

Calendar No. 621

103D CONGRESS
2D SESSION

H. R. 3433

AN ACT

To provide for the management of portions of the
Presidio under the jurisdiction of the Secretary
of the Interior.

SEPTEMBER 22 (legislative day, SEPTEMBER 12), 1994
Reported with an amendment and an amendment to the
title

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IN THE SENATE OF THE UNITED STATES

AUGUST 23 (legislative day, AUGUST 18), 1994

Received; read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 22 (legislative day, SEPTEMBER 12), 1994

Reported by Mr. JOHNSTON, with an amendment and an amendment to the title

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

AN ACT

To provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds that—

5 (1) the Presidio of San Francisco, located
6 amidst the incomparable scenic splendor of the Gold-
7 en Gate, is one of America's great natural and his-
8 toric sites;

1 (2) the Presidio is the oldest continually operat-
2 ing military post in the Nation dating from 1776,
3 and was designated as a National Historic Land-
4 mark in 1962;

5 (3) preservation of the cultural and historic in-
6 tegrity of the Presidio for public use would give due
7 recognition to its significant role in the history of
8 the United States;

9 (4) the Presidio in its entirety will transfer to
10 the jurisdiction of the National Park Service on Sep-
11 tember 30, 1994, in accordance with Public Law
12 92-589;

13 (5) as part of the Golden Gate National Recre-
14 ation Area, the Presidio's outstanding natural, his-
15 toric, scenic, cultural and recreational resources
16 must be managed in a manner which is consistent
17 with sound principles of land use planning and man-
18 agement, and which protect the Presidio from devel-
19 opment and uses which would destroy the scenic
20 beauty and natural character of the area;

21 (6) activities and management at the Presidio
22 must be consistent with both the Act establishing
23 the Golden Gate National Recreation Area (Public
24 Law 92-589) and the General Management Plan for

1 the Golden Gate National Recreation Area, as
2 amended;

3 (7) the Presidio will be a global center dedi-
4 cated to addressing the world's most critical environ-
5 mental, social, and cultural challenges and a working
6 laboratory at which models of environmental sustain-
7 ability shall be developed;

8 (8) the Presidio, as an urban park, will be man-
9 aged in a manner that is responsive to the concerns
10 of the public and cognizant of its impact on the local
11 community, and as a public resource, will reflect, in
12 both activities and management, of the diversity that
13 exists in the surrounding community; and

14 (9) the Presidio will be managed in an innova-
15 tive public/private partnership that minimizes cost to
16 the United States Treasury and makes efficient use
17 of private sector resources that could be utilized in
18 the public interest.

19 **SEC. 2. AMENDMENT OF ACT ESTABLISHING GOLDEN GATE**
20 **NATIONAL RECREATION AREA.**

21 (a) STATEMENT OF PURPOSES.—Section 1 of the Act
22 entitled “An Act to establish the Golden Gate National
23 Recreation Area in the State of California, and for other
24 purposes”, approved October 27, 1972 (Public Law 92-
25 589; 86 Stat. 1299; 16 U.S.C. 460bb), is amended by in-

1 sserting the following after the second sentence: “In addi-
2 tion, the Secretary may utilize the resources of the Pre-
3 sidio of San Francisco to provide for and support pro-
4 grams and activities that foster research, education or
5 demonstration projects, and relate to the environment, en-
6 ergy, transportation, international affairs, arts and cul-
7 tural understanding, health and science.”.

8 (b) ADMINISTRATION.—Section 4 of such Act is
9 amended by adding the following new subsection at the
10 end thereof:

11 “(g) INTERIM AUTHORITY.—(1) In addition to other
12 available authorities, the Secretary may, in his discretion,
13 negotiate and enter into leases, as appropriate, with any
14 person, firm, association, organization, corporation or gov-
15 ernmental entity for the use of any property within the
16 Presidio in accordance with the General Management Plan
17 and any of the purposes set forth in section 1 of this Act.

18 “(2) In addition to other available authorities, the
19 Secretary may, in his discretion, enter into—

20 “(A) interagency permitting agreements or
21 other appropriate agreements with the Secretary of
22 Defense and the Director of the Federal Emergency
23 Management Agency, and

24 “(B) leases with the American Red Cross, to
25 house their activities and employees at the Presidio.

1 “(3) Any leases or other appropriate agreements en-
2 tered into under this subsection shall be subject to such
3 procedures, terms, conditions and restrictions as the Sec-
4 retary deems necessary. The Secretary is authorized to ne-
5 gotiate and enter into leases or other agreements, at fair
6 market value and without regard to section 321 of chapter
7 314 of the Act of June 30, 1932 (40 U.S.C. 303b), fair
8 market value shall take into account the uses permitted
9 by the General Management Plan and this Act. The pre-
10 ceding sentence shall not apply to any interagency permit-
11 ting agreement entered into between the Secretary and the
12 Secretary of Defense regarding the housing of activities
13 and employees of the Sixth United States Army. For pur-
14 poses of any such lease or other agreements, the Secretary
15 may adjust the rental by taking into account any amounts
16 to be expended by the lessee for preservation, mainte-
17 nance, restoration, improvement, repair and related ex-
18 penses with respect to the leased properties.

19 “(4) The proceeds from leases under this subsection,
20 and from concession and other use authorizations and
21 from other services that may be provided by the recreation
22 area under this subsection shall be retained by the Sec-
23 retary for 5 years after the date of enactment of this para-
24 graph or until the leased property is transferred to the
25 Presidio Trust and shall be available without further ap-

1 appropriation and used to offset the costs of preservation,
2 restoration, maintenance, improvement, repair and related
3 expenses including administration of the above, incurred
4 by the Secretary with respect to Presidio properties, with
5 the balance used to offset other costs incurred by the Sec-
6 retary in the administration of the Presidio.

7 “(5) Each lessee of a lease entered into under this
8 subsection shall keep such records as the Secretary may
9 prescribe to enable the Secretary to determine that all
10 terms of the lease have been and are being faithfully per-
11 formed. The Secretary and the Comptroller General and
12 their duly authorized representatives shall, for the purpose
13 of audit and examination, have access to financial records
14 pertinent to the lease and all the terms and conditions
15 thereof.

16 “(6) The Secretary shall annually prepare and submit
17 to Congress a report on property leased under this sub-
18 section.

19 “(7) In addition to other available authorities, the
20 Secretary may, in his discretion, enter into cooperative
21 agreements and permits for any of the purposes of the
22 recreation area set out in section 4 of this Act.”.

23 **SEC. 3. THE PRESIDIO TRUST.**

24 (a) **ESTABLISHMENT.**—There is established within
25 the Department of the Interior a non-profit public benefit

1 government corporation to be known as the Presidio Trust
2 (hereinafter in this Act referred to as the "Trust"). The
3 Trust shall manage, in accordance with the purposes set
4 forth in section 4 of the Act entitled "An Act to establish
5 the Golden Gate National Recreation Area in the State
6 of California, and for other purposes", approved October
7 27, 1972 (Public Law 92-589; 86 Stat. 1299; 16 U.S.C.
8 460bb), and with this Act, the leasing, maintenance, reha-
9 bilitation, repair and improvement of property within the
10 Presidio which is transferred to the Trust by the Secretary
11 of the Interior (hereinafter in this Act referred to as the
12 "Secretary"). The Trust may participate in the develop-
13 ment of programs and activities at the properties that
14 have been transferred to the Trust.

15 (b) TRANSFER.—Except as provided in this sub-
16 section, the Secretary shall transfer to the Trust, under
17 such terms and conditions as the Secretary deems appro-
18 priate, a leasehold in the following properties within the
19 Presidio under the control of the Secretary: the
20 Letterman-LAIR complex, Fort Scott, Main Post, Cavalry
21 Stables, Presidio Hill, Wherry Housing, East Housing, the
22 structures at Crissy Field, and such other properties,
23 within the Presidio as the Secretary and the Trust deems
24 appropriate. Any such property shall be transferred within
25 60 days after a request is made by the Trust. The lease-

1 hold shall be of sufficient term to enable the Trust to ob-
2 tain necessary and beneficial financing arrangements and
3 to carry out the purposes of this Act. The Secretary may
4 withhold transfer to the Trust of any buildings necessary
5 to house or support activities of the National Park Service.
6 The Secretary may not transfer to the Trust any property
7 irrevocably permitted to the Department of the Army. The
8 Secretary shall transfer, with any transferred property, all
9 leases, concessions, licenses and other agreements affect-
10 ing such transferred property. The Secretary may transfer
11 any properties within the Presidio to the Trust not re-
12 quested by the Trust subject to terms and conditions mu-
13 tually agreed to by the Secretary and the Trust. All pro-
14 ceeds received by the Presidio Trust from the leasing of
15 properties managed by the Trust within the Presidio shall
16 be retained by the Trust without further appropriation
17 and used to offset the costs of administration, preserva-
18 tion, restoration, operation, maintenance, repair, and re-
19 lated expenses incurred by the Trust with respect to such
20 properties.

21 (c) BOARD OF DIRECTORS.—(1) The powers and
22 management of the Trust shall be vested in a Board of
23 Directors consisting of 13 members, as follows:

24 (A) The Director of the National Park Service.

25 (B) Secretary of the Army.

1 ~~(C) Administrator of the Environmental Protec-~~
2 ~~tion Agency.~~

3 ~~(D) Ten individuals, who are not employees of~~
4 ~~the Federal Government, appointed by the Secretary~~
5 ~~within 6 months after the date of the enactment of~~
6 ~~this Act, 6 of whom shall have knowledge and expe-~~
7 ~~rience in one or more of the fields of the environ-~~
8 ~~ment, energy, transportation, international affairs,~~
9 ~~health, science, education, or any other such field re-~~
10 ~~lated to the activities at the Presidio; 4 of whom~~
11 ~~shall have knowledge and experience in one or more~~
12 ~~of the fields of city planning, finance, real estate,~~
13 ~~labor or historic preservation. With respect to the 10~~
14 ~~individuals, 5 shall meet the additional requirement~~
15 ~~of possessing extensive knowledge of the region in~~
16 ~~which the Presidio is located.~~

17 Each member of the Board of Directors specified in sub-
18 paragraphs ~~(A) through (C)~~ paragraph (1) may designate
19 ~~(through written notice to the Secretary and Chairman of~~
20 ~~the Board)~~ an alternative senior official ~~(classified as Sen-~~
21 ~~ior Executive Service)~~ of his or her department or agency
22 who may serve on the Board in his or her stead. The Sec-
23 retary of the Army shall serve on the Board until such
24 time as the Sixth Army Headquarters ceases to maintain
25 a presence at the Presidio. In such an event, the Secretary

1 of Energy shall replace the Secretary of the Army on the
2 Board.

3 (d) ~~TERMS OF BOARD MEMBERS.~~—Each member of
4 the Board of Directors appointed under subparagraph (D)
5 of subsection (c)(1) shall serve for a term of 5 years from
6 the expiration of his or her predecessor's term; except that
7 the Secretary, in making the initial appointments to the
8 Board under subparagraph (D), shall appoint 3 Directors
9 to a term of 2 years and 3 Directors to a term of 3 years.
10 Any vacancy on the Board of Directors shall be filled in
11 the same manner in which the original appointment was
12 made, and any member appointed to fill a vacancy shall
13 serve for the remainder of the term for which his or her
14 predecessor was appointed. Each member shall continue
15 to serve after the expiration of his or her term until his
16 or her successor is appointed. No appointed director may
17 serve more than 10 years in consecutive terms.

18 (e) ~~ORGANIZATION AND COMPENSATION.~~—(1) The
19 Board of Directors shall elect at the initial meeting a
20 Chairman and a Vice Chairman from among the members
21 of the Board of Directors. The Director of the National
22 Park Service shall serve as Chairman until such time as
23 the Board holds such election.

24 (2) The Board of Directors may establish an Execu-
25 tive Committee within the Board and other such commit-

1 tees within the Board as it deems appropriate, and dele-
2 gate such powers to such committees as the Board deter-
3 mines appropriate to carry out its functions and duties.
4 Any such committees established by the Board may meet
5 and take action on behalf of the Board between meetings
6 to the extent the Board delegates such authority. Delega-
7 tions to such committees shall not relieve the Board of
8 full responsibility for the carrying out of its functions and
9 duties, and shall be revocable by the Board in its exclusive
10 judgment.

11 (3) Members of the Board of Directors shall serve
12 without pay, but may be reimbursed for the actual and
13 necessary traveling and subsistence expenses incurred by
14 them in the performance of the duties of the Trust.

15 (4) The Board of Directors shall meet at the call of
16 the Chairman, who shall require it to meet not less often
17 than once every 6 months. A majority of the members of
18 the Board of Directors (or their designated alternates)
19 shall constitute a quorum. The Board shall hold at least
20 one public meeting per year at the Presidio at which time
21 the Board shall report on its operations, accomplishments
22 and goals for the upcoming year.

23 (5) Members of the Board of Directors shall not be
24 considered Federal employees by virtue of their member-

1 ship on the Board, except for purposes of the Federal Tort
2 Claims Act and other statutes defining legal liability.

3 (f) STAFF.—The Board of Directors shall have the
4 power to appoint and fix the compensation and duties of
5 an Executive Director and such other officers and employ-
6 ees of the Trust as may be necessary for the efficient ad-
7 ministration of the Trust. Officers and employees of the
8 Trust may be appointed and compensated without regard
9 to the provisions of title 5, United States Code, governing
10 appointments in the competitive service, and may be paid
11 without regard to the provisions of chapter 51, and sub-
12 chapter III of chapter 53, title 5, United States Code (re-
13 lating to classification and General Schedule pay rates),
14 except that no such officer or employee may receive a sal-
15 ary which exceeds the salary payable to officers or employ-
16 ees of the United States classified a level IV of the Execu-
17 tive Schedule.

18 (g) EXPERTS AND CONSULTANTS.—The Board of Di-
19 rectors is authorized to procure the services of experts or
20 consultants, or organizations, including but not limited to
21 urban planners, architects, engineers, and appraisers.

22 (h) AUTHORITIES.—In exercising its powers and du-
23 ties, the Trust shall act in accordance with both the ap-
24 proved General Management Plan, as amended (herein-
25 after in this Act referred to as the “Plan”) and the Act

1 entitled “An Act to establish the Golden Gate National
2 Recreation Area in the State of California, and for other
3 purposes”, approved October 27, 1972 (Public Law 92–
4 589; 86 Stat. 1299; 16 U.S.C. 460bb), and have the fol-
5 lowing authorities:

6 (1) The Trust shall manage, maintain, improve
7 and repair those properties within the Presidio
8 which are transferred to the Trust by the Secretary.

9 (2) The Trust shall publish and disseminate in-
10 formation and make known to potential occupants,
11 by advertisement, solicitation, or other means, the
12 availability of the property within the Presidio which
13 the Trust manages.

14 (3) The Trust may prepare or cause to be pre-
15 pared plans, specifications, designs, and estimates of
16 costs for the rehabilitation, improvement, alteration,
17 or repair of any property managed by the Trust, and
18 from time to time may modify such plans, specifica-
19 tions, designs, or estimates.

20 (4)(A) The Trust may negotiate and enter into
21 agreements, including contracts, leases, and coopera-
22 tive agreements, with any person including any gov-
23 ernmental entity) for the occupancy of any property
24 within the Presidio which the Trust manages.

1 (B) Agreements under this paragraph shall be
2 subject to procedures established by the Secretary
3 under paragraph (5).

4 (C) Agreements under this paragraph may be
5 entered into without regard to section 321 of the Act
6 of June 30, 1932 (40 U.S.C. 303b).

7 (5) The Secretary shall establish procedures for
8 agreements under paragraph (4), including a re-
9 quirement that in entering into such agreements the
10 Trust shall obtain such competition as is practicable
11 in the circumstances.

12 (6) The Trust shall establish (through ease-
13 ments, covenants, regulations, agreements, or other-
14 wise) such restrictions, standards, and requirements
15 as are necessary to assure the maintenance, protec-
16 tion, and aesthetic character of the property man-
17 aged by the Trust.

18 (7) The Trust may make commercially reason-
19 able loans to the occupants of property managed by
20 the Trust for the preservation, restoration, mainte-
21 nance, or repair of such property.

22 (8) The Trust may provide technical assistance
23 to the occupants of property managed by the Trust,
24 to assist such occupants in making repairs or im-

1 improvements to the property or applying for loans
2 under paragraph (7) of this section.

3 (9) The Trust and the Secretary may solicit
4 and the Trust may accept donations of funds, prop-
5 erty, supplies, or services from individuals, founda-
6 tions, corporations, and other private entities, and
7 from public entities, for the purpose of carrying out
8 its duties.

9 (10) The Trust may retain any revenues from
10 leases or other agreements concerning property man-
11 aged by the Trust, including preexisting leases or
12 agreements and any donations, and use the proceeds
13 without further appropriation to offset any costs for
14 any function of the Trust authorized by this Act, ex-
15 cept for those moneys transferred to the Secretary
16 as stipulated in paragraph (11).

17 (11) The Secretary and the Trust shall agree
18 on an amount of revenues received by the Trust to
19 be transferred to the Secretary, to be applied by the
20 Secretary, without further appropriation or offset to
21 appropriation, for common operating and mainte-
22 nance expenses at the Presidio.

23 (12)(A) The Trust may not (directly or indi-
24 rectly) borrow funds from any source other than the

1 Secretary of the Treasury as provided in this para-
2 graph.

3 ~~(B)~~ Except as provided in subparagraph (F), if
4 at any time the funds available to the Trust are in-
5 sufficient to enable the Trust to discharge its re-
6 sponsibilities under this Act, the Trust may issue
7 obligations to the Secretary of the Treasury, but
8 only if the Secretary of the Treasury agrees to pur-
9 chase such obligations after determining that the
10 projects to be funded from the proceeds thereof are
11 credit worthy.

12 ~~(C)~~ The aggregate amount of obligations issued
13 under this paragraph which are outstanding at any
14 one time may not exceed \$150,000,000.

15 ~~(D)~~ Obligations issued under this paragraph—

16 (i) shall be in such forms and denomina-
17 tions, bearing such maturities, and subject to
18 such terms and conditions, as may be pre-
19 scribed by the Secretary of the Treasury, and

20 (ii) shall bear interest at a rate determined
21 by the Secretary of the Treasury, taking into
22 consideration current market yields on out-
23 standing marketable obligations of the United
24 States of comparable maturities.

1 ~~(E)~~ No funds appropriated to the Trust may be
2 used for repayment of principal or interest on, or re-
3 demption of, obligations issued under this para-
4 graph.

5 ~~(F)~~ The Secretary of the Treasury may pur-
6 chase obligations issued under this paragraph only
7 to the extent provided in advance in appropriation
8 Acts.

9 ~~(13)~~ Upon the request of the Trust, the Sec-
10 retary of the Treasury shall invest excess moneys of
11 the Trust in public debt securities with maturities
12 suitable to the needs of the Trust, as determined by
13 the Trust, and bearing interest at rates determined
14 by the Secretary of the Treasury, taking into consid-
15 eration current market yields on outstanding mar-
16 ketable obligations of the United States of com-
17 parable maturity.

18 ~~(14)~~ The Trust may enter into and perform
19 such contracts and other transactions with any per-
20 son, firm, association, organization, corporation or
21 governmental entity as may be necessary or appro-
22 priate to the conduct of activities authorized under
23 this Act.

24 ~~(15)~~ The Trust may execute all instruments
25 necessary or appropriate in the exercise of any of its

1 functions under this Act, and may delegate to the
2 Executive Director such of its powers and respon-
3 sibilities as it deems appropriate and useful for the
4 administration of the Trust.

5 (16) The Trust may obtain by purchase, rental,
6 donation, or otherwise, such goods and services as
7 may be needed to carry out its duties. In the event
8 of the termination of the Trust, all property and un-
9 expended funds shall be transferred to the Depart-
10 ment of the Interior, except that such funds shall
11 only be expended for the purposes of this Act.

12 (17) The Trust shall procure insurance against
13 any loss in connection with the properties managed
14 by it as is reasonable and customary; and shall pro-
15 cure such additional insurance for losses arising out
16 of any of its authorized activities as is reasonable
17 and customary.

18 (18) The Trust may sue and be sued in its
19 name. All litigation arising out of the activities of
20 the Trust shall be conducted by the Attorney Gen-
21 eral; the Trust may retain private attorneys to pro-
22 vide advice and counsel on transactional issues.

23 (19) The Trust may adopt, amend, and repeal
24 bylaws, rules, and regulations governing the manner

1 in which its business may be conducted and the pow-
2 ers vested in it may be exercised.

3 ~~(20) The Trust shall have perpetual succession.~~

4 ~~(21) The Trust shall have an official seal se-~~
5 ~~lected by the Board which shall be judicially noticed.~~

6 ~~(22) The Trust shall have all necessary and~~
7 ~~proper powers for the exercise of the authorities in-~~
8 ~~vested in it.~~

9 ~~(23) For purposes of complying with section~~
10 ~~106 of the National Historic Preservation Act, the~~
11 ~~Trust may work directly with the National Park~~
12 ~~Service, the State Historic Preservation Office, and~~
13 ~~the Advisory Council on Historic Preservation and~~
14 ~~enter into programmatic agreements, where appro-~~
15 ~~priate.~~

16 ~~(i) USE OF FEDERAL PERSONNEL, FACILITIES, AND~~
17 ~~SERVICES.—The Secretary and the heads of other Federal~~
18 ~~departments and agencies may provide personnel, facili-~~
19 ~~ties, and other administrative services to the Trust to as-~~
20 ~~sist it in carrying out its duties under this Act. Further-~~
21 ~~more, the Secretary and the heads of other Federal de-~~
22 ~~partments and agencies may loan or transfer to the Trust~~
23 ~~excess or surplus personal property deemed necessary for~~
24 ~~the management of the Presidio.~~

1 (j) TAXES.—Since the exercise of the powers granted
2 by this section will be in all respects for the benefit of
3 the people, the Trust is hereby declared to be devoted to
4 an essential public and governmental function and purpose
5 and shall be exempt from all taxes and special assessments
6 of every kind of the State of California, and its political
7 subdivisions, including the City and County of San Fran-
8 cisco.

9 (k) VOLUNTEERS.—The Secretary may accept, with-
10 out regard to the Civil Service classification laws, rules,
11 or regulations, the services of the Trust, the Board, and
12 the officers, and employees and consultants of the Board,
13 without compensation from the Department of the Inte-
14 rior, as volunteers in the performance of the functions au-
15 thorized herein, in the manner provided for under the Vol-
16 unteers in the Parks Act of 1969 (16 U.S.C. 18g et seq.).

17 (l) SAVINGS CLAUSE.—Nothing in this section shall
18 preclude the Secretary from exercising any of his or her
19 lawful powers within the Presidio.

20 (m) AFFIRMATIVE ACTION.—The Trust shall ensure
21 that affirmative steps are taken, consistent with other
22 Federal law, to afford equal access and equal opportuni-
23 ties for leases, concessions, contracts, subcontracts, and
24 other contracting and employment opportunities to mi-
25 norities, women, and other socially and economically dis-

1 advantaged individuals, commensurate with local availabil-
2 ity.

3 (n) ~~FINANCIAL RECORDS.~~—The financial records of
4 the Trust shall be available for inspection by the Sec-
5 retary, the Inspector General of the Department of the
6 Interior, and the Comptroller General at any time and
7 shall be audited by a reputable firm of certified public ac-
8 countants not less frequently than once each year. Such
9 audit shall be made available to the Secretary and the
10 Congress. The Trust shall be subject to the provisions of
11 the Government Corporation Control Act (31 U.S.C. 9109
12 et seq.), including the budget and credit provisions, except
13 that the Trust shall submit its budget through and in con-
14 sultation with the Secretary.

15 (o) ~~LEASING.~~—In managing and leasing the prop-
16 erties transferred to it, the Trust should consider the ex-
17 tent to which prospective tenants maximize the contribu-
18 tion to the implementation of the General Management
19 Plan and to the generation of revenues to offset costs of
20 the Presidio. If the Trust has difficulty securing a tenant
21 for a property under its control, it may enter into negotia-
22 tion with a prospective tenant whose proposed use may
23 be inconsistent with the approved General Management
24 Plan. The Trust may not enter into a lease which is incon-
25 sistent with the approved General Management Plan un-

1 less the Secretary makes a finding that the proposed lease
2 will not have a detrimental effect on the natural, histori-
3 cal, scenic and recreational values for which the Golden
4 Gate National Recreation Area was established. For major
5 leasing actions, the Trust shall submit the proposed lease
6 to the Secretary of the Interior or his designee for a period
7 of 10 working days for his review of the lease for consist-
8 ency with the General Management Plan. Before executing
9 the lease, the Trust shall consider issues of consistency
10 raised by the Secretary or his designee.

11 ~~(p)~~ APPLICATION OF OTHER LAWS.—(1) All general
12 penal statutes relating to the larceny, embezzlement, or
13 conversion of public moneys or property of the United
14 States shall apply to the moneys and property of the
15 Trust.

16 ~~(2)(A)~~ Except as provided in subparagraphs ~~(B)~~ and
17 ~~(C)~~, Federal laws and regulations governing procurement
18 by Federal agencies shall apply to the Trust.

19 ~~(B)~~ The Secretary may authorize the Trust, in exer-
20 cising authority under section 303(g) of the Federal Prop-
21 erty and Administrative Services Act of 1949 (40 U.S.C.
22 253(g)) relating to simplified purchase procedures, to use
23 as the dollar limit of each purchase or contract under that
24 subsection an amount which does not exceed \$500,000.

1 (C) The Secretary may authorize the Trust, in carry-
2 ing out the requirement of section 18 of the Office of Fed-
3 eral Procurement Policy Act (41 U.S.C. 416) to furnish
4 to the Secretary of Commerce for publication notices of
5 proposed procurement actions, to use as the applicable
6 dollar threshold for each expected procurement an amount
7 which does not exceed \$1,000,000.

8 (q) GOLDEN GATE NATIONAL RECREATION AREA
9 ADVISORY COMMISSION.—The Trust shall maintain liai-
10 son with the Golden Gate National Recreation Area Advi-
11 sory Commission in matters relating to the General Man-
12 agement Plan, and shall meet with the Commission at
13 least annually.

14 (r) REVERSION.—In the event of failure or default,
15 all interests and assets of the Trust shall revert to the
16 United States to be administered by the Secretary.

17 (s) REPORT.—The Trust shall transmit to the Sec-
18 retary and the Congress, annually each January, a com-
19 prehensive and detailed report of its operations, activities,
20 and accomplishments for the prior fiscal year. The report
21 also shall include a section that describes, in general
22 terms, the Trust's goals for the current fiscal year. The
23 portion of the report containing the audited financial
24 statement may be submitted at a later date, but no later
25 than the first day of March of such year.

1 (t) AUTHORIZATION OF APPROPRIATIONS FOR PRE-
2 SIDIO.—For purposes of the Presidio, including the Pre-
3 sidio Trust, there is authorized to be appropriated to the
4 Secretary such sums as may be necessary, but the aggre-
5 gate of funds appropriated for purposes of the Presidio
6 (excluding the Presidio Trust) under this subsection and
7 under the Act entitled “An Act to establish the Golden
8 Gate National Recreation Area in the State of California,
9 and for other purposes”, approved October 27, 1972 (Pub-
10 lic Law 92-589; 86 Stat. 1299; 16 U.S.C. 460bb) may
11 not exceed \$25,000,000 in any one fiscal year. Funds ap-
12 propriated under this Act (other than funds appropriated
13 for operations) remain available until expended.

14 (u) SEPARABILITY OF PROVISIONS.—If any provi-
15 sions of this Act or the application thereof to any body,
16 agency, situation, or circumstance is held invalid, the re-
17 mainder of the Act and the application of such provision
18 to other bodies, agencies, situations, or circumstances
19 shall not be affected thereby.

20 (v) The provisions of the Act of March 3, 1931 (40
21 U.S.C. 276a et seq.; commonly known as the Davis-Bacon
22 Act), and the provisions of the Service Contract Act of
23 1965 (41 U.S.C. 351 et seq.), shall apply to the Trust.
24 All laborers and mechanics employed on the construction,
25 rehabilitation, reconstruction, alteration, or repair of

1 projects funded in whole or in part by the Trust and
2 projects financed in whole or in part by loans, grants, loan
3 guarantees, or any other assistance by the Trust shall be
4 paid wages at rates not less than those prevailing on
5 projects of a similar character in the locality as deter-
6 mined by the Secretary of Labor in accordance with the
7 Act of March 3, 1931 (40 U.S.C. 276a et seq.; commonly
8 known as the Davis-Bacon Act). The Secretary of Labor
9 shall have, with respect to the labor standards specified
10 in this section, the authority and functions set forth in
11 Reorganization Plan Numbered 14 of 1950 (15 F.R.
12 3176; 64 Stat. 1267) and section 2 of the Act of June
13 13, 1934 (40 U.S.C. 276c).

14 **SEC. 4. COMPLIANCE WITH BUY AMERICAN ACT.**

15 No funds appropriated pursuant to this Act may be
16 expended by an entity unless the entity agrees that in ex-
17 pending the assistance the entity will comply with sections
18 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a-
19 10c, popularly known as the “Buy American Act”).

20 **SEC. 5. SENSE OF CONGRESS; REQUIREMENT REGARDING**
21 **NOTICE.**

22 (a) **PURCHASE OF AMERICAN-MADE EQUIPMENT**
23 **AND PRODUCTS.**—In the case of any equipment or prod-
24 ucts that may be authorized to be purchased with financial
25 assistance provided under this Act, it is the sense of the

1 Congress that entities receiving such assistance should, in
2 expending the assistance, purchase only American-made
3 equipment and products.

4 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
5 providing financial assistance under this Act, the head of
6 each Federal agency shall provide to each recipient of the
7 assistance a notice describing the statement made in sub-
8 section (a) by the Congress.

9 **SEC. 6. PROHIBITION OF CONTRACTS.**

10 It has been finally determined by a court or Federal
11 agency that any person intentionally affixed a label bear-
12 ing a “Made in America” inscription, or any inscription
13 with the same meaning, to any product sold in or shipped
14 to the United States that is not made in the United
15 States, such person shall be ineligible to receive any con-
16 tract or subcontract made with funds provided pursuant
17 to this Act, pursuant to the debarment, suspension, and
18 ineligibility procedures described in section 9.400 through
19 9.409 of title 48, Code of Federal Regulations.

20 ***TITLE I—MANAGEMENT OF THE PRESIDIO***
21 ***OF SAN FRANCISCO***

22 ***SECTION 101. FINDINGS.***

23 *The Congress finds that—*

1 (1) *the Presidio of San Francisco, located amidst*
2 *the incomparable scenic splendor of the Golden Gate,*
3 *is one of America's great natural and historic sites;*

4 (2) *the Presidio is the oldest continually operat-*
5 *ing military post in the Nation dating from 1776,*
6 *and was designated as a National Historic Landmark*
7 *in 1962;*

8 (3) *preservation of the cultural and historic in-*
9 *tegrity of the Presidio for public use would give due*
10 *recognition to its significant role in the history of the*
11 *United States;*

12 (4) *the Presidio in its entirety will transfer to*
13 *the jurisdiction of the National Park Service on Sep-*
14 *tember 30, 1994, in accordance with Public Law*
15 *92-589;*

16 (5) *as part of the Golden Gate National Recre-*
17 *ation Area, the Presidio's outstanding natural, his-*
18 *toric, scenic, cultural and recreational resources must*
19 *be managed in a manner which is consistent with*
20 *sound principles of land use planning and manage-*
21 *ment, and which protect the Presidio from develop-*
22 *ment and uses which would destroy the scenic beauty*
23 *and natural character of the area; and*

24 (6) *the Presidio will be managed in an innova-*
25 *tive public/private partnership that minimizes cost to*

1 *sidio in accordance with the General Management Plan and*
2 *any of the purposes set forth in section 1 of this Act.*

3 *“(2) In addition to other available authorities, the Sec-*
4 *retary may, in his discretion, enter into—*

5 *“(A) interagency permitting agreements or other*
6 *appropriate agreements with the Secretary of Defense*
7 *(or the Secretary of the military department con-*
8 *cerned) and the Director of the Federal Emergency*
9 *Management Agency, and*

10 *“(B) leases with the American Red Cross, to*
11 *house their activities and employees at the Presidio.*

12 *“(3) Any leases or other appropriate agreements en-*
13 *tered into under this subsection shall be subject to such pro-*
14 *cedures, terms, conditions and restrictions as the Secretary*
15 *deems necessary. The Secretary is authorized to negotiate*
16 *and enter into leases or other agreements, at fair market*
17 *value and without regard to section 321 of chapter 314 of*
18 *the Act of June 30, 1932 (40 U.S.C. 303b); fair market*
19 *value shall take into account the uses permitted by the Gen-*
20 *eral Management Plan and this Act. The preceding sentence*
21 *shall not apply to any interagency permitting agreement*
22 *entered into between the Secretary and the Secretary of De-*
23 *fense regarding the housing of activities and employees of*
24 *the Sixth United States Army, or its functional equivalent.*
25 *For purposes of any such lease or other agreements, the Sec-*

1 *retary may adjust the rental by taking into account any*
2 *amounts to be expended by the lessee for preservation, main-*
3 *tenance, restoration, improvement, repair and related ex-*
4 *penses with respect to the leased properties.*

5 “(4) *For a period of 5 years after the date of enactment*
6 *of this paragraph, or until the leased property is transferred*
7 *to the Presidio Trust, the proceeds from leases under this*
8 *subsection, and from concession and other use authoriza-*
9 *tions, and from other services that may be provided by the*
10 *recreation area under this subsection shall be retained by*
11 *the Secretary, and shall be available without further appro-*
12 *priation and used to offset the costs of preservation, restora-*
13 *tion, maintenance, improvement, repair and related ex-*
14 *penses including administration of the above, incurred by*
15 *the Secretary with respect to Presidio properties, with the*
16 *balance used to offset other costs incurred by the Secretary*
17 *in the administration of the Presidio.*

18 “(5) *Each lessee of a lease entered into under this sub-*
19 *section shall keep such records as the Secretary may pre-*
20 *scribe to enable the Secretary to determine that all terms*
21 *of the lease have been and are being faithfully performed.*
22 *The Secretary and the Comptroller General and their duly*
23 *authorized representatives shall, for the purpose of audit*
24 *and examination, have access to financial records pertinent*
25 *to the lease and all the terms and conditions thereof.*

1 “(6) The Secretary shall annually prepare and submit
2 to Congress a report on property leased under this sub-
3 section.

4 “(7) In addition to other available authorities, the Sec-
5 retary may, in his discretion, enter into cooperative agree-
6 ments and permits for any of the purposes of the recreation
7 area set out in section 1 of this Act.

8 “(8) An annual audit or accounting of Army morale,
9 recreation, and welfare activities and costs at the Presidio,
10 as set forth by the interagency agreement, shall be audited
11 at the expense of the Department of Defense by an independ-
12 ent external auditor in accordance with applicable stand-
13 ards. Such audit or accounting reports shall be submitted
14 to the appropriate congressional committees.”.

15 **SEC. 103. PRESIDIO TRUST.**

16 (a) *ESTABLISHMENT.*—There is established within the
17 Department of the Interior a non-profit public benefit gov-
18 ernment corporation to be known as the Presidio Trust
19 (hereinafter in this title referred to as the “Trust”). The
20 Trust shall manage, in accordance with the purposes set
21 forth in section 1 of the Act entitled “An Act to establish
22 the Golden Gate National Recreation Area in the State of
23 California, and for other purposes”, approved October 27,
24 1972 (Public Law 92–589; 86 Stat. 1299; 16 U.S.C. 460bb),
25 and with this title, the leasing, maintenance, rehabilitation,

1 *repair and improvement of property within the Presidio*
2 *which is transferred to the Trust by the Secretary of the*
3 *Interior (hereinafter in this title referred to as the “Sec-*
4 *retary”). The Trust may participate in the development of*
5 *programs and activities at the properties that have been*
6 *transferred to the Trust.*

7 **(b) TRANSFER.**—(1) *Except as provided in this sub-*
8 *section, the Secretary shall transfer to the Trust, under such*
9 *terms and conditions as the Secretary and the Trust deem*
10 *appropriate, a leasehold interest in the following properties*
11 *within the Presidio under the control of the Secretary: the*
12 *Letterman-LAIR complex, Fort Scott, Main Post, Cavalry*
13 *Stables, Presidio Hill, Wherry Housing, East Housing, the*
14 *structures at Crissy Field, and such other properties (in-*
15 *cluding leasehold interests in utilities, roads, or other facili-*
16 *ties servicing the properties), within the Presidio as the Sec-*
17 *retary and the Trust deem appropriate.*

18 (2) *As soon as practicable after the date of enactment*
19 *of this title, the Secretary shall prepare a map identifying*
20 *properties to be conveyed or proposed to be conveyed to the*
21 *Trust. Upon its completion, such map shall be transmitted*
22 *to the Committee on Energy and Natural Resources of the*
23 *United States Senate and the Committee on Natural Re-*
24 *sources of the United States House of Representatives.*

1 (3) *The conveyance of leasehold interests shall occur*
2 *within 60 days following such agreement(s) between the*
3 *Secretary and the Trust. The leasehold shall be of sufficient*
4 *term to enable the Trust to obtain necessary and beneficial*
5 *financing arrangements and to carry out the purposes of*
6 *this title. The Secretary may withhold transfer to the Trust*
7 *of any buildings necessary to house or support activities*
8 *of the National Park Service. The Secretary may not trans-*
9 *fer to the Trust any property irrevocably permitted to the*
10 *Department of the Army. The Secretary shall transfer, with*
11 *any transferred property, all leases, concessions, licenses*
12 *and other agreements affecting such transferred property.*
13 *The Secretary may transfer any properties within the Pre-*
14 *sidio to the Trust not requested by the Trust subject to terms*
15 *and conditions mutually agreed to by the Secretary and*
16 *the Trust.*

17 (4) *All proceeds received by the Trust from the leasing*
18 *of properties managed by the Trust within the Presidio*
19 *shall be retained by the Trust without further appropria-*
20 *tion and used to offset the costs of administration, preserva-*
21 *tion, restoration, operation, maintenance, repair, and relat-*
22 *ed expenses incurred by the Trust with respect to such prop-*
23 *erties.*

24 (5) *After a leasehold interest in any building or struc-*
25 *ture is transferred to the Trust, no appropriated funds may*

1 *be used to improve, rehabilitate, or repair such building or*
2 *structure, except on an emergency basis.*

3 *(c) BOARD OF DIRECTORS.—(1) The powers and man-*
4 *agement of the Trust shall be vested in a Board of Directors*
5 *consisting of 13 members, as follows:*

6 *(A) The Director of the National Park Service.*

7 *(B) Secretary of the Army.*

8 *(C) Eleven individuals, who are not employees of*
9 *the Federal Government, appointed by the Secretary*
10 *within 6 months after the date of the enactment of*
11 *this title, 6 of whom shall have knowledge and experi-*
12 *ence in one or more of the fields of the environment,*
13 *energy, transportation, international affairs, health,*
14 *science, education, or any other such field related to*
15 *the activities at the Presidio; 4 of whom shall have*
16 *knowledge and experience in one or more of the fields*
17 *of city planning, finance, real estate, labor or historic*
18 *preservation. With respect to the 11 individuals, 5*
19 *shall meet the additional requirement of possessing*
20 *extensive knowledge of the region in which the Pre-*
21 *sidio is located.*

22 *(2) Each member of the Board of Directors specified*
23 *in subparagraphs (A) and (B) in paragraph (1) may des-*
24 *ignate (through written notice to the Secretary and Chair-*
25 *man of the Board) an alternative senior official (classified*

1 *as Senior Executive Service) of his or her department or*
2 *agency who may serve on the Board in his or her stead.*
3 *The Secretary of the Army shall serve on the Board of Di-*
4 *rectors until such time as the Sixth Army Headquarters*
5 *ceases to maintain a presence at the Presidio. In such an*
6 *event, the Secretary shall submit a recommendation to the*
7 *appropriate Congressional Committees setting forth a pro-*
8 *posed new membership structure of the Board of Directors.*

9 *(d) TERMS OF BOARD MEMBERS.—Each member of*
10 *the Board of Directors appointed under subparagraph (C)*
11 *of subsection (c)(1) shall serve for a term of 5 years from*
12 *the expiration of his or her predecessor's term; except that*
13 *the Secretary, in making the initial appointments to the*
14 *Board under subparagraph (C), shall appoint 3 Directors*
15 *to a term of 2 years and 3 Directors to a term of 3 years.*
16 *Any vacancy on the Board of Directors shall be filled in*
17 *the same manner in which the original appointment was*
18 *made, and any member appointed to fill a vacancy shall*
19 *serve for the remainder of the term for which his or her*
20 *predecessor was appointed. Each member shall continue to*
21 *serve after the expiration of his or her term until his or*
22 *her successor is appointed. No appointed director may serve*
23 *more than 10 years in consecutive terms.*

24 *(e) ORGANIZATION AND COMPENSATION.—(1) The*
25 *Board of Directors shall elect at the initial meeting a Chair-*

1 man and a Vice Chairman from among the members of the
2 Board of Directors. The Director of the National Park Serv-
3 ice shall serve as Chairman until such time as the Board
4 holds such election.

5 (2) The Board of Directors may establish an Executive
6 Committee within the Board and other such committees
7 within the Board as it deems appropriate, and delegate
8 such powers to such committees as the Board determines
9 appropriate to carry out its functions and duties. Any such
10 committees established by the Board may meet and take ac-
11 tion on behalf of the Board between meetings to the extent
12 the Board delegates such authority. Delegations to such
13 committees shall not relieve the Board of full responsibility
14 for the carrying out of its functions and duties, and shall
15 be revocable by the Board in its exclusive judgment.

16 (3) Members of the Board of Directors shall serve with-
17 out pay, but may be reimbursed for the actual and nec-
18 essary traveling and subsistence expenses incurred by them
19 in the performance of the duties of the Trust.

20 (4) The Board of Directors shall meet at the call of
21 the Chairman, who shall require it to meet not less often
22 than once every 6 months. A majority of the members of
23 the Board of Directors (or their designated alternates) shall
24 constitute a quorum. The Board shall hold at least one pub-
25 lic meeting per year at the Presidio at which time the

1 *Board shall report on its operations, accomplishments and*
2 *goals for the upcoming year.*

3 *(f) STAFF.—The Board of Directors shall have the*
4 *power to appoint and fix the compensation and duties of*
5 *an Executive Director and such other officers and employees*
6 *of the Trust as may be necessary for the efficient adminis-*
7 *tration of the Trust. Officers and employees of the Trust*
8 *may be appointed and compensated without regard to the*
9 *provisions of title 5, United States Code, governing ap-*
10 *pointments in the competitive service, and may be paid*
11 *without regard to the provisions of chapter 51, and sub-*
12 *chapter III of chapter 53, title 5, United States Code (relat-*
13 *ing to classification and General Schedule pay rates), ex-*
14 *cept that no such officer or employee may receive a salary*
15 *which exceeds the salary payable to officers or employees*
16 *of the United States classified at level IV of the Executive*
17 *Schedule.*

18 *(g) EXPERTS AND CONSULTANTS.—The Board of Di-*
19 *rectors is authorized to procure the services of experts or*
20 *consultants, or organizations, including but not limited to*
21 *urban planners, architects, engineers, and appraisers.*

22 *(h) AUTHORITIES.—In exercising its powers and du-*
23 *ties, the Trust shall act in accordance with both the ap-*
24 *proved General Management Plan, as amended (hereinafter*
25 *in this title referred to as the “Plan” and the Act entitled*

1 *“An Act to establish the Golden Gate National Recreation*
2 *Area in the State of California, and for other purposes”*,
3 *approved October 27, 1972 (Public Law 92–589; 86 Stat.*
4 *1299; 16 U.S.C. 460bb), and have the following authorities:*

5 (1) *The Trust shall manage, maintain, improve*
6 *and repair those properties within the Presidio which*
7 *are transferred to the Trust by the Secretary.*

8 (2) *The Trust shall publish and disseminate in-*
9 *formation and make known to potential occupants, by*
10 *advertisement, solicitation, or other means, the avail-*
11 *ability of the property within the Presidio which the*
12 *Trust manages.*

13 (3) *The Trust may prepare or cause to be pre-*
14 *pared plans, specifications, designs, and estimates of*
15 *costs for the rehabilitation, improvement, alteration,*
16 *or repair of any property managed by the Trust, and*
17 *from time to time may modify such plans, specifica-*
18 *tions, designs, or estimates.*

19 (4)(A) *The Trust may negotiate and enter into*
20 *agreements, including contracts, leases, and coopera-*
21 *tive agreements, with any person including any gov-*
22 *ernmental entity) for the occupancy of any property*
23 *within the Presidio which the Trust manages.*

1 (B) Agreements under this paragraph shall be
2 subject to procedures jointly established by the Sec-
3 retary and the Trust under paragraph (5).

4 (C) Agreements under this paragraph may be en-
5 tered into without regard to section 321 of the Act of
6 June 30, 1932 (40 U.S.C. 303b).

7 (5) The Secretary and the Trust shall jointly es-
8 tablish procedures for agreements under paragraph
9 (4), including a requirement that in entering into
10 such agreements the Trust shall obtain such competi-
11 tion as is practicable in the circumstances.

12 (6) The Trust shall establish (through easements,
13 covenants, regulations, agreements, or otherwise) such
14 restrictions, standards, and requirements as are nec-
15 essary to assure the maintenance, protection, and aes-
16 thetic character of the property managed by the
17 Trust.

18 (7) The Trust may make commercially reason-
19 able loans to the occupants of property managed by
20 the Trust for the preservation, restoration, mainte-
21 nance, or repair of such property.

22 (8) The Trust may provide technical assistance
23 to the occupants of property managed by the Trust,
24 to assist such occupants in making repairs or im-

1 *provements to the property or applying for loans*
2 *under paragraph (7) of this section.*

3 *(9) The Trust may solicit and accept donations*
4 *of funds, property, supplies, or services from individ-*
5 *uals, foundations, corporations, and other private en-*
6 *tities, and from public entities, for the purpose of car-*
7 *rying out its duties.*

8 *(10) The Trust may retain any revenues from*
9 *leases or other agreements concerning property man-*
10 *aged by the Trust, including preexisting leases or*
11 *agreements and any donations, and use the proceeds*
12 *without further appropriation to offset any costs for*
13 *any function of the Trust authorized by this title, ex-*
14 *cept for those moneys transferred to the Secretary as*
15 *stipulated in paragraph (11).*

16 *(11) The Secretary and the Trust shall agree on*
17 *an amount of revenues received by the Trust to be*
18 *transferred to the Secretary, to be applied by the Sec-*
19 *retary, without further appropriation or offset to ap-*
20 *propriation, for common operating and maintenance*
21 *expenses at the Presidio.*

22 *(12)(A) The Trust may not (directly or indi-*
23 *rectly) borrow funds from any source other than the*
24 *Secretary of the Treasury, as provided in this para-*
25 *graph.*

1 (B)(i) *If at any time the funds available to the*
2 *Trust are insufficient to enable the Trust to discharge*
3 *its responsibilities under this title, the Trust may*
4 *issue obligations to the Secretary of the Treasury, but*
5 *only if the Secretary of the Treasury agrees to pur-*
6 *chase such obligations after determining that the*
7 *projects to be funded from the proceeds thereof are*
8 *creditworthy.*

9 (ii) *The Secretary of the Treasury is authorized*
10 *to use as a public debt transaction the proceeds from*
11 *the sale of any securities issued under chapter 31 of*
12 *title 31, United States Code, and the purposes for*
13 *which securities may be issued under such chapter are*
14 *extended to include any purchase of such notes or ob-*
15 *ligations acquired by Secretary of the Treasury under*
16 *this subsection.*

17 (C) *The aggregate amount of obligations issued*
18 *under this paragraph which are outstanding at any*
19 *one time may not exceed \$150,000,000.*

20 (D) *Obligations issued under this paragraph—*

21 (i) *shall be in such forms and denomina-*
22 *tions, bearing such maturities, and subject to*
23 *such terms and conditions, as may be prescribed*
24 *by the Secretary of the Treasury, and*

1 (ii) shall bear interest at a rate determined
2 by the Secretary of the Treasury, taking into
3 consideration current market yields on outstand-
4 ing marketable obligations of the United States
5 of comparable maturities.

6 (E) No funds appropriated to the Trust may be
7 used for repayment of principal or interest on, or re-
8 demption of, obligations issued under this paragraph.

9 (13) Upon the request of the Trust, the Secretary
10 of the Treasury shall invest excess moneys of the Trust
11 in public debt securities with maturities suitable to
12 the needs of the Trust, as determined by the Trust,
13 and bearing interest at rates determined by the Sec-
14 retary of the Treasury, taking into consideration cur-
15 rent market yields on outstanding marketable obliga-
16 tions of the United States of comparable maturity.

17 (14) The Trust may enter into and perform such
18 contracts and other transactions with any person,
19 firm, association, organization, corporation or gov-
20 ernmental entity as may be necessary or appropriate
21 to the conduct of activities authorized under this title.

22 (15) The Trust may execute all instruments nec-
23 essary or appropriate in the exercise of any of its
24 functions under this title, and may delegate to the
25 Executive Director such of its powers and responsibil-

1 *ities as it deems appropriate and useful for the ad-*
2 *ministration of the Trust.*

3 *(16) The Trust may obtain by purchase, rental,*
4 *donation, or otherwise, such goods and services as*
5 *may be needed to carry out its duties. In the event*
6 *of the termination of the Trust, all property and un-*
7 *expended funds shall be transferred to the Department*
8 *of the Interior, except that such funds shall only be*
9 *expended for the purposes of this title.*

10 *(17) The Trust shall procure insurance against*
11 *any loss in connection with the properties managed*
12 *by it as is reasonable and customary; and shall pro-*
13 *cedure such additional insurance for losses arising out*
14 *of any of its authorized activities as is reasonable and*
15 *customary.*

16 *(18) The Trust may sue and be sued in its name*
17 *to the same extent as the Federal Government. All*
18 *litigation arising out of the activities of the Trust*
19 *shall be conducted by the Attorney General; the Trust*
20 *may retain private attorneys to provide advice and*
21 *counsel on transactional issues.*

22 *(19) The Trust may adopt, amend, and repeal*
23 *bylaws, rules, and regulations governing the manner*
24 *in which its business may be conducted and the pow-*
25 *ers vested in it may be exercised.*

1 (20) *The Trust shall have perpetual succession.*

2 (21) *The Trust shall have an official seal selected*
3 *by the Board which shall be judicially noticed.*

4 (22) *The Trust shall have all necessary and*
5 *proper powers for the exercise of the authorities in-*
6 *vested in it.*

7 (23) *For purposes of complying with section 106*
8 *of the National Historic Preservation Act, the Trust*
9 *may work directly with the National Park Service,*
10 *the State Historic Preservation Office, and the Advi-*
11 *sory Council on Historic Preservation and enter into*
12 *programmatic agreements, where appropriate.*

13 (i) *USE OF FEDERAL PERSONNEL, FACILITIES, AND*
14 *SERVICES.—The Secretary and the heads of other Federal*
15 *departments and agencies may provide personnel, facilities,*
16 *and other administrative services to the Trust to assist it*
17 *in carrying out its duties under this title. Furthermore, the*
18 *Secretary and the heads of other Federal departments and*
19 *agencies may loan or transfer to the Trust excess or surplus*
20 *personal property deemed necessary for the management of*
21 *the Presidio.*

22 (j) *TAXES.—Since the exercise of the powers granted*
23 *by this section will be in all respects for the benefit of the*
24 *people, the Trust is hereby declared to be devoted to an es-*
25 *sential public and governmental function and purpose and*

1 *shall be exempt from all taxes and special assessments of*
2 *every kind of the State of California, and its political sub-*
3 *divisions, including the City and County of San Francisco.*

4 (k) *VOLUNTEERS.—The Secretary may accept, without*
5 *regard to the Civil Service classification laws, rules, or reg-*
6 *ulations, the services of the Trust, the Board, and the offi-*
7 *cers, and employees and consultants of the Board, without*
8 *compensation from the Department of the Interior, as vol-*
9 *unteers in the performance of the functions authorized here-*
10 *in, in the manner provided for under the Volunteers in the*
11 *Parks Act of 1969 (16 U.S.C. 18g et seq.).*

12 (l) *SAVINGS CLAUSE.—Nothing in this section shall*
13 *preclude the Secretary from exercising any of his or her*
14 *lawful powers within the Presidio.*

15 (m) *AFFIRMATIVE ACTION.—The Trust shall ensure*
16 *that affirmative steps are taken, consistent with other Fed-*
17 *eral law, to afford equal access and equal opportunities for*
18 *leases, concessions, contracts, subcontracts, and other con-*
19 *tracting and employment opportunities to minorities,*
20 *women, and other socially and economically disadvantaged*
21 *individuals, commensurate with local availability.*

22 (n) *FINANCIAL STATEMENTS.—The financial state-*
23 *ments of the Trust shall be available for inspection by the*
24 *Secretary, the Inspector General of the Department of the*
25 *Interior, and the Comptroller General at any time and shall*

1 *be audited in accordance with section 9105 of title 31, Unit-*
2 *ed States Code. Such audit shall be made available to the*
3 *Secretary and the Congress. Except as otherwise set forth*
4 *in this title, the Trust shall be subject to the provisions of*
5 *the Government Corporation Control Act (31 U.S.C. 9109*
6 *et seq.), including the budget and credit provisions. The*
7 *Trust shall submit its budget through and in consultation*
8 *with the Secretary.*

9 *(o) LEASING.—In managing and leasing the properties*
10 *transferred to it, the Trust should consider the extent to*
11 *which prospective tenants maximize the contribution to the*
12 *implementation of the General Management Plan and to*
13 *the generation of revenues to offset costs of the Presidio. If*
14 *the Trust has difficulty securing a tenant for a property*
15 *under its control, it may enter into negotiation with a pro-*
16 *spective tenant whose proposed use may be inconsistent*
17 *with the approved General Management Plan: Provided,*
18 *That the Trust may not enter into a lease which is incon-*
19 *sistent with the approved General Management Plan unless*
20 *the Secretary makes a finding that the proposed lease will*
21 *not have a detrimental effect on the natural, historical, sce-*
22 *nic and recreational values for which the Golden Gate Na-*
23 *tional Recreation Area was established. For major leasing*
24 *actions, the Trust shall submit the proposed lease to the Sec-*
25 *retary of the Interior or his designee for a period of 10*

1 *working days for his review of the lease for consistency with*
2 *the General Management Plan. Before executing the lease,*
3 *the Trust shall consider issues of consistency raised by the*
4 *Secretary or his designee.*

5 *(p) APPLICATION OF OTHER LAWS.—(1) All general*
6 *penal statutes relating to the larceny, embezzlement, or con-*
7 *version of public moneys or property of the United States*
8 *shall apply to the moneys and property of the Trust.*

9 *(2)(A) Except as provided in subparagraphs (B) and*
10 *(C), Federal laws and regulations governing procurement*
11 *by Federal agencies shall apply to the Trust.*

12 *(B) The Secretary may authorize the Trust, in exercis-*
13 *ing authority under section 303(g) of the Federal Property*
14 *and Administrative Services Act of 1949 (40 U.S.C. 253(g))*
15 *relating to simplified purchase procedures, to use as the dol-*
16 *lar limit of each purchase or contract under that subsection*
17 *an amount which does not exceed \$500,000.*

18 *(C) The Secretary may authorize the Trust, in carry-*
19 *ing out the requirement of section 18 of the Office of Federal*
20 *Procurement Policy Act (41 U.S.C. 416) to furnish to the*
21 *Secretary of Commerce for publication notices of proposed*
22 *procurement actions, to use as the applicable dollar thresh-*
23 *old for each expected procurement an amount which does*
24 *not exceed \$1,000,000.*

1 (q) *GOLDEN GATE NATIONAL RECREATION AREA AD-*
2 *VISORY COMMISSION.*—*The Trust shall maintain liaison*
3 *with the Golden Gate National Recreation Area Advisory*
4 *Commission in matters relating to the General Management*
5 *Plan, and shall meet with the Commission at least annu-*
6 *ally.*

7 (r) *REVERSION.*—*In the event of failure or default, all*
8 *interests and assets of the Trust shall revert to the United*
9 *States to be administered by the Secretary.*

10 (s) *REPORT.*—*The Trust shall annually transmit to*
11 *the Secretary and the Congress a comprehensive and de-*
12 *tailed report of its operations, activities, and accomplish-*
13 *ments for the prior fiscal year. The report also shall include*
14 *a section that describes, in general terms, the Trust’s goals*
15 *for the current fiscal year. The portion of the report con-*
16 *taining the audited financial statement may be submitted*
17 *at a later date, but no later than the first day of March*
18 *of such year.*

19 (t) *AUTHORIZATION OF APPROPRIATIONS FOR PRE-*
20 *SIDIO.*—*For purposes of the Presidio, including the Presidio*
21 *Trust, there is authorized to be appropriated to the Sec-*
22 *retary such sums as may be necessary, but the aggregate*
23 *of funds appropriated for purposes of the Presidio (exclud-*
24 *ing the Presidio Trust) under this subsection and under the*
25 *Act entitled “An Act to establish the Golden Gate National*

1 *Recreation Area in the State of California, and for other*
2 *purposes”, approved October 27, 1972 (Public Law 92–589;*
3 *86 Stat. 1299; 16 U.S.C. 460bb) may not exceed*
4 *\$25,000,000 in any one fiscal year. Funds appropriated*
5 *under this Act (other than funds appropriated for oper-*
6 *ations) remain available until expended.*

7 (u) *SEPARABILITY OF PROVISIONS.—If any provisions*
8 *of this Act or the application thereof to any body, agency,*
9 *situation, or circumstance is held invalid, the remainder*
10 *of the Act and the application of such provision to other*
11 *bodies, agencies, situations, or circumstances shall not be*
12 *affected thereby.*

13 ***TITLE II—INITIATIVES PERTAINING TO***
14 ***THE LOWER MISSISSIPPI DELTA REGION***

15 ***SEC. 201. FINDINGS.***

16 (a) *The Congress finds that—*

17 (1) *in 1988, Congress enacted Public Law 100–*
18 *460, establishing the Lower Mississippi Delta Devel-*
19 *opment Commission, to assess the needs, problems,*
20 *and opportunities of people living in the Lower Mis-*
21 *issippi Delta Region that includes 219 counties and*
22 *parishes within the States of Arkansas, Illinois, Ken-*
23 *tucky, Louisiana, Mississippi, Missouri, and Ten-*
24 *nessee;*

1 (2) *the Commission conducted a thorough inves-*
2 *tigation to assess these needs, problems, and opportu-*
3 *nities, and held several public hearings throughout the*
4 *Delta Region;*

5 (3) *on the basis of these investigations, the Com-*
6 *mission issued the Delta Initiatives Report, which in-*
7 *cluded recommendations on natural resource protec-*
8 *tion, historic preservation, and the enhancement of*
9 *educational and other opportunities for Delta resi-*
10 *dents;*

11 (4) *the Delta Initiatives Report recommended—*

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

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

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

21 (D) *that Federal agencies target more mon-*
22 *ies in selected areas to institutions of higher edu-*
23 *cation in the Delta Region, especially Histori-*
24 *cally Black Colleges and Universities.*

1 **SEC. 202. DEFINITIONS.**

2 *As used in this title, the term—*

3 (1) *“Commission” means the Lower Mississippi*
4 *Delta Development Commission established pursuant*
5 *to Public Law 100–460;*

6 (2) *“Delta Initiatives Report” means the May*
7 *14, 1990 Final Report of the Commission entitled*
8 *“The Delta Initiatives: Realizing the*
9 *Dream . . . Fulfilling the Potential”;*

10 (3) *“Delta Region” means the Lower Mississippi*
11 *Delta Region including the 219 counties and parishes*
12 *within the States of Arkansas, Illinois, Kentucky,*
13 *Louisiana, Mississippi, Missouri, and Tennessee, as*
14 *defined in the Delta Initiatives Report, except that,*
15 *for any State for which the Delta Region as defined*
16 *in such report comprises more than half of the geo-*
17 *graphic area of such State, the entire State shall be*
18 *considered part of the Delta Region for purposes of*
19 *this title;*

20 (4) *“Department” means the United States De-*
21 *partment of the Interior, unless otherwise specifically*
22 *stated;*

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

1 (6) “minority college or university” means a
2 Historically Black College or University that would
3 be considered a “part B institution” by section
4 322(2) of the Higher Education Act of 1965 (20
5 U.S.C. 1061(2)) or a “minority institution” as that
6 term is defined in section 1046 of the Higher Edu-
7 cation Act of 1965 (20 U.S.C. 1135d–5(3)).

8 (7) “Secretary” means the Secretary of the Inte-
9 rior, unless otherwise specifically stated.

10 **SEC. 203. NATURAL RESOURCES AND ENVIRONMENTAL**
11 **EDUCATIONAL INITIATIVES.**

12 (a) OFFICE OF EDUCATION.—(1) There shall be estab-
13 lished within the Department an Office of Education to en-
14 courage, support, and coordinate educations programs of
15 the Department at the elementary, secondary, college and
16 university, and graduate levels.

17 (2) The goals of the Office of Education shall be to—

18 (A) enhance the quality of education in the areas
19 of natural resources, the environment, the sciences,
20 cultural resource management, historic preservation,
21 archeology, aquaculture, and related subjects;

22 (B) establish initiatives at minority colleges or
23 universities;

24 (C) encourage the consideration of careers in the
25 areas of natural resources, the environment, the

1 *sciences, cultural resource management, historic pres-*
2 *ervation, archeology, aquaculture, and related sub-*
3 *jects;*

4 *(D) enhance teacher development and recruit-*
5 *ment;*

6 *(E) increase research opportunities for teachers*
7 *and students;*

8 *(F) enhance curriculum development; and*

9 *(G) improve laboratory instrumentation and*
10 *equipment through purchase, loan, or other transfer*
11 *mechanisms.*

12 *(b) DUTIES.—The duties of the Secretary, through the*
13 *Office of Education, shall be to—*

14 *(1) coordinate the educational programs within*
15 *the Department, including implementation of pro-*
16 *grams established under this title, in order to ensure*
17 *the goals of the Office of Education are met; and*

18 *(2) inventory existing education programs with-*
19 *in the Department.*

20 *(c) REPORT.—The Secretary shall report to Congress,*
21 *within one year after the date of the enactment of this title*
22 *and annually thereafter, on an inventory of existing edu-*
23 *cation programs of the Department, the status of such pro-*
24 *grams, and progress toward meeting the goals of the Office*
25 *of Education as established in this Act.*

1 (d) *MINORITY COLLEGE AND UNIVERSITY INITIA-*
2 *TIVE.—(1) Within one year after the date of enactment of*
3 *this title, and annually thereafter, the Secretary, through*
4 *the Office of Education, shall submit to the Committee on*
5 *Energy and Natural Resources of the United States Senate*
6 *and to the United States House of Representatives a report*
7 *identifying opportunities for minority colleges or univer-*
8 *sities to participate in programs and activities carried out*
9 *by the Department. The Secretary, through the Office of*
10 *Education, shall consult with representatives of minority*
11 *colleges or universities in preparing the report. Such report*
12 *shall—*

13 (A) *describe ongoing education and training pro-*
14 *grams carried out by the Department with respect to,*
15 *or in conjunction with, minority colleges or univer-*
16 *sities in the areas of natural resources, the environ-*
17 *ment, the sciences, cultural resource management, his-*
18 *toric preservation, archeology, aquaculture, and relat-*
19 *ed subjects;*

20 (B) *describe ongoing research, development or*
21 *demonstration programs involving the Department*
22 *and minority colleges or universities;*

23 (C) *describe funding levels for the programs re-*
24 *ferred to in subparagraphs (A) and (B);*

1 (D) include specific proposals and recommenda-
2 tions for providing assistance to minority colleges and
3 universities to enter into memoranda of understand-
4 ing and other appropriate forms of agreement with
5 the Department in order to plan and develop pro-
6 grams to foster greater involvement of these schools in
7 the contract, research, education, training, and re-
8 cruitment activities of the Department;

9 (E) address the need for, and potential role of,
10 the Department in providing minority colleges or
11 universities with the following—

12 (i) increased research opportunities for fa-
13 culty and students;

14 (ii) assistance in faculty development and
15 recruitment;

16 (iii) curriculum enhancement and develop-
17 ment; and

18 (iv) improved laboratory instrumentation
19 and equipment, through purchase, loan, or other
20 transfer mechanisms.

21 (F) address the need for, and potential role of,
22 the Department in providing financial and technical
23 assistance for the development of infrastructure facili-
24 ties, including buildings and laboratory facilities, at
25 minority colleges or universities; and

1 (G) include specific proposals and recommenda-
2 tions, together with estimates of necessary funding
3 levels, for initiatives to be carried out by the Depart-
4 ment in order to assist minority colleges or univer-
5 sities in providing education and training in the
6 areas of natural resources, the environment, the
7 sciences, cultural resource management, historic pres-
8 ervation, archeology, aquaculture, and related sub-
9 jects.

10 (2) The Secretary, through the Office of Education,
11 shall encourage memoranda of understanding and other ap-
12 propriate forms of agreement between the Department and
13 minority colleges or universities directed at jointly plan-
14 ning and developing programs to foster greater involvement
15 of minority colleges or universities in the research, edu-
16 cation, training, and recruitment activities of the Depart-
17 ment.

18 (e) SCHOLARSHIP PROGRAM.—The Secretary, through
19 the Office of Education, shall establish a scholarship pro-
20 gram for students pursuing undergraduate or graduate de-
21 grees in natural resource and environmental related fields
22 including, but not limited to: biology, wildlife biology, for-
23 estry, botany, horticulture, historic preservation, cultural
24 resource management, archeology, anthropology, aqua-
25 culture, geology, engineering, the environment, the sciences,

1 *and ecology at minority colleges and universities in the*
2 *Delta Region. The scholarship program shall include tui-*
3 *tion assistance. Recipients of such scholarships shall be stu-*
4 *dents deemed by the Secretary to have demonstrated—*

5 (1) *a need for such assistance; and*

6 (2) *academic potential in the particular area of*
7 *study.*

8 (f) *PRE-COLLEGE EDUCATION.—The Secretary,*
9 *through the Office of Education, shall undertake activities*
10 *to encourage pre-college education programs in subjects re-*
11 *lating to natural resources, the environment, the sciences,*
12 *cultural resource management, historic preservation, arche-*
13 *ology, aquaculture, and related subjects, for students in the*
14 *Delta Region. Such activities shall include, but not be lim-*
15 *ited to, the following—*

16 (1) *cooperation with, and assistance to, State de-*
17 *partments of education and local school districts in*
18 *the Delta Region to develop and carry out afterschool*
19 *and summer education programs for elementary, mid-*
20 *dle, and secondary school students;*

21 (2) *cooperation with, and assistance to, institu-*
22 *tions of higher education in the Delta Region to de-*
23 *velop and carry out pre-college education programs*
24 *for elementary, middle, and secondary school students;*

1 (3) *cooperation with, and assistance to, State de-*
2 *partments of education and local school districts in*
3 *the Delta Region in the development and use of cur-*
4 *riculum and educational materials; and*

5 (4) *the establishment of education programs for*
6 *elementary, middle, and secondary school teachers in*
7 *the Delta Region at research facilities of the Depart-*
8 *ment.*

9 (g) *VOLUNTEER PROGRAM.*—*The Secretary, through*
10 *the Office of Education, shall establish and carry out a pro-*
11 *gram to encourage the involvement on a voluntary basis*
12 *of qualified employees of the Department in educational en-*
13 *richment programs relating to natural resources, the envi-*
14 *ronment, the sciences, cultural resource management, his-*
15 *toric preservation, archeology, aquaculture, and related sub-*
16 *jects, in cooperation with State departments of education*
17 *and local school districts in the Delta Region.*

18 (h) *WOMEN AND MINORITIES IN THE SCIENCES.*—*The*
19 *Secretary, through the Office of Education, shall establish*
20 *a Center for Excellence in the Sciences at Alcorn State in*
21 *Lorman, Mississippi, in cooperation with Southern Univer-*
22 *sity in Baton Rouge, Louisiana, and the University of Ar-*
23 *kansas at Pine Bluff, Arkansas, and other minority colleges*
24 *or universities for purposes of encouraging women and mi-*
25 *nority students in the Delta Region to study and pursue*

1 *careers in the sciences. The Center shall enter into coopera-*
2 *tive agreements with Southern University in Baton Rouge,*
3 *Louisiana, and the University of Arkansas at Pine Bluff,*
4 *Arkansas, and other minority colleges and universities in*
5 *the Delta Region, to carry out affiliated programs and co-*
6 *ordinate program activities at such colleges and univer-*
7 *sities. The Secretary is authorized to provide grants and*
8 *other forms of financial assistance to the Center.*

9 (i) *CENTER FOR AQUACULTURE STUDIES.*—The Sec-
10 *retary, through the Office of Education, shall establish a*
11 *Center for Aquaculture Studies at the University of Arkan-*
12 *sas at Pine Bluff, Arkansas, in cooperation with Southern*
13 *University in Baton Rouge, Louisiana, and Alcorn State*
14 *in Lorman, Mississippi, and other minority colleges or uni-*
15 *versities for purposes of encouraging women and minority*
16 *students in the Delta Region to study and pursue careers*
17 *in the field of aquaculture. The Center shall enter into coop-*
18 *erative agreements with Southern University in Baton*
19 *Rouge, Louisiana, and Alcorn State in Lorman, Mis-*
20 *sissippi, and other minority colleges or universities in the*
21 *Delta Region to carry out affiliated program and coordi-*
22 *nate program activities at such colleges or universities.*

23 (j) *COORDINATION WITH OTHER FEDERAL AGEN-*
24 *CIES.*—The Secretary, through the Office of Education,
25 *shall ensure that the programs authorized in this section*

1 *are coordinated with, and complimentary to, educational*
2 *assistance programs administered by other Federal agen-*
3 *cies. These agencies include, but are not limited to, the De-*
4 *partment of Energy, the Department of Agriculture, the De-*
5 *partment of Education, the Department of Defense, the Na-*
6 *tional Science Foundation, and the National Aeronautics*
7 *and Space Administration.*

8 **SEC. 204. LOWER MISSISSIPPI DELTA REGION HERITAGE**
9 **STUDY.**

10 (a) *IN GENERAL.*—*The Secretary, in consultation with*
11 *the States of the Delta Region, the Lower Mississippi Delta*
12 *Development Center, and other appropriate Delta Region*
13 *institutions, is directed to prepare and transmit to the Con-*
14 *gress within three years after the date of the enactment of*
15 *this title, a study of significant natural, recreational, his-*
16 *torical or prehistorical, and cultural lands, waters, sites,*
17 *and structures located within the Delta Region. This study*
18 *shall take into consideration the research and inventory of*
19 *resources conducted by the Mississippi River Heritage Cor-*
20 *ridor Study Commission.*

21 (b) *TRANSPORTATION ROUTES.*—(1) *The study shall*
22 *include recommendations on appropriate designation and*
23 *interpretation of historically significant roads, trails, by-*
24 *ways, waterways, or other routes within the Delta Region.*

1 (2) *In order to provide for public appreciation, edu-*
2 *cation, understanding, interpretation, and enjoyment of the*
3 *significant sites identified pursuant to subsection (a), which*
4 *are accessible by public roads, the Secretary shall rec-*
5 *ommend in the study vehicular tour routes along existing*
6 *public roads linking such sites within the Delta Region*

7 (3) *Such recommendations shall include an analysis*
8 *of designating the Great River Road (as depicted on the*
9 *map entitled “Proposed Delta Transportation Network” on*
10 *pages 102–103 of the Delta Initiatives Report) and other*
11 *sections of the Great River Road between Baton Rouge and*
12 *New Orleans, Louisiana and an analysis of designating*
13 *that portion of the Old Antonio Road and the Louisiana*
14 *Natchez Trace which extends generally along Highway 84*
15 *from Vidalia, Louisiana, to Clarence, Louisiana, and Lou-*
16 *isiana Highway 6 from Clarence, Louisiana, to the Toledo*
17 *Bend Reservoir, Louisiana, as a National Scenic Byway,*
18 *or as a component of the National Trails System, or such*
19 *other designation as the Secretary deems appropriate.*

20 (4) *The Secretary shall also recommend in the study*
21 *an appropriate route along existing public roads to com-*
22 *memorate the importance of timber production and trade*
23 *to the economic development of the Delta Region in the*
24 *early twentieth century, and to highlight the continuing im-*
25 *portance of timber production and trade to the economic*

1 *life of the Delta Region. Recommendations shall include an*
2 *analysis of designating that portion of US 165 which ex-*
3 *tends from Alexandria, Louisiana, to Monroe, Louisiana,*
4 *as a National Scenic Byway, or as a component of the Na-*
5 *tional Trails System, or such other designation as the Sec-*
6 *retary deems appropriate.*

7 (5) *The study also include a comprehensive recreation,*
8 *interpretive, and visitor use plan for the routes described*
9 *in the above paragraphs, including bicycle and hiking*
10 *paths, and make specific recommendations for the acquisi-*
11 *tion and construction or related interpretive and visitor in-*
12 *formation facilities at selected sites along such routes.*

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

22 (c) *LISTING.—On the basis of the study, and in con-*
23 *sultation with the National Trust for Historic Preservation,*
24 *the Secretary shall inventory significant structures and*
25 *sites in the Delta Region. The Secretary shall further rec-*

1 *commend and encourage cooperative preservation and eco-*
2 *nomie development efforts such as the establishment of pres-*
3 *ervation districts linking groups of contiguous counties or*
4 *parishes, especially those that lie along the aforementioned*
5 *designated routes. The Secretary shall prepare a list of the*
6 *sites and structures for possible inclusion by the National*
7 *Park Service as National Historic Landmarks or such other*
8 *designation as the Secretary deems appropriate.*

9 **SEC. 205. DELTA REGION HERITAGE CORRIDORS AND HER-**
10 **ITAGE AND CULTURAL CENTERS.**

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

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

20 (2) *the Institute of Museum Services undertook a*
21 *comprehensive eighteen month study of such needs*
22 *with the assistance of two advisory groups, surveyed*
23 *524 museums from throughout the Nation, held dis-*
24 *cussion groups in which representatives of 25 museum*

1 *groups participated, and conducted case studies of 12*
2 *museum facilities around the Nation;*

3 *(3) on the basis of this assessment, the Institute*
4 *of Museum Services issued a report in September,*
5 *1992, entitled, “National Needs Assessment of Small,*
6 *Emerging, Minority and Rural Museums in the*
7 *United States” (hereinafter “National Needs Assess-*
8 *ment”) which found that small, emerging minority,*
9 *and rural museums provide valuable educational and*
10 *cultural resources for their communities and contain*
11 *a reservoir of the Nation’s material, cultural and his-*
12 *torical heritage, but due to inadequate resources are*
13 *unable to meet their full potential or the demands of*
14 *the surrounding communities;*

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

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

22 *(6) based on the National Needs Assessment, that*
23 *funding agencies should increase support available to*
24 *small, emerging, minority, and rural museums and*
25 *make specific recommendations for increasing tech-*

1 *nical assistance in order to identify such institutions*
2 *and provide assistance to facilitate their participa-*
3 *tion in Federal programs;*

4 *(7) the Delta Initiatives Report made specific*
5 *recommendations for the creation and development of*
6 *centers for the preservation of the cultural, historical,*
7 *and literary heritage of the Delta Region, including*
8 *recommendations for the establishment of a Delta Re-*
9 *gion Native American Heritage and Cultural Center*
10 *and a Delta Region African American Heritage and*
11 *Cultural Center with additional satellite centers or*
12 *museums linked throughout the Delta Region;*

13 *(8) the Delta Initiatives Report stated that new*
14 *ways of coordinating, preserving, and promoting the*
15 *Delta Region's literature, art, and music should be es-*
16 *tablished including the creation of a network to pro-*
17 *mote the Delta Region's literary, artistic, and musical*
18 *heritage; and*

19 *(9) wholesale destruction and attrition of archeo-*
20 *logical sites and structures has eliminated a signifi-*
21 *cant portion of Native American heritage as well as*
22 *the interpretive potential of the Delta Region's parks*
23 *and museums. Furthermore, site and structure de-*
24 *struction is so severe that an ambitious program of*

1 *site and structure acquisition in the Delta Region is*
2 *necessary.*

3 *(b) IN GENERAL.—The Secretary, in consultation with*
4 *the States of the Delta Region, the Chairman of the Na-*
5 *tional Endowment for the Arts, the Chairman of the Na-*
6 *tional Endowment for the Humanities, the Director of the*
7 *Smithsonian Institution, the Lower Mississippi Delta De-*
8 *velopment Center, Historically Black Colleges and Univer-*
9 *sities, and appropriate African American, Native American*
10 *and other relevant institutions or organizations in the*
11 *Delta Region, is further directed to prepare and transmit*
12 *to the Congress a plan outlining specific recommendations,*
13 *including recommendations for necessary funding, for the*
14 *establishment of a Delta Region Native American Heritage*
15 *Corridor and Heritage and Cultural Center and a Delta*
16 *Region African American Heritage Corridor and Heritage*
17 *and Cultural Center with a network of satellite or coopera-*
18 *tive units.*

19 *(c) DELTA REGION NATIVE AMERICAN HERITAGE*
20 *CORRIDOR AND CULTURAL CENTER.—(1) The plan referred*
21 *to in subsection (b) of this section shall include rec-*
22 *ommendations for establishing a network of parks, muse-*
23 *ums, and other centers to interpret Native American culture*
24 *and heritage in the Delta Region, including a ten year de-*
25 *velopment strategy for such a network.*

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

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

9 (4) *Such plan shall also include specific proposals for*
10 *educational and training assistance for Delta Region Na-*
11 *tive Americans to carry out the recommendations provided*
12 *in the study.*

13 (d) *DELTA REGION AFRICAN AMERICAN HERITAGE*
14 *CORRIDOR AND HERITAGE AND CULTURAL CENTER.—(1)*
15 *The plan referred to in subsection (b) of this section shall*
16 *include recommendations for establishing a heritage cor-*
17 *ridor or trail system, consisting of one or two major north-*
18 *south routes and several east-west-spur loops to preserve,*
19 *interpret and commemorate the African American heritage*
20 *and culture in the Delta Region during all significant his-*
21 *torical periods.*

22 (2) *Such plan shall make specific recommendations for*
23 *representing all forms of expensive culture including the*
24 *musical, folklore, literary, artistic, scientific, historical,*

1 *educational, and political contributions and accomplish-*
2 *ments of African Americans in the Delta Region.*

3 (3) *Such plan shall make specific recommendations for*
4 *implementing the findings of the Delta Initiatives Report*
5 *with respect to establishing an African American Heritage*
6 *Corridor and Heritage and Cultural Center and related sat-*
7 *ellite museums in the Delta Region, together with specific*
8 *funding levels necessary to carry out these recommendations*
9 *and shall also include recommendations for improving ac-*
10 *cess of small, emerging, minority or rural museums to tech-*
11 *nical and financial assistance.*

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

16 (5) *Such plan shall make specific recommendations for*
17 *improving educational programs offered by existing cul-*
18 *tural facilities and museums as well as establishing new*
19 *outreach programs for elementary, middle and secondary*
20 *schools, including summer programs for youth in the Delta*
21 *Region.*

22 (e) *GRANTS.—(1) In furtherance of the purposes of this*
23 *section, the Secretary is authorized to make planning*
24 *grants to State Humanities Councils in the Delta Region*
25 *to assist small, emerging, minority and rural museums se-*

1 lected on a financial needs basis in the development of a
2 comprehensive long term plan for these institutions. The
3 Secretary is also authorized to make implementation grants
4 to State Humanities Councils in the Delta Region who, in
5 consultations with State Museum Associations, shall make
6 grants to small, emerging, minority or rural museums for
7 the purpose of carrying out an approved plan for training
8 personnel, improving exhibits or other steps necessary to as-
9 sure the integrity of collections in their facilities, for edu-
10 cational outreach programs, or for other activities the Sec-
11 retary deems appropriate including the promotion of tour-
12 ism in the region. Such institutions shall be selected com-
13 petitively and on the basis of demonstrated financial need.
14 The Secretary is also authorized to make grants to State
15 Humanities Councils to update, simplify and coordinate
16 the respective State Works Progress Administration guides
17 and to develop a single comprehensive guide for the Delta
18 Region.

19 (2) The Secretary is authorized to provide grants and
20 other appropriate technical assistance to State Humanities
21 Councils, State Museum Associations, and State Arts Coun-
22 cils in the Delta Region for the purpose of assessing the
23 needs of such institutions. Such grants may be used by these
24 institutions to undertake such an assessment and to provide
25 other technical, administrative and planning assistance to

1 *small, emerging, minority or rural institutions seeking to*
2 *preserve the Delta Region's literary, artistic, and musical*
3 *heritage.*

4 (f) *MUSIC HERITAGE PROGRAM.*—(1) *The plan re-*
5 *ferred to in subsection (b) of this section shall include rec-*
6 *ommendations for establishing a Music Heritage Program,*
7 *with specific emphasis on the Mississippi Delta Blues. The*
8 *plan shall include specific recommendations for developing*
9 *a network of heritage sites, structures, small museums, and*
10 *festivals in the Delta Region.*

11 (2) *The plan shall include an economic strategy for*
12 *the promotion of the Delta Region's music, through the par-*
13 *ticipation of musicians, festival developers, museum opera-*
14 *tors, universities, and other relevant individuals and orga-*
15 *nizations.*

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

19 **SEC. 206. HISTORIC AND PREHISTORIC STRUCTURES AND**
20 **SITES SURVEY.**

21 (a) *ASSISTANCE.*—*The Secretary is authorized to pro-*
22 *vide technical and financial assistance to Historically*
23 *Black Colleges and Universities to undertake a comprehen-*
24 *sive survey of historic and prehistoric structures and sites*
25 *located on their campuses, including recommendations as*

1 to the inclusion of appropriate structures and sites on the
2 National Register of Historic Places, designation as Na-
3 tional Historic Landmarks, or other appropriate designa-
4 tion as determined by the Secretary. The Secretary shall
5 also make specific proposals and recommendations, together
6 with estimates of necessary funding levels, for a comprehen-
7 sive plan to be carried out by the Department to assist His-
8 torically Black Colleges and Universities in the preservation
9 and interpretation of such sites and structures.

10 (b) GRANTS.—In furtherance of the purposes of this
11 section, the Secretary is authorized to provide technical and
12 financial assistance to Historically Black Colleges and Uni-
13 versities for stabilization, preservation and interpretation
14 of such sites and structures.

15 **SEC. 207. DELTA ANTIQUITIES SURVEY.**

16 (a) IN GENERAL.—(1) The Secretary is directed to
17 prepare and transmit to the Congress, in cooperation with
18 the States of the Delta Region, State Archaeological Surveys
19 and Regional Archeological Centers, a study of the feasibil-
20 ity of establishing a Delta Antiquities Trail or Delta Antiq-
21 uities Heritage Corridor in the Delta Region.

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

1 (3) *In undertaking this study, the Secretary is directed*
2 *to enter into cooperative agreements with the States of the*
3 *Delta Region, the State Archeological Surveys, and Re-*
4 *gional Archeological Centers located in Delta Region insti-*
5 *tutions of higher education for on-site activities including*
6 *surveys, inventories, and stabilization and other activities*
7 *which the Secretary deems appropriate.*

8 (4) *In addition to the over 100 known ancient archeo-*
9 *logical sites located in the Delta Region including Watson's*
10 *Brake, Frenchman's Bend, Hedgepeth, Monte Sano, Ba-*
11 *nana Bayou, Hornsby, Parkin, Toltec, Menard-Hodges,*
12 *Eaker, Blytheville Mound, Nodena, Taylor Mounds, DeSoto*
13 *Mound and others, such study shall also employ every prac-*
14 *tical means possible, including assistance from the National*
15 *Aeronautics and Space Administration, the Forest Service*
16 *and Soil Conservation Service of the Department of Agri-*
17 *culture, the Army Corps of Engineers of the Department*
18 *of Defense, and other appropriate Federal agencies, to locate*
19 *and confirm the existence of a site known as Balbansha in*
20 *southern Louisiana and a site known as Autiamque in Ar-*
21 *kansas. The heads of these Federal agencies shall cooperate*
22 *with the Secretary as the Secretary requires on a non-reim-*
23 *bursable basis.*

24 (b) *TECHNICAL ASSISTANCE.—In furtherance of the*
25 *purposes of this section, the Secretary is authorized to pro-*

1 *vide technical assistance and grants to private landowners*
2 *for necessary stabilization activities of identified sites and*
3 *for preparing recommendations for designating such sites*
4 *as National Landmarks or other appropriate designations*
5 *as the Secretary, with the concurrence of the landowners,*
6 *determines to be appropriate.*

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

14 **SEC. 208. HISTORIC AND ARCHEOLOGICAL RESOURCES**
15 **PROGRAM.**

16 (a) *PROGRAM.—The Secretary shall conduct a com-*
17 *prehensive program for the research, interpretation, and*
18 *preservation of significant historic and archeological re-*
19 *sources in the Delta Region.*

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

22 (1) *identification of research projects related to*
23 *historic and archeological resources in the Delta Re-*
24 *gion and a proposal for the regular publication of re-*
25 *lated research materials and publications;*

1 (2) the development of a survey program to in-
2 vestigate, inventory, and further evaluate known his-
3 toric and archeological sites and structures and iden-
4 tify those sites and structures that require additional
5 study;

6 (3) identification of a core system of interpretive
7 sites and structures that would provide a comprehen-
8 sive overview of historic and archeological resources of
9 the Delta Region;

10 (4) preparation of educational materials to in-
11 terpret the historical and archeological resources of
12 the Delta Region; and

13 (5) preparation of surveys and archeological and
14 historical investigations of sites, structures, and arti-
15 facts relating to the Delta Region, including the prep-
16 aration of reports, maps, and other related activities.

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

22 (2) The Secretary is further authorized to award
23 grants and provide other types of technical and financial
24 assistance to such entities and individuals to conserve and
25 protect historic and archeological sites and structures in the

1 *Delta Region identified in the program prepared pursuant*
2 *to this section.*

3 (d) *DEMONSTRATION PROJECT.*—*The Secretary shall*
4 *establish a national demonstration project for the conserva-*
5 *tion and curation of the archeological records and collec-*
6 *tions of Federal and State management agencies in the*
7 *Delta Region.*

8 **SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

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

11 **TITLE III—NEW ORLEANS JAZZ NATIONAL**
12 **HISTORICAL PARK**

13 **SEC. 301. SHORT TITLE.**

14 *This title may be cited as the “New Orleans Jazz*
15 *National Historical Park Act of 1994”.*

16 **SEC. 302. FINDINGS AND PURPOSE.**

17 (a) *FINDINGS.*—*The Congress finds that:*

18 (1) *Jazz is the United States’ most widely recog-*
19 *nized indigenous music and art form. Congress pre-*
20 *viously recognized jazz in 1987 through Senate Con-*
21 *current Resolution 57 as a rare and valuable national*
22 *treasure of international importance.*

23 (2) *The city of New Orleans is widely recognized*
24 *as the birthplace of jazz. In and around this city, cul-*
25 *tural and musical elements blended to form the*

1 *unique American music that is known as New Orle-*
2 *ans jazz, which is an expression of the cultural diver-*
3 *sity of the lower Mississippi Delta Region.*

4 (3) *Jean Lafitte National Historical Park and*
5 *Preserve was established to commemorate the cultural*
6 *diversity of the lower Mississippi Delta Region in-*
7 *cluding a range of cultural expressions like jazz.*

8 (b) *PURPOSE.*—*In furtherance of the need to recognize*
9 *the value and importance of jazz, it is the purpose of this*
10 *title to establish a New Orleans Jazz National Historical*
11 *Park to preserve the origins, early history, development and*
12 *progression of jazz; provide visitors with opportunities to*
13 *experience the sights, sounds, and places where jazz evolved;*
14 *and implement innovative ways of establishing jazz edu-*
15 *cational partnerships that will help to ensure that jazz con-*
16 *tinues as a vital element of the culture of New Orleans and*
17 *our Nation.*

18 **SEC. 303. ESTABLISHMENT.**

19 (a) *IN GENERAL.*—*In order to assist in the preserva-*
20 *tion, education, and interpretation of jazz as it has evolved*
21 *in New Orleans, and to provide technical assistance to a*
22 *broad range of organizations involved with jazz music and*
23 *its history, there is hereby established the New Orleans Jazz*
24 *National Historical Park (hereinafter referred to as the*
25 *“historical park”). The historical park shall be adminis-*

1 *tered in conjunction with the Jean Lafitte National Histor-*
2 *ical Park and Preserve, which was established to preserve*
3 *and interpret the cultural and natural resources of the*
4 *lower Mississippi Delta Region.*

5 (b) *AREA INCLUDED.—The historical park shall con-*
6 *sist of lands and interests therein as follows:*

7 (1) *Lands which the Secretary of the Interior*
8 *(hereinafter referred to as “the Secretary”) may des-*
9 *ignate for an interpretive visitor center complex.*

10 (2) *Sites that are the subject of cooperative agree-*
11 *ments with the National Park Service for the pur-*
12 *poses of interpretive demonstrations and programs as-*
13 *sociated with the purposes of this title.*

14 (3)(A) *Sites designated by the Secretary as pro-*
15 *vided in subparagraph (B).*

16 (B)(i) *No later than 18 months after the date of*
17 *enactment of this title, the Secretary is directed to*
18 *complete a national historic landmark evaluation of*
19 *sites associated with jazz in and around New Orleans*
20 *as identified in the document entitled “New Orleans*
21 *Jazz Special Resources Study”, prepared by the Na-*
22 *tional Park Service pursuant to Public Law 101–499.*
23 *In undertaking the evaluation, the Secretary shall, to*
24 *the extent practicable, utilize existing information re-*
25 *lating to such sites.*

1 (ii) *If any of the sites evaluated are found to*
2 *meet the standards of the National Park Service tests*
3 *of suitability and feasibility, and offer outstanding*
4 *opportunities to further the purposes of this title, the*
5 *Secretary may designate such sites as part of the his-*
6 *toric park, following consultation with the owners of*
7 *such sites, the city of New Orleans, the Smithsonian*
8 *Institution, and the New Orleans Jazz Commission,*
9 *and notification to the Committee on Energy and*
10 *Natural Resources of the United States Senate and*
11 *the Committee on Natural Resources of the United*
12 *States House of Representatives.*

13 **SEC. 304. ADMINISTRATION.**

14 (a)(1) *IN GENERAL.*—*The Secretary shall administer*
15 *the historical park in accordance with this title and with*
16 *provisions of law generally applicable to units of the Na-*
17 *tional Park System, including the Act entitled “An Act to*
18 *establish a National Park Service, and for other purposes”,*
19 *approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–*
20 *4); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C.*
21 *461–467). The Secretary shall manage the historical park*
22 *in such a manner as will preserve and perpetuate knowl-*
23 *edge and understanding of the history of jazz and its contin-*
24 *ued evolution as a true American art form.*

1 (2) *To minimize operational costs associated with the*
2 *management and administration of the historical park and*
3 *to avoid duplication of effort, the Secretary shall, to the*
4 *maximum extent practicable, utilize the facilities, adminis-*
5 *trative staff and other services of the Jean Lafitte National*
6 *Historical Park and Preserve.*

7 (b) *DONATIONS.*—*The Secretary may accept and re-*
8 *tain donations of funds, property, or services from individ-*
9 *uals, foundations, corporations, or other public entities for*
10 *the purposes of providing services, programs, and facilities*
11 *that further the purposes of this title.*

12 (c) *INTERPRETIVE CENTER.*—*The Secretary is author-*
13 *ized to construct, operate, and maintain an interpretive*
14 *center in the historical park on lands identified by the Sec-*
15 *retary pursuant to section 303(b)(1). Programs at the cen-*
16 *ter shall include, but need not be limited to, live jazz*
17 *interpretive and educational programs, and shall provide*
18 *visitors with information about jazz-related programs, per-*
19 *formances, and opportunities.*

20 (d) *JAZZ HERITAGE DISTRICTS.*—*The Secretary may*
21 *provide technical assistance to the city of New Orleans and*
22 *other appropriate entities for the designation of certain*
23 *areas in and around New Orleans as jazz heritage districts.*
24 *Such districts shall include those areas with an exceptional*

1 *concentration of jazz historical sites and established com-*
2 *munity traditions of jazz street parades.*

3 *(e) COOPERATIVE AGREEMENTS, GRANTS AND TECH-*
4 *NICAL ASSISTANCE.—In furtherance of the purposes of this*
5 *title—*

6 *(1) the Secretary, after consultation with the*
7 *New Orleans Jazz Commission established pursuant*
8 *to section 1107, is authorized to enter into cooperative*
9 *agreements with owners of properties that are des-*
10 *ignated pursuant to section 303(b)(3) which provide*
11 *outstanding educational and interpretive opportuni-*
12 *ties relating to the evolution of jazz in New Orleans.*
13 *The Secretary may assist in rehabilitating, restoring,*
14 *marking, and interpreting and may provide technical*
15 *assistance for the preservation and interpretation of*
16 *such properties. Such agreements shall contain, but*
17 *need not be limited to, provisions that the National*
18 *Park Service will have reasonable rights of access for*
19 *operational and visitor use needs, that rehabilitation*
20 *and restoration will meet the Secretary's standards*
21 *for rehabilitation of historic buildings, and that speci-*
22 *fy the roles and responsibilities of the Secretary for*
23 *each site or structure;*

24 *(2) the Secretary is authorized to enter into co-*
25 *operative agreements with the city of New Orleans,*

1 *the State of Louisiana, and other appropriate public*
2 *and private organizations under which the other par-*
3 *ties to the agreement may contribute to the acquisi-*
4 *tion, construction, operation, and maintenance of the*
5 *interpretive center and to the operation of educational*
6 *and interpretive programs to further the purposes of*
7 *this title; and*

8 *(3) the Secretary, in consultation with the New*
9 *Orleans Jazz Commission, is authorized to provide*
10 *grants or technical assistance to public and private*
11 *organizations.*

12 *(f) JAZZ EDUCATIONAL PROGRAMS.—The Secretary*
13 *shall, in the administration of the historical park, promote*
14 *a broad range of educational activities relating to jazz and*
15 *its history. The Secretary shall cooperate with schools, uni-*
16 *versities, and organizations supporting jazz education to*
17 *develop educational programs that provide expanded public*
18 *understanding of jazz and enhanced opportunities for pub-*
19 *lic appreciation. The Secretary may assist appropriate en-*
20 *tities in the development of an information base including*
21 *archival material, audiovisual records, and objects that re-*
22 *late to the history of jazz.*

23 **SEC. 305. ACQUISITION OF PROPERTY.**

24 *(a) GENERAL AUTHORITY.—The Secretary may ac-*
25 *quire lands and interests therein within the sites designated*

1 *pursuant to section 303(b) (1) and (3) by donation or pur-*
2 *chase with donated or appropriated funds or long-term*
3 *lease: Provided, That sites designated pursuant to section*
4 *303(b)(3) shall only be acquired with the consent of the*
5 *owner thereof.*

6 *(b) STATE AND LOCAL PROPERTIES.—Lands and in-*
7 *terests in lands which are owned by the State of Louisiana,*
8 *or any political subdivision thereof, may be acquired only*
9 *by donation.*

10 **SEC. 306. GENERAL MANAGEMENT PLAN.**

11 *Within 3 years after the date funds are made available*
12 *therefor and concurrent with the national landmark study*
13 *referenced in section 303(b)(3), the Secretary, in consulta-*
14 *tion with the New Orleans Jazz Commission, shall prepare*
15 *a general management plan for the historical park. The*
16 *plan shall include, but need not be limited to—*

17 *(1) a visitor use plan indicating programs and*
18 *facilities associated with park programs that will be*
19 *made available to the public;*

20 *(2) preservation and use plans for any structures*
21 *and sites that are identified through the historic land-*
22 *mark study for inclusion within the historical park;*

23 *(3) the location and associated cost of public fa-*
24 *cilities that are proposed for inclusion within the his-*
25 *torical park, including a visitor center;*

1 (4) *identification of programs that the Secretary*
2 *will implement or be associated with through coopera-*
3 *tive agreements with other groups and organizations;*

4 (5) *a transportation plan that addresses visitor*
5 *use access needs to sites, facilities, and programs*
6 *central to the purpose of the historical park;*

7 (6) *plans for the implementation of an archival*
8 *system for materials, objects, and items of importance*
9 *relating to the history of jazz; and*

10 (7) *guidelines for the application of cooperative*
11 *agreements that will be used to assist in the manage-*
12 *ment of historical park facilities and programs.*

13 **SEC. 307. ESTABLISHMENT OF THE NEW ORLEANS JAZZ**
14 **COMMISSION.**

15 (a) *ESTABLISHMENT.*—*To assist in implementing the*
16 *purposes of this title and the document entitled “New Orle-*
17 *ans Jazz Special Resource Study”, there is established the*
18 *New Orleans Jazz Commission (hereinafter referred to as*
19 *the “Commission”).*

20 (b) *MEMBERSHIP.*—*The Commission shall consist of*
21 *17 members to be appointed no later than 6 months after*
22 *the date of enactment of this Act. The Commission shall*
23 *be appointed by the Secretary as follows:*

24 (1) *One member from recommendations submit-*
25 *ted by the Mayor of New Orleans.*

1 (2) *Two members who have recognized expertise*
2 *in music education programs that emphasize jazz.*

3 (3) *One member, with expertise in and knowl-*
4 *edge of tourism in the greater New Orleans area, from*
5 *recommendations submitted by local businesses.*

6 (4) *One member from recommendations submit-*
7 *ted by the Board of the New Orleans Jazz and Herit-*
8 *age Foundation.*

9 (5) *One member, with experience in and knowl-*
10 *edge of historic preservation within the New Orleans*
11 *area.*

12 (6) *Two members, one from recommendations*
13 *submitted by the Secretary of the Smithsonian Insti-*
14 *tution and one member from recommendations sub-*
15 *mitted by the Chairman of the National Endowment*
16 *of the Arts, who are recognized musicians with knowl-*
17 *edge and experience in the development of jazz in New*
18 *Orleans.*

19 (7) *Two members, one from recommendations*
20 *submitted by the Secretary of the Smithsonian Insti-*
21 *tution and one member from recommendations sub-*
22 *mitted by the Director of the Louisiana State Mu-*
23 *seum with recognized expertise in the interpretation*
24 *of jazz history or traditions related to jazz in New*
25 *Orleans.*

1 (8) *Two members who represent local neighbor-*
2 *hood groups or other local associations; from rec-*
3 *ommendations submitted by the Mayor of New*
4 *Orleans.*

5 (9) *One member representing local mutual aid*
6 *and benevolent societies as well as local social and*
7 *pleasure clubs, from recommendations submitted by*
8 *the Board of the New Orleans Jazz and Heritage*
9 *Foundation.*

10 (10) *One member from recommendations submit-*
11 *ted by the Governor of the State of Louisiana, who*
12 *shall be a member of the Louisiana State Music*
13 *Commission.*

14 (11) *One member representing the New Orleans*
15 *Jazz Club from recommendations submitted by the*
16 *club.*

17 (12) *One member who is a recognized local ex-*
18 *pert on the history, development and progression of*
19 *jazz in New Orleans and is familiar with existing ar-*
20 *chival materials from recommendations submitted by*
21 *the Librarian of Congress.*

22 (13) *The Director of the National Park Service,*
23 *or the Director's designee, ex officio.*

24 (c) *DUTIES OF THE COMMISSION.—The Commission*
25 *shall—*

1 (1) advise the Secretary in the preparation of the
2 general management plan for the historical park; as-
3 sist in public discussions of planning proposals; and
4 assist the National Park Service in working with in-
5 dividuals, groups, and organizations including eco-
6 nomic and business interests in determining pro-
7 grams in which the Secretary should participate
8 through cooperative agreement;

9 (2) in consultation and cooperation with the
10 Secretary, develop partnerships with educational
11 groups, schools, universities, and other groups to fur-
12 therance of the purposes of this title;

13 (3) in consultation and cooperation with the
14 Secretary, develop partnerships with city-wide orga-
15 nizations, and raise and disperse funds for programs
16 that assist mutual aid and benevolent societies, social
17 and pleasure clubs and other traditional groups in
18 encouraging the continuation of and enhancement of
19 jazz cultural traditions;

20 (4) acquire or lease property for jazz education,
21 and advise on hiring brass bands and musical groups
22 to participate in education programs and help train
23 young musicians;

1 (5) *in consultation and cooperation with the*
2 *Secretary, provide recommendations for the location*
3 *of the visitor center and other interpretive sites;*

4 (6) *assist the Secretary in providing funds to*
5 *support research on the origins and early history of*
6 *jazz in New Orleans; and*

7 (7) *notwithstanding any other provision of law,*
8 *seek and accept donations of funds, property, or serv-*
9 *ices from individuals, foundations, corporations, or*
10 *other public or private entities and expend and use*
11 *the same for the purposes of providing services, pro-*
12 *grams, and facilities for jazz education, or assisting*
13 *in the rehabilitation and restoration of structures*
14 *identified in the a national historic landmark study*
15 *referenced in section 303(b)(3) as having outstanding*
16 *significance to the history of jazz in New Orleans.*

17 (d) *APPOINTMENT.*—*Members of the Commission shall*
18 *be appointed for staggered terms of 3 years, as designated*
19 *by the Secretary at the time of the initial appointment.*

20 (e) *CHAIRMAN.*—*The Commission shall elect a chair-*
21 *man from among its members. The term of the chairman*
22 *shall be for 3 years.*

23 (f) *TERMS.*—*Any member of the Commission ap-*
24 *pointed by the Secretary for a 3-year term may serve after*
25 *the expiration of his or her term until a successor is ap-*

1 *pointed. Any vacancy shall be filled in the same manner*
2 *in which the original appointment was made. Any member*
3 *appointed to fill a vacancy shall serve for the remainder*
4 *of the term for which the predecessor was appointed.*

5 *(g) PER DIEM EXPENSES.—Members of the Commis-*
6 *sion shall serve without compensation. Members shall be en-*
7 *titled to travel expenses under section 5703, title 5, United*
8 *States Code, when engaged in Commission business, includ-*
9 *ing per diem in lieu of subsistence in the same manner as*
10 *persons employed intermittently.*

11 *(h) ADMINISTRATIVE SUPPORT.—The Secretary shall*
12 *provide the Commission with assistance in obtaining such*
13 *personnel, equipment, and facilities as may be needed by*
14 *the Commission to carry out its duties.*

15 *(i) ANNUAL REPORT.—The Commission shall submit*
16 *an annual report to the Secretary identifying its expenses*
17 *and income and the entities to which any grants or tech-*
18 *nical assistance were made during the year for which the*
19 *report is made.*

20 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

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

1 **TITLE IV—CANE RIVER CREOLE NATIONAL**
2 **HISTORICAL PARK**

3 **SEC. 401. SHORT TITLE.**

4 *Titles IV and V of this Act may be cited as the “Cane*
5 *River Creole National Historical Park and National Herit-*
6 *age Area Act”.*

7 **SEC. 402. FINDINGS AND PURPOSES.**

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

9 *(1) the Natchitoches area along Cane River, es-*
10 *tablished in 1714, is the oldest permanent settlement*
11 *in the Louisiana Purchase territory;*

12 *(2) the Cane River area is the locale of the devel-*
13 *opment of Creole culture, from French-Spanish inter-*
14 *actions of the early 18th century to today’s living*
15 *communities;*

16 *(3) the Cane River, historically a segment of the*
17 *Red River, provided the focal point for early settle-*
18 *ment, serving as a transportation route upon which*
19 *commerce and communication reached all parts of the*
20 *colony;*

21 *(4) although a number of Creole structures, sites,*
22 *and landscapes exist in Louisiana and elsewhere, un-*
23 *like the Cane River area, most are isolated examples,*
24 *and lack original outbuilding complexes or integrity;*

1 (5) *the Cane River area includes a great variety*
2 *of historical features with original elements in both*
3 *rural and urban settings and a cultural landscape*
4 *that represents various aspects of Creole culture, pro-*
5 *viding the base for a holistic approach to understand-*
6 *ing the broad continuum of history within the region;*

7 (6) *the Cane River region includes the*
8 *Natchitoches National Historic Landmark District,*
9 *composed of approximately 300 publicly and pri-*
10 *vately owned properties, four other national historic*
11 *landmarks, and other structures and sites that may*
12 *meet criteria for landmark significance following fur-*
13 *ther study;*

14 (7) *historic preservation within the Cane River*
15 *area has greatly benefitted from individuals and or-*
16 *ganizations that have strived to protect their heritage*
17 *and educate others about their rich history; and*

18 (8) *because of the complexity and magnitude of*
19 *preservation needs in the Cane River area, and the*
20 *vital need for a culturally sensitive approach, a part-*
21 *nership approach is desirable for addressing the*
22 *many preservation and educational needs.*

23 (b) *PURPOSES.*—*The purposes of titles IV and V of this*
24 *Act are to—*

1 (1) recognize the importance of the Cane River
2 Creole culture as a nationally significant element of
3 the cultural heritage of the United States;

4 (2) establish a Cane River Creole National His-
5 torical Park to serve as the focus of interpretive and
6 educational programs on the history of the Cane
7 River area and to assist in the preservation of certain
8 historic sites along the river; and

9 (3) establish a Cane River National Heritage
10 Area and Commission to be undertaken in partner-
11 ship with the State of Louisiana, the City of
12 Natchitoches, local communities and settlements of the
13 Cane River area, preservation organizations, and pri-
14 vate landowners, with full recognition that programs
15 must fully involve the local communities and land-
16 owners.

17 **SEC. 403. ESTABLISHMENT OF CANE RIVER CREOLE**
18 **NATIONAL HISTORICAL PARK.**

19 (a) *IN GENERAL.*—In order to assist in the preserva-
20 tion and interpretation of, and education concerning, the
21 Creole culture and diverse history of the Natchitoches re-
22 gion, and to provide technical assistance to a broad range
23 of public and private landowners and preservation organi-
24 zations, there is hereby established the Cane River Creole
25 National Historical Park in the State of Louisiana (herein-

1 *after in titles II and III of this Act referred to as the “his-*
2 *torical park”*).

3 (b) *AREA INCLUDED.—The historical park shall con-*
4 *sist of lands and interests therein as follows:*

5 (1) *Lands and structures associated with the*
6 *Oakland Plantation as depicted on map CARI,*
7 *80,002, dated January 1994.*

8 (2) *Lands and structures owned or acquired by*
9 *Museum Contents, Inc. as depicted on map CARI,*
10 *80,001A, dated May 1994.*

11 (3) *Sites that may be the subject of cooperative*
12 *agreements with the National Park Service for the*
13 *purposes of historic preservation and interpretation*
14 *including, but not limited to, the Melrose Plantation,*
15 *the Badin-Roque site, the Cherokee Plantation, the*
16 *Beau Fort Plantation, and sites within the*
17 *Natchitoches National Historical Landmark District:*
18 *Provided, That such sites may not be added to the*
19 *historical park unless the Secretary of the Interior*
20 *(hereinafter referred to as the “Secretary”) deter-*
21 *mines, based on further research and planning, that*
22 *such sites meet the applicable criteria for national*
23 *historical significance, suitability, and feasibility,*
24 *and notification of the proposed addition has been*
25 *transmitted to the Committee on Energy and Natural*

1 *Resources of the United States Senate and the appro-*
2 *priate committees of the House of Representatives.*

3 (4) *Not to exceed 10 acres of land that the Sec-*
4 *retary may designate for an interpretive visitor cen-*
5 *ter complex to serve the needs of the historical park*
6 *and heritage area established in title V of this Act.*

7 **SEC. 404. ADMINISTRATION.**

8 (a) *IN GENERAL.*—*The Secretary shall administer the*
9 *historical park in accordance with this title and with provi-*
10 *sions of law generally applicable to units of the National*
11 *Park System, including the Act entitled “An Act to estab-*
12 *lish a National Park Service, and for other purposes”, ap-*
13 *proved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4);*
14 *and the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C.*
15 *461–467). The Secretary shall manage the historical park*
16 *in such a manner as will preserve resources and cultural*
17 *landscapes relating to the Creole culture of the Cane River*
18 *and enhance public understanding of the important cul-*
19 *tural heritage of the Cane River region.*

20 (b) *DONATIONS.*—*The Secretary may accept and re-*
21 *tain donations of funds, property, or services from individ-*
22 *uals, foundations, or other public or private entities for the*
23 *purposes of providing programs, services, facilities, or tech-*
24 *nical assistance that further the purposes of titles II and*
25 *III of this Act. Any funds donated to the Secretary pursu-*

1 ant to this subsection may be expended without further ap-
2 propriation.

3 (c) *INTERPRETIVE CENTER.*—The Secretary is author-
4 ized to construct, operate, and maintain an interpretive
5 center on lands identified by the Secretary pursuant to sec-
6 tion 403(b)(4). Such center shall provide for the general in-
7 formation and orientation needs of the historical park and
8 the heritage area. The Secretary shall consult with the State
9 of Louisiana, the City of Natchitoches, the Association for
10 the Preservation of Historic Natchitoches, and the Cane
11 River National Heritage Area Commission pursuant to sec-
12 tion 502 of this Act in the planning and development of
13 the interpretive center.

14 (d) *COOPERATIVE AGREEMENTS AND TECHNICAL AS-*
15 *SISTANCE.*—(1) The Secretary, after consultation with the
16 Cane River National Heritage Area Commission established
17 pursuant to section 502 of this Act, is authorized to enter
18 into cooperative agreements with owners of properties with-
19 in the heritage area and owners of properties within the
20 historical park that provide important educational and in-
21 terpretive opportunities relating to the heritage of the Cane
22 River region. The Secretary may also enter into cooperative
23 agreements for the purpose of facilitating the preservation
24 of important historic sites and structures identified in the
25 historical park's general management plan or other heritage

1 *elements related to the heritage of the Cane River region.*
2 *Such cooperative agreements shall specify that the National*
3 *Park Service shall have reasonable rights of access for oper-*
4 *ational and visitor use needs and that preservation treat-*
5 *ments will meet the Secretary's standards for rehabilitation*
6 *of historic buildings.*

7 (2) *The Secretary is authorized to enter into coopera-*
8 *tive agreements with the City of Natchitoches, the State of*
9 *Louisiana, and other public or private organizations for*
10 *the development of the interpretive center, educational pro-*
11 *grams, and other materials that will facilitate public use*
12 *of the historical park and heritage area.*

13 (e) *RESEARCH.—The Secretary, acting through the*
14 *National Park Service, shall coordinate a comprehensive re-*
15 *search program on the complex history of the Cane River*
16 *region, including ethnography studies of the living commu-*
17 *nities along the Cane River, and how past and present gen-*
18 *erations have adapted to their environment, including gene-*
19 *alogical studies of families within the Cane River area. Re-*
20 *search shall include, but not be limited to, the extensive pri-*
21 *mary historic documents within the Natchitoches and Cane*
22 *River areas, and curation methods for their care and exhi-*
23 *bition. The research program shall be coordinated with*
24 *Northwestern State University of Louisiana, and the Na-*

1 *tional Center for Preservation Technology and Training in*
2 *Natchitoches.*

3 **SEC. 405. ACQUISITION OF PROPERTY.**

4 (a) *GENERAL AUTHORITY.*—*Except as otherwise pro-*
5 *vided in this section, the Secretary is authorized to acquire*
6 *lands and interests therein within the boundaries of the his-*
7 *torical park by donation, purchase with donated or appro-*
8 *priated funds, or exchange.*

9 (b) *STATE AND LOCAL PROPERTIES.*—*Lands and in-*
10 *terests therein that are owned by the State of Louisiana,*
11 *or any political subdivision thereof, may be acquired only*
12 *by donation or exchange.*

13 (c) *MUSEUM CONTENTS, INC.*—*Lands and structures*
14 *identified in section 403(b)(2) may be acquired only by do-*
15 *nation.*

16 (d) *COOPERATIVE AGREEMENT SITES.*—*Lands and*
17 *interests therein that are the subject of cooperative agree-*
18 *ments pursuant to section 403(b)(3) shall not be acquired*
19 *except with the consent of the owner thereof.*

20 **SEC. 406. GENERAL MANAGEMENT PLAN.**

21 *Within 3 years after the date funds are made available*
22 *therefor and in consultation with the Cane River Heritage*
23 *Area Commission, the National Park Service shall prepare*
24 *a general management plan for the historical park. The*
25 *plan shall include, but need not be limited to—*

1 (1) a visitor use plan indicating programs and
2 facilities that will be provided for public use, includ-
3 ing the location and cost of an interpretive center;

4 (2) programs and management actions that the
5 National Park Service will undertake cooperatively
6 with the heritage area commission, including preser-
7 vation treatments for important sites, structures, ob-
8 jects, and research materials. Planning shall address
9 educational media, roadway signing, and brochures
10 that could be coordinated with the Commission pursu-
11 ant to section 303 of this Act; and

12 (3) preservation and use plans for any sites and
13 structures that are identified for National Park Serv-
14 ice involvement through cooperative agreements.

15 **TITLE V—CANE RIVER NATIONAL**
16 **HERITAGE AREA**

17 **SEC. 501. ESTABLISHMENT OF THE CANE RIVER NATIONAL**
18 **HERITAGE AREA.**

19 (a) *ESTABLISHMENT.*—There is hereby established the
20 Cane River National Heritage Area (hereinafter in this title
21 referred to as the “heritage area”).

22 (b) *PURPOSE.*—In furtherance of the need to recognize
23 the value and importance of the Cane River region and in
24 recognition of the findings of section 402(a) of this Act, it
25 is the purpose of this title to establish a heritage area to

1 *complement the historical park and to provide for a cul-*
2 *turally sensitive approach to the preservation of the heritage*
3 *of the Cane River region, and for other needs including—*

4 (1) *recognizing areas important to the Nation’s*
5 *heritage and identity;*

6 (2) *assisting in the preservation and enhance-*
7 *ment of the cultural landscape and traditions of the*
8 *Cane River region;*

9 (3) *providing a framework for those who live*
10 *within this important dynamic cultural landscape to*
11 *assist in preservation and educational actions; and*

12 (4) *minimizing the need for Federal land acqui-*
13 *sition and management.*

14 (c) *AREA INCLUDED.—The heritage area shall in-*
15 *clude—*

16 (1) *an area approximately 1 mile on both sides*
17 *of the Cane River as depicted on map CARI,*
18 *80,000A, dated May 1994;*

19 (2) *those properties within the Natchitoches Na-*
20 *tional Historic Landmark District which are the sub-*
21 *ject of cooperative agreements pursuant to section*
22 *404(d) of this Act;*

23 (3) *the Los Adaes State Commemorative Area;*

24 (4) *the Fort Jesup State Commemorative Area;*

1 (5) the Fort St. Jean Baptiste State Commemo-
2 rative Area; and

3 (6) the Kate Chopin House.

4 A final identification of all areas and sites to be in-
5 cluded in the heritage area shall be included in the heritage
6 area management plan as required in section 503.

7 **SEC. 502. CANE RIVER NATIONAL HERITAGE AREA COMMIS-**
8 **SION.**

9 (a) *ESTABLISHMENT.*—To assist in implementing the
10 purposes of titles IV and V of this Act and to provide guid-
11 ance for the management of the heritage area, there is estab-
12 lished the Cane River National Heritage Area Commission
13 (hereinafter in this title referred to as the “Commission”).

14 (b) *MEMBERSHIP.*—The Commission shall consist of
15 19 members to be appointed no later than 6 months after
16 the date of enactment of this title. The Commission shall
17 be appointed by the Secretary as follows—

18 (1) one member from recommendations submitted
19 by the Mayor of Natchitoches;

20 (2) one member from recommendations submitted
21 by the Association for the Preservation of Historic
22 Natchitoches;

23 (3) one member from recommendations submitted
24 by the Natchitoches Historic Foundation, Inc.;

1 (4) two members with experience in and knowl-
2 edge of tourism in the heritage area from rec-
3 ommendations submitted by local business and tour-
4 ism organizations;

5 (5) one member from recommendations submitted
6 by the Governor of the State of Louisiana;

7 (6) one member from recommendations submitted
8 by the Police Jury of Natchitoches Parish;

9 (7) one member from recommendations submitted
10 by the Concerned Citizens of Cloutierville;

11 (8) one member from recommendations submitted
12 by the St. Augustine Historical Society;

13 (9) one member from recommendations submitted
14 by the Black Heritage Committee;

15 (10) one member from recommendations submit-
16 ted by the Los Adaes/Robeline Community;

17 (11) one member from recommendations submit-
18 ted by the Natchitoches Historic District Commission;

19 (12) one member from recommendations submit-
20 ted by the Cane River Waterway Commission;

21 (13) two members who are landowners in and
22 residents of the heritage area;

23 (14) one member with experience and knowledge
24 of historic preservation from recommendations sub-
25 mitted by Museum Contents, Inc.;

1 (15) one member with experience and knowledge
2 of historic preservation from recommendations sub-
3 mitted by the President of Northwestern State Univer-
4 sity of Louisiana;

5 (16) one member with experience in and knowl-
6 edge of environmental, recreational and conservation
7 matters affecting the heritage area from recommenda-
8 tions submitted by the Natchitoches Sportsmans Asso-
9 ciation and other local recreational and environ-
10 mental organizations; and

11 (17) the director of the National Park Service, or
12 the Director's designee, *ex officio*.

13 (c) *DUTIES OF THE COMMISSION.*—The Commission
14 shall—

15 (1) prepare a management plan for the heritage
16 area in consultation with the National Park Service,
17 the State of Louisiana, the city of Natchitoches,
18 Natchitoches Parish, interested groups, property own-
19 ers, and the public;

20 (2) consult with the Secretary on the preparation
21 of the general management plan for the historical
22 park;

23 (3) develop cooperative agreements with property
24 owners, preservation groups, educational groups, the
25 State of Louisiana, the city of Natchitoches, univer-

1 *sities, and tourism groups, and other groups to fur-*
2 *ther the purposes of titles IV and V of this Act; and*

3 *(4) identify appropriate entities, such as a non-*
4 *profit corporation, that could be established to assume*
5 *the responsibilities of the Commission following its*
6 *termination.*

7 *(d) POWERS OF THE COMMISSION.—In furtherance of*
8 *the purposes of titles IV and V of this Act, the Commission*
9 *is authorized to—*

10 *(1) procure temporary and intermittent services*
11 *to the same extent that is authorized by section*
12 *3109(b) of title 5, United States Code, but at rates de-*
13 *termined by the Commission to be reasonable;*

14 *(2) accept the services of personnel detailed from*
15 *the State of Louisiana or any political subdivision*
16 *thereof, and may reimburse the State or political sub-*
17 *division for such services;*

18 *(3) upon the request of the Commission, the head*
19 *of any Federal agency may detail, on a reimbursable*
20 *basis, any of the personnel of such agency to the Com-*
21 *mission to assist the Commission in carrying out its*
22 *duties;*

23 *(4) appoint and fix the compensation of such*
24 *staff as may be necessary to carry out its duties. Staff*
25 *shall be appointed subject to the provisions of title 5,*

1 *United States Code, governing appointments in the*
2 *competitive service, and shall be paid in accordance*
3 *with the provisions of chapter 51 and subchapter III*
4 *of chapter 53 of such title relating to classification*
5 *and General Schedule pay rates;*

6 *(5) enter into cooperative agreements with public*
7 *or private individuals or entities for research, historic*
8 *preservation, and education purposes;*

9 *(6) make grants to assist in the preparation of*
10 *studies that identify, preserve, and plan for the man-*
11 *agement of the heritage area;*

12 *(7) notwithstanding any other provision of law,*
13 *seek and accept donations of funds or services from*
14 *individuals, foundations, or other public or private*
15 *entities and expend the same for the purposes of pro-*
16 *viding services and programs in furtherance of the*
17 *purposes of titles IV and V of this Act;*

18 *(8) assist others in developing educational, infor-*
19 *mational, and interpretive programs and facilities;*

20 *(9) hold such hearings, sit and act at such times*
21 *and places, take such testimony, and receive such evi-*
22 *dence, as the Commission may consider appropriate;*
23 *and*

1 (10) use the United States mails in the same
2 manner and under the same conditions as other de-
3 partments or agencies of the United States.

4 (e) *COMPENSATION.*—Members of the Commission shall
5 receive no compensation for their service on the Commis-
6 sion. While away from their homes or regular places of busi-
7 ness in the performance of services for the Commission,
8 members shall be allowed travel expenses, including per
9 diem in lieu of subsistence, in the same manner as persons
10 employed intermittently in the Government service are al-
11 lowed expenses under section 5703 of title 5, United States
12 Code.

13 (f) *CHAIRMAN.*—The Commission shall elect a chair-
14 man from among its members. The term of the chairman
15 shall be for 3 years.

16 (g) *TERMS.*—The terms of Commission members shall
17 be for 3 years. Any member of the Commission appointed
18 by the Secretary for a 3-year term may serve after expira-
19 tion of his or her term until a successor is appointed. Any
20 vacancy shall be filled in the same manner in which the
21 original appointment was made. Any member appointed to
22 fill a vacancy shall serve for the remainder of the term for
23 which the predecessor was appointed.

24 (h) *ANNUAL REPORTS.*—The Commission shall submit
25 an annual report to the Secretary identifying its expenses

1 *and any income, the entities to which any grants or tech-*
2 *nical assistance were made during the year for which the*
3 *report is made, and actions that are planned for the follow-*
4 *ing year.*

5 **SEC. 503. PREPARATION OF THE PLAN.**

6 (A) *IN GENERAL.*—*Within 3 years after the Commis-*
7 *sion conducts its first meeting, it shall prepare and submit*
8 *a heritage area management plan to the Governor of the*
9 *State of Louisiana. The Governor shall, if the Governor ap-*
10 *proves the plan, submit it to the Secretary for review and*
11 *approval. The Secretary shall provide technical assistance*
12 *to the Commission in the preparation and implementation*
13 *of the plan, in concert with actions by the National Park*
14 *Service to prepare a general management plan for the his-*
15 *torical park. The plan shall consider local government plans*
16 *and shall present a unified heritage preservation and edu-*
17 *cation plan for the heritage area. The plan shall include,*
18 *but not be limited to—*

19 (1) *an inventory of important properties and*
20 *cultural landscapes that should be preserved, man-*
21 *aged, developed, and maintained because of their cul-*
22 *tural, natural, and public use significance;*

23 (2) *an analysis of current land uses within the*
24 *area and how they affect the goals of preservation and*
25 *public use of the heritage area;*

1 (3) *an interpretive plan to address the cultural*
2 *and natural history of the area, and actions to en-*
3 *hance visitor use. This element of the plan shall be*
4 *undertaken in consultation with the National Park*
5 *Service and visitor use plans for the historical park;*

6 (4) *recommendations for coordinating actions by*
7 *local, State, and Federal Governments within the her-*
8 *itage area, to further the purposes of titles IV and V*
9 *of this Act; and*

10 (5) *an implementation program for the plan in-*
11 *cluding desired actions by State and local govern-*
12 *ments and other involved groups and entities.*

13 (b) *APPROVAL OF THE PLAN.—The Secretary shall ap-*
14 *prove or disapprove the plan within 90 days after receipt*
15 *of the plan from the Commission. The Commission shall*
16 *notify the Secretary of the status of approval by the Gov-*
17 *ernor of Louisiana when the plan is submitted for review*
18 *and approval. In determining whether or not to approve*
19 *the plan the Secretary shall consider—*

20 (1) *whether the Commission has afforded ade-*
21 *quate opportunity, including public meetings and*
22 *hearings, for public and governmental involvement in*
23 *the preparation of the plan; and*

24 (2) *whether reasonable assurances have been re-*
25 *ceived from the State and local governments that the*

1 *plan is supported and that the implementation pro-*
2 *gram is feasible.*

3 (c) *DISAPPROVAL OF THE PLAN.*—*If the Secretary dis-*
4 *approves the plan, he shall advise the Commission in writ-*
5 *ing of the reasons for disapproval, and shall provide rec-*
6 *ommendations and assistance in the revision of the plan.*
7 *Following completion of any revisions to the plan, the Com-*
8 *mission shall resubmit the plan to the Governor of Louisi-*
9 *ana for approval, and to the Secretary, who shall approve*
10 *or disapprove the plan within 90 days after the date that*
11 *the plan is revised.*

12 **SEC. 504. TERMINATION OF HERITAGE AREA COMMISSION.**

13 (a) *TERMINATION.*—*The Commission shall terminate*
14 *on the day occurring 10 years after the first official meeting*
15 *of the Commission.*

16 (b) *EXTENSION.*—*The Commission may petition to be*
17 *extended for a period of not more than 5 years beginning*
18 *on the day referred to in subsection (a), provided the Com-*
19 *mission determines a critical need to fulfill the purposes*
20 *of titles IV and V of this Act; and the Commission obtains*
21 *approval from the Secretary, in consultation with the Gov-*
22 *ernor of Louisiana.*

23 (c) *HERITAGE AREA MANAGEMENT FOLLOWING TER-*
24 *MINATION OF THE COMMISSION.*—*The national heritage*
25 *area status for the Cane River region shall continue follow-*

1 *ing the termination of the Commission. The management*
2 *plan, and partnerships and agreements subject to the plan*
3 *shall guide the future management of the heritage area. The*
4 *Commission, prior to its termination, shall recommend to*
5 *the Governor of the State of Louisiana and the Secretary,*
6 *appropriate entities, including the potential for a nonprofit*
7 *corporation, to assume the responsibilities of the Commis-*
8 *sion.*

9 **SEC. 505. DUTIES OF OTHER FEDERAL AGENCIES.**

10 *Any Federal entity conducting or supporting activities*
11 *directly affecting the heritage area shall—*

12 *(1) consult with the Secretary and the Commis-*
13 *sion with respect to implementation of their proposed*
14 *actions; and*

15 *(2) to the maximum extent practicable, coordi-*
16 *nate such activities with the Commission to minimize*
17 *potential impacts on the resources of the heritage*
18 *area.*

19 **SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

20 *There are authorized to be appropriated such sums as*
21 *may be necessary to carry out titles IV and V of this Act.*

Amend the title so as to read: “An Act to provide
for the management of portions of the Presidio of San

Francisco under the jurisdiction of the Secretary of the Interior, and for other purposes.”.

Passed the House of Representatives August 18, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.