near Almo, Idaho, depicted on the National Park Service map numbered 003/80,018, C.O. No. 169, and dated March 25, 1999.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. ACQUISITION OF CASTLE ROCK RANCH.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall acquire, by donation or by purchase with donated or appropriated funds, the Ranch.

(b) **CONSENT OF LANDOWNER.**—The Secretary shall acquire land under subsection (a) only with the consent of the owner of the land.

SEC. 4. LAND EXCHANGE.

(a) **IN GENERAL.**—

(1) **FEDERAL AND STATE EXCHANGE.**—Subject to subsection (b), on completion of the acquisition under section 3(a), the Secretary shall convey the Ranch to the State of Idaho in exchange for approximately 492.87 acres of land near Hagerman, Idaho, located within the boundary of the Monument.

(2) **STATE AND PRIVATE LANDOWNER EXCHANGE.**—On completion of the exchange under paragraph (1), the State

114 STAT. 1871

PUBLIC LAW 106-421—NOV. 1, 2000

of Idaho may exchange portions of the Ranch for private land within the boundaries of the Reserve, with the consent of the owners of the private land.

(b) **CONDITION OF EXCHANGE.**—As a condition of the land exchange under subsection (a)(1), the State of Idaho shall administer all private land acquired within the Reserve through an exchange under this Act in accordance with title II of the Arizona-Idaho Conservation Act of 1988 (16 U.S.C. 460yy et seq.).

(c) **ADMINISTRATION.**—State land acquired by the United States in the land exchange under subsection (a)(1) shall be administered by the Secretary as part of the Monument.

(d) **NO EXPANSION OF RESERVE.**—Acquisition of the Ranch by a Federal or State agency shall not constitute any expansion of the Reserve.

(e) **NO EFFECT ON EASEMENTS.**—Nothing in this Act affects any easement in existence on the date of enactment of this Act.

Approved November 1, 2000.

LEGISLATIVE HISTORY—S. 1705:

HOUSE REPORTS: No. 106-749 (Comm. on Resources).

SENATE REPORTS: No. 106-262 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Apr. 13, considered and passed Senate.

Oct. 17, considered and passed House.



10. Homestead

PUBLIC LAW 107-332—DEC. 16, 2002

116 STAT. 2871

Public Law 107-332
107th Congress

An Act

To provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes.

Dec. 16, 2002
[H.R. 38]

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 “Homestead National Monument of America Additions Act”.

Homestead
National
Monument of
America
Additions Act.
16 USC 450u
note.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term “map” means the map entitled “Proposed Boundary Adjustment, Homestead National Monument of America, Gage County, Nebraska”, numbered 368/80036 and dated March 2000.

(2) MONUMENT.—The term “Monument” means the Homestead National Monument of America, Nebraska.

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

SEC. 3. ADDITIONS TO HOMESTEAD NATIONAL MONUMENT OF AMERICA.

(a) IN GENERAL.—The Secretary may acquire, by donation or by purchase with appropriated or donated funds, from willing sellers only, the privately-owned property described in paragraphs (1) and (2) of subsection (b). The Secretary may acquire, by donation only, the State-owned property described in paragraphs (3) and (4) of subsection (b).

(b) PARCELS.—The parcels referred to in subsection (a) are the following:

(1) GRAFF PROPERTY.—The parcel consisting of approximately 15.98 acres of privately-owned land, as depicted on the map.

(2) PIONEER ACRES GREEN.—The parcel consisting of approximately 3 acres of privately-owned land, as depicted on the map.

(3) SEGMENT OF STATE HIGHWAY 4.—The parcel consisting of approximately 5.6 acres of State-owned land including Nebraska State Highway 4, as depicted on the map.

(4) STATE TRIANGLE.—The parcel consisting of approximately 8.3 acres of State-owned land, as depicted on the map.

(c) BOUNDARY ADJUSTMENT.—Upon acquisition of a parcel described in subsection (b), the Secretary shall modify the boundary of the Monument to include the parcel. Any parcel included within

116 STAT. 2872

PUBLIC LAW 107-332—DEC. 16, 2002

the boundary shall be administered by the Secretary as part of the Monument.

(d) **DEADLINE FOR ACQUISITION OF CERTAIN PROPERTY.**—If the property described in subsection (b)(1) is not acquired by the Secretary from a willing seller within 5 years after the date of the enactment of this Act, the Secretary shall no longer be authorized to acquire such property pursuant to this Act and such property shall not become part of the Monument pursuant to this Act.

(e) **AVAILABILITY OF MAP.**—The map shall be on file in the appropriate offices of the National Park Service.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this Act \$400,000.

SEC. 4. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with the State of Nebraska, Gage County, local units of government, private groups, and individuals for operation, maintenance, interpretation, recreation, and other purposes related to the proposed Homestead Heritage Highway to be located in the general vicinity of the Monument.

Approved December 16, 2002.

LEGISLATIVE HISTORY—H.R. 38:

HOUSE REPORTS: No. 107-325 (Comm. on Resources).

SENATE REPORTS: No. 107-260 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): Dec. 11, considered and passed House.

Vol. 148 (2002): Nov. 19, considered and passed Senate.



11. Pinnacles

PUBLIC LAW 107-370—DEC. 19, 2002

116 STAT. 3071

Public Law 107-370
107th Congress

An Act

To designate certain lands in the State of California as components of the National
Wilderness Preservation System, and for other purposes.

Dec. 19, 2002
[H.R. 4750]

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

Big Sur
Wilderness and
Conservation Act
of 2002.

SECTION 1. SHORT TITLE AND DEFINITIONS.

(a) **SHORT TITLE.**—This Act may be cited as the “Big Sur
Wilderness and Conservation Act of 2002”.

(b) **DEFINITIONS.**—As used in this Act, the term “Secretary”
means the Secretary of the Interior or the Secretary of Agriculture,
as appropriate.

SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION SYSTEM.

* * * * *

(c) **ADDITIONS TO PINNACLES WILDERNESS.**—

116 STAT. 3072
16 USC 1132
note.

(1) **IN GENERAL.**—The areas described in paragraph (2)—
(A) are hereby designated as wilderness and, therefore,
as components of the National Wilderness Preservation
System; and

(B) are hereby incorporated in and shall be deemed
to be a part of the Pinnacles Wilderness designated by
Public Law 94-567.

(2) **AREAS DESCRIBED.**—The areas referred to in paragraph
(1) are the lands in the State of California administered by
the National Park Service which comprise approximately 2,715
acres, as generally depicted on a map entitled “Pinnacles Pro-
posed Wilderness Additions” and dated October 30, 2001.

* * * * *

Approved December 19, 2002.

116 STAT. 3075

LEGISLATIVE HISTORY—H.R. 4750:
CONGRESSIONAL RECORD, Vol. 148 (2002):
Nov. 14, considered and passed House.
Nov. 19, considered and passed Senate.



12. Timpanogos Cave

116 STAT. 2815

PUBLIC LAW 107-329—DEC. 6, 2002

Public Law 107-329
107th Congress

An Act

Dec. 6, 2002
[S. 1240]

To provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

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

16 USC 431 note.

**TITLE I—TIMPANOGOS INTERAGENCY
LAND EXCHANGE**

SEC. 101. FINDINGS AND PURPOSES.

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

(1) the facility that houses the administrative office of the Pleasant Grove Ranger District of the Uinta National Forest can no longer properly serve the purpose of the facility;

(2) a fire destroyed the Timpanogos Cave National Monument Visitor Center and administrative office in 1991, and the temporary structure that is used for a visitor center cannot adequately serve the public; and

(3) combining the administrative office of the Pleasant Grove Ranger District with a new Timpanogos Cave National Monument visitor center and administrative office in one facility would—

(A) facilitate interagency coordination;

(B) serve the public better; and

(C) improve cost effectiveness.

(b) **PURPOSES.**—The purposes of this title are—

(1) to authorize the Secretary of Agriculture to acquire by exchange non-Federal land located in Highland, Utah as the site for an interagency administrative and visitor facility;

(2) to direct the Secretary of the Interior to construct an administrative and visitor facility on the non-Federal land acquired by the Secretary of Agriculture; and

(3) to direct the Secretary of Agriculture and the Secretary of the Interior to cooperate in the development, construction, operation, and maintenance of the facility.

SEC. 102. DEFINITIONS.

In this title:

(1) **FACILITY.**—The term “facility” means the facility constructed under section 106 to house—

(A) the administrative office of the Pleasant Grove Ranger District of the Uinta National Forest; and

PUBLIC LAW 107-329—DEC. 6, 2002

116 STAT. 2816

(B) the visitor center and administrative office of the Timpanogos Cave National Monument.

(2) FEDERAL LAND.—The term “Federal land” means the parcels of land and improvements to the land in the Salt Lake Meridian comprising—

(A) approximately 237 acres located in T. 5 S., R. 3 E., sec. 13, lot 1, SW¹/₄, NE¹/₄, E¹/₂, NW¹/₄ and E¹/₂, SW¹/₄, as depicted on the map entitled “Long Hollow-Provo Canyon Parcel”, dated March 12, 2001;

(B) approximately 0.18 acre located in T. 7 S., R. 2 E., sec. 12, NW¹/₄, as depicted on the map entitled “Provo Sign and Radio Shop”, dated March 12, 2001;

(C) approximately 20 acres located in T. 3 S., R. 1 E., sec. 33, SE¹/₄, as depicted on the map entitled “Corner Canyon Parcel”, dated March 12, 2001;

(D) approximately 0.18 acre located in T. 29 S., R. 7 W., sec. 15, S¹/₂, as depicted on the map entitled “Beaver Administrative Site”, dated March 12, 2001;

(E) approximately 7.37 acres located in T. 7 S., R. 3 E., sec. 28, NE¹/₄, SW¹/₄, NE¹/₄, as depicted on the map entitled “Springville Parcel”, dated March 12, 2001; and

(F) approximately 0.83 acre located in T. 5 S., R. 2 E., sec. 20, as depicted on the map entitled “Pleasant Grove Ranger District Parcel”, dated March 12, 2001.

(3) NON-FEDERAL LAND.—The term “non-Federal land” means the parcel of land in the Salt Lake Meridian comprising approximately 37.42 acres located at approximately 4,400 West, 11,000 North (SR-92), Highland, Utah in T. 4 S., R. 2 E., sec. 31, NW¹/₄, as depicted on the map entitled “The Highland Property”, dated March 12, 2001.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

SEC. 103. MAPS AND LEGAL DESCRIPTIONS.

(a) AVAILABILITY OF MAPS.—The maps described in paragraphs (2) and (3) of section 102 shall be on file and available for public inspection in the Office of the Chief of the Forest Service until the date on which the land depicted on the maps is exchanged under this title.

(b) TECHNICAL CORRECTIONS TO LEGAL DESCRIPTIONS.—The Secretary may correct minor errors in the legal descriptions in paragraphs (2) and (3) of section 102.

SEC. 104. EXCHANGE OF LAND FOR FACILITY SITE.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may, under such terms and conditions as the Secretary may prescribe, convey by quitclaim deed all right, title, and interest of the United States in and to the Federal land in exchange for the conveyance of the non-Federal land.

(b) TITLE TO NON-FEDERAL LAND.—Before the land exchange takes place under subsection (a), the Secretary shall determine that title to the non-Federal land is acceptable based on the approval standards applicable to Federal land acquisitions.

(c) VALUATION OF NON-FEDERAL LAND.—

(1) DETERMINATION.—The fair market value of the land and the improvements on the land exchanged under this title shall be determined by an appraisal that—

(A) is approved by the Secretary; and

(B) conforms with the Federal appraisal standards, as defined in the publication entitled “Uniform Appraisal Standards for Federal Land Acquisitions”.

(2) SEPARATE APPRAISALS.—

(A) IN GENERAL.—Each parcel of Federal land described in subparagraphs (A) through (F) of section 102(2) shall be appraised separately.

(B) INDIVIDUAL PROPERTY VALUES.—The property values of each parcel shall not be affected by the unit rule described in the Uniform Appraisal Standards for Federal Land Acquisitions.

(d) CASH EQUALIZATION.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may, as the circumstances require, either make or accept a cash equalization payment in excess of 25 percent of the total value of the lands or interests transferred out of Federal ownership.

(e) ADMINISTRATION OF LAND ACQUISITION BY UNITED STATES.—

(1) BOUNDARY ADJUSTMENT.—

(A) IN GENERAL.—On acceptance of title by the Secretary—

(i) the non-Federal land conveyed to the United States shall become part of the Uinta National Forest; and

(ii) the boundaries of the national forest shall be adjusted to include the land.

(B) ALLOCATION OF LAND AND WATER CONSERVATION FUND MONEYS.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–099), the boundaries of the national forest, as adjusted under this section, shall be considered to be boundaries of the national forest as of January 1, 1965.

(2) APPLICABLE LAW.—Subject to valid existing rights, the Secretary shall manage any land acquired under this section in accordance with—

(A) the Act of March 1, 1911 (16 U.S.C. 480 et seq.) (commonly known as the “Weeks Act”); and

(B) other laws (including regulations) that apply to National Forest System land.

SEC. 105. DISPOSITION OF FUNDS.

(a) DEPOSIT.—The Secretary shall deposit any cash equalization funds received in the land exchange in the fund established under Public Law 90-171 (16 U.S.C. 484a) (commonly known as the “Sisk Act”).

(b) USE OF FUNDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further appropriation, for the acquisition of land and interests in land for administrative sites in the State of Utah and land for the National Forest System.

SEC. 106. CONSTRUCTION AND OPERATION OF FACILITY.

(a) CONSTRUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after funds are made available to carry out this title, the Secretary of the Interior shall construct, and bear responsibility for all costs of construction of, a facility and all necessary infrastructure on non-Federal land acquired under section 104.

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116 STAT. 2818

(2) DESIGN AND SPECIFICATIONS.—Prior to construction, the design and specifications of the facility shall be approved by the Secretary and the Secretary of the Interior.

(b) OPERATION AND MAINTENANCE OF FACILITY.—The facility shall be occupied, operated, and maintained jointly by the Secretary (acting through the Chief of the Forest Service) and the Secretary of the Interior (acting through the Director of the National Park Service) under terms and conditions agreed to by the Secretary and the Secretary of the Interior.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

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

**TITLE II—UTAH PUBLIC LANDS
ARTIFACT PRESERVATION**

SEC. 201. FINDINGS.

Congress finds that—

(1) the collection of the Utah Museum of Natural History in Salt Lake City, Utah, includes more than 1,000,000 archaeological, paleontological, zoological, geological, and botanical artifacts;

(2) the collection of items housed by the Museum contains artifacts from land managed by—

- (A) the Bureau of Land Management;
- (B) the Bureau of Reclamation;
- (C) the National Park Service;
- (D) the United States Fish and Wildlife Service; and
- (E) the Forest Service;

(3) more than 75 percent of the Museum's collection was recovered from federally managed public land; and

(4) the Museum has been designated by the legislature of the State of Utah as the State museum of natural history.

SEC. 202. DEFINITIONS.

In this title:

(1) MUSEUM.—The term “Museum” means the University of Utah Museum of Natural History in Salt Lake City, Utah.

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

SEC. 203. ASSISTANCE FOR UNIVERSITY OF UTAH MUSEUM OF NATURAL HISTORY.

(a) ASSISTANCE FOR MUSEUM.—The Secretary shall make a grant to the University of Utah in Salt Lake City, Utah, to pay the Federal share of the costs of construction of a new facility for the Museum, including the design, planning, furnishing, and equipping of the Museum. Grants.

(b) GRANT REQUIREMENTS.—

(1) IN GENERAL.—To receive a grant under subsection (b), the Museum shall submit to the Secretary a proposal for the use of the grant.

(2) FEDERAL SHARE.—The Federal share of the costs described in subsection (a) shall not exceed 25 percent.

116 STAT. 2819

PUBLIC LAW 107-329—DEC. 6, 2002

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000, to remain available until expended.

* * * * *

Approved December 6, 2002.

LEGISLATIVE HISTORY—S. 1240 (H.R. 3928):

HOUSE REPORTS: No. 107-669 (Comm. on Resources).

SENATE REPORTS: No. 107-178 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Aug. 1, considered and passed Senate.

Sept. 24, considered and passed House, amended.

Nov. 19, Senate concurred in House amendment.

