

103D CONGRESS
2D SESSION

S. 21

AN ACT

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

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “California Desert Pro-
5 tection Act of 1994”.

1 **SEC. 2. FINDINGS AND POLICY.**

2 (a) The Congress finds and declares that—

3 (1) the federally owned desert lands of southern
4 California constitute a public wildland resource of
5 extraordinary and inestimable value for this and fu-
6 ture generations;

7 (2) these desert wildlands display unique scenic,
8 historical, archeological, environmental, ecological,
9 wildlife, cultural, scientific, educational, and rec-
10 reational values used and enjoyed by millions of
11 Americans for hiking and camping, scientific study
12 and scenic appreciation;

13 (3) the public land resources of the California
14 desert now face and are increasingly threatened by
15 adverse pressures which would impair, dilute, and
16 destroy their public and natural values;

17 (4) the California desert, embracing wilderness
18 lands, units of the National Park System, other
19 Federal lands, State parks and other State lands,
20 and private lands, constitutes a cohesive unit posing
21 unique and difficult resource protection and manage-
22 ment challenges;

23 (5) through designation of national monuments
24 by Presidential proclamation, through enactment of
25 general public land statutes (including section 601
26 of the Federal Land Policy and Management Act of

1 1976, 90 Stat. 2743, 43 U.S.C. 1701 et seq.) and
2 through interim administrative actions, the Federal
3 government has begun the process of appropriately
4 providing for protection of the significant resources
5 of the public lands in the California desert; and

6 (6) statutory land unit designations are needed
7 to afford the full protection which the resources and
8 public land values of the California desert merit.

9 (b) In order to secure for the American people of this
10 and future generations an enduring heritage of wilderness,
11 national parks, and public land values in the California
12 desert, it is hereby declared to be the policy of the Con-
13 gress that—

14 (1) appropriate public lands in the California
15 desert shall be included within the National Park
16 System and the National Wilderness Preservation
17 System, in order to—

18 (A) preserve unrivaled scenic, geologic, and
19 wildlife values associated with these unique nat-
20 ural landscapes;

21 (B) perpetuate in their natural state sig-
22 nificant and diverse ecosystems of the Califor-
23 nia desert;

24 (C) protect and preserve historical and cul-
25 tural values of the California desert associated

1 with ancient Indian cultures, patterns of west-
2 ern exploration and settlement, and sites exem-
3 plifying the mining, ranching and railroading
4 history of the Old West;

5 (D) provide opportunities for compatible
6 outdoor public recreation, protect and interpret
7 ecological and geological features and historic,
8 paleontological, and archeological sites, main-
9 tain wilderness resource values, and promote
10 public understanding and appreciation of the
11 California desert; and

12 (E) retain and enhance opportunities for
13 scientific research in undisturbed ecosystems.

14 **TITLE I—DESIGNATION OF WILDERNESS**
15 **AREAS TO BE ADMINISTERED BY THE**
16 **BUREAU OF LAND MANAGEMENT**

17 **SEC. 101. FINDINGS.**

18 The Congress finds and declares that—

19 (1) wilderness is a distinguishing characteristic
20 of the public lands in the California desert, one
21 which affords an unrivaled opportunity for experi-
22 encing vast areas of the Old West essentially
23 unaltered by man's activities, and which merits pres-
24 ervation for the benefit of present and future gen-
25 erations;

1 (2) the wilderness values of desert lands are in-
2 creasingly threatened by and especially vulnerable to
3 impairment, alteration, and destruction by activities
4 and intrusions associated with incompatible use and
5 development; and

6 (3) preservation of desert wilderness necessarily
7 requires the highest forms of protective designation
8 and management.

9 **SEC. 102. DESIGNATION OF WILDERNESS.**

10 In furtherance of the purpose of the Wilderness Act
11 (78 Stat. 890, 16 U.S.C. 1131 et seq.), and sections 601
12 and 603 of the Federal Land Policy and Management Act
13 of 1976 (90 Stat. 2743, 43 U.S.C. 1701 et seq.), the fol-
14 lowing lands in the State of California, as generally de-
15 picted on maps referenced herein, are hereby designated
16 as wilderness, and therefore, as components of the Na-
17 tional Wilderness Preservation System:

18 (1) Certain lands in the California Desert Con-
19 servation Area, of the Bureau of Land Management,
20 which comprise approximately seventy-four thousand
21 eight hundred and ninety acres, as generally de-
22 picted on a map entitled “Argus Range Wilder-
23 ness—Proposed 1”, dated May 1991, and two maps
24 entitled “Argus Range Wilderness—Proposed 2”
25 and “Argus Range Wilderness—Proposed 3” dated

1 January 1989, and which shall be known as the
2 Argus Range Wilderness.

3 (2) Certain lands in the California Desert Con-
4 servation Area, of the Bureau of Land Management,
5 which comprise approximately ten thousand three
6 hundred and eighty acres, as generally depicted on
7 a map entitled “Bigelow Cholla Garden Wilder-
8 ness—Proposed”, dated July 1993, and which shall
9 be known as the Bigelow Cholla Garden Wilderness.

10 (3) Certain lands in the California Desert Con-
11 servation Area, of the Bureau of Land Management,
12 and within the San Bernardino National Forest,
13 which comprise approximately thirty-nine thousand
14 one hundred and eighty-five acres, as generally de-
15 picted on a map entitled “Bighorn Mountain Wilder-
16 ness—Proposed”, dated July 1993, and which shall
17 be known as the Bighorn Mountain Wilderness.

18 (4) Certain lands in the California Desert Con-
19 servation Area and the Yuma District, of the Bu-
20 reau of Land Management, which comprise approxi-
21 mately forty-seven thousand five hundred and sev-
22 enty acres, as generally depicted on a map entitled
23 “Big Maria Mountains Wilderness—Proposed”,
24 dated February 1986, and which shall be known as
25 the Big Maria Mountains Wilderness.

1 (5) Certain lands in the California Desert Con-
2 servation Area, of the Bureau of Land Management,
3 which comprise approximately thirteen thousand
4 nine hundred and forty acres, as generally depicted
5 on a map entitled “Black Mountain Wilderness—
6 Proposed”, dated July 1993, and which shall be
7 known as the Black Mountain Wilderness.

8 (6) Certain lands in the California Desert Con-
9 servation Area, of the Bureau of Land Management,
10 which comprise approximately nine thousand five
11 hundred and twenty acres, as generally depicted on
12 a map entitled “Bright Star Wilderness—Proposed”,
13 dated October 1993, and which shall be known as
14 the Bright Star Wilderness.

15 (7) Certain lands in the California Desert Con-
16 servation Area, of the Bureau of Land Management,
17 which comprise approximately sixty-eight thousand
18 five hundred and fifteen acres, as generally depicted
19 on two maps entitled “Bristol Mountains Wilder-
20 ness—Proposed 1”, and “Bristol Mountains Wilder-
21 ness—Proposed 2”, dated September 1991, and
22 which shall be known as Bristol Mountains Wilder-
23 ness.

24 (8) Certain lands in the California Desert Con-
25 servation Area, of the Bureau of Land Management,

1 which comprise approximately thirty-nine thousand
2 seven hundred and forty acres, as generally depicted
3 on a map entitled “Cadiz Dunes Wilderness—Pro-
4 posed”, dated July 1993, and which shall be known
5 as the Cadiz Dunes Wilderness.

6 (9) Certain lands in the California Desert Con-
7 servation Area and Eastern San Diego County, of
8 the Bureau of Land Management, which comprise
9 approximately fifteen thousand seven hundred acres,
10 as generally depicted on a map entitled “Carrizo
11 Gorge Wilderness—Proposed”, dated February
12 1986, and which shall be known as the Carrizo
13 Gorge Wilderness.

14 (10) Certain lands in the California Desert
15 Conservation Area and Yuma District, of the Bu-
16 reau of Land Management, which comprise approxi-
17 mately sixty-four thousand three hundred and twen-
18 ty acres, as generally depicted on a map entitled
19 “Chemehuevi Mountains Wilderness—Proposed”,
20 dated July 1993, and which shall be known as the
21 Chemehuevi Mountains Wilderness.

22 (11) Certain lands in the Bakersfield District,
23 of the Bureau of Land Management, which comprise
24 approximately thirteen thousand seven hundred
25 acres, as generally depicted on two maps entitled

1 “Chimney Park Wilderness—Proposed 1” and
2 “Chimney Peak Wilderness—Proposed 2”, dated
3 May 1991, and which shall be known as the Chim-
4 ney Peak Wilderness.

5 (12) Certain lands in the California Desert
6 Conservation Area, of the Bureau of Land Manage-
7 ment, which comprise approximately eighty thousand
8 seven hundred and seventy acres, as generally de-
9 picted on two maps entitled “Chuckwalla Mountains
10 Wilderness—Proposed 1” and “Chuckwalla Moun-
11 tains Wilderness—Proposed 2”, dated July 1992,
12 and which shall be known as the Chuckwalla Moun-
13 tains Wilderness.

14 (13) Certain lands in the California Desert
15 Conservation Area, of the Bureau of Land Manage-
16 ment, which comprise thirty-three thousand nine
17 hundred and eighty acres, as generally depicted on
18 a map entitled “Cleghorn Lakes Wilderness—Pro-
19 posed”, dated July 1993, and which shall be known
20 as the Cleghorn Lakes Wilderness. The Secretary
21 may, pursuant to an application filed by the Depart-
22 ment of Defense, grant a right-of-way for, and au-
23 thorize construction of, a road within the area de-
24 picted as “nonwilderness road corridor” on such
25 map.

1 (14) Certain lands in the California Desert
2 Conservation Area, of the Bureau of Land Manage-
3 ment, which comprise approximately twenty-six
4 thousand acres, as generally depicted on a map enti-
5 tled “Clipper Mountain Wilderness—Proposed”,
6 dated July 1993, and which shall be known as Clip-
7 per Mountain Wilderness.

8 (15) Certain lands in the California Desert
9 Conservation Area, of the Bureau of Land Manage-
10 ment, which comprise approximately fifty thousand
11 five hundred and twenty acres, as generally depicted
12 on a map entitled “Coso Range Wilderness—Pro-
13 posed”, dated May 1991, and which shall be known
14 as Coso Range Wilderness.

15 (16) Certain lands in the California Desert
16 Conservation Area, of the Bureau of Land Manage-
17 ment, which comprise approximately seventeen thou-
18 sand acres, as generally depicted on a map entitled
19 “Coyote Mountains Wilderness—Proposed”, dated
20 July 1993, and which shall be known as Coyote
21 Mountains Wilderness.

22 (17) Certain lands in the California Desert
23 Conservation Area, of the Bureau of Land Manage-
24 ment, which comprise approximately eight thousand
25 six hundred acres, as generally depicted on a map

1 entitled “Darwin Falls Wilderness—Proposed”,
2 dated May 1991, and which shall be known as Dar-
3 win Falls Wilderness.

4 (18) Certain lands in the California Desert
5 Conservation Area and the Yuma District, of the
6 Bureau of Land Management, which comprise ap-
7 proximately forty-eight thousand eight hundred and
8 fifty acres, as generally depicted on a map entitled
9 “Dead Mountains Wilderness—Proposed”, dated
10 October 1991, and which shall be known as Dead
11 Mountains Wilderness.

12 (19) Certain lands in the Bakersfield District,
13 of the Bureau of Land Management, which comprise
14 approximately thirty-six thousand three hundred
15 acres, as generally depicted on two maps entitled
16 “Domeland Wilderness Additions—Proposed 1” and
17 “Domeland Wilderness Additions—Proposed 2”, and
18 which are hereby incorporated in, and which shall be
19 deemed to be a part of, the Domeland Wilderness as
20 designated by Public Laws 93–632 and 98–425.

21 (20) Certain lands in the California Desert
22 Conservation Area, of the Bureau of Land Manage-
23 ment, which comprise approximately twenty-three
24 thousand seven hundred and eighty acres, as gen-
25 erally depicted on a map entitled “El Paso Moun-

1 tains Wilderness—Proposed”, dated July 1993, and
2 which shall be known as the El Paso Mountains Wil-
3 derness.

4 (21) Certain lands in the California Desert
5 Conservation Area, of the Bureau of Land Manage-
6 ment, which comprise approximately twenty-five
7 thousand nine hundred and forty acres, as generally
8 depicted on a map entitled “Fish Creek Mountains
9 Wilderness—Proposed”, dated July 1993, and which
10 shall be known as Fish Creek Mountains Wilderness.

11 (22) Certain lands in the California Desert
12 Conservation Area, of the Bureau of Land Manage-
13 ment, which comprise approximately twenty-eight
14 thousand one hundred and ten acres, as generally
15 depicted on a map entitled “Funeral Mountains Wil-
16 derness—Proposed”, dated May 1991, and which
17 shall be known as Funeral Mountains Wilderness.

18 (23) Certain lands in the California Desert
19 Conservation Area, of the Bureau of Land Manage-
20 ment, which comprise approximately thirty-seven
21 thousand seven hundred acres, as generally depicted
22 on a map entitled “Golden Valley Wilderness—Pro-
23 posed”, dated February 1986, and which shall be
24 known as Golden Valley Wilderness.

1 (24) Certain lands in the California Desert
2 Conservation Area, of the Bureau of Land Manage-
3 ment, which comprise approximately thirty-one thou-
4 sand six hundred and ninety-five acres, as generally
5 depicted on a map entitled “Grass Valley Wilder-
6 ness—Proposed”, dated July 1993, and which shall
7 be known as the Grass Valley Wilderness.

8 (25) Certain lands in the California Desert
9 Conservation Area, of the Bureau of Land Manage-
10 ment, which comprise approximately twenty-two
11 thousand two hundred and forty acres, as generally
12 depicted on a map entitled “Hollow Hills Wilder-
13 ness—Proposed”, dated May 1991, and which shall
14 be known as the Hollow Hills Wilderness.

15 (26) Certain lands in the California Desert
16 Conservation Area, of the Bureau of Land Manage-
17 ment, which comprise approximately twenty-six
18 thousand four hundred and sixty acres, as generally
19 depicted on a map entitled “Ibex Wilderness—Pro-
20 posed”, dated May 1991, and which shall be known
21 as the Ibex Wilderness.

22 (27) Certain lands in the California Desert
23 Conservation Area, of the Bureau of Land Manage-
24 ment, which comprise approximately thirty-three
25 thousand eight hundred and fifty-five acres, as gen-

1 erally depicted on a map entitled “Indian Pass Wil-
2 derness—Proposed”, dated July 1993, and which
3 shall be known as the Indian Pass Wilderness.

4 (28) Certain lands in the California Desert
5 Conservation Area and the Bakersfield District, of
6 the Bureau of Land Management, and within the
7 Inyo National Forest, which comprise approximately
8 two hundred and five thousand and twenty acres, as
9 generally depicted on three maps entitled “Inyo
10 Mountains Wilderness—Proposed 1”, “Inyo Moun-
11 tains Wilderness—Proposed 2”, “Inyo Mountains
12 Wilderness—Proposed 3”, dated May 1991, and
13 which shall be known as the Inyo Mountains Wilder-
14 ness.

15 (29) Certain lands in the California Desert
16 Conservation Area, of the Bureau of Land Manage-
17 ment, which comprise approximately thirty-three
18 thousand six hundred and seventy acres, as generally
19 depicted on a map entitled “Jacumba Wilderness—
20 Proposed”, dated July 1993, and which shall be
21 known as the Jacumba Wilderness.

22 (30) Certain lands in the California Desert
23 Conservation Area, of the Bureau of Land Manage-
24 ment, which comprise approximately one hundred
25 and twenty-nine thousand five hundred and eighty

1 acres, as generally depicted on a map entitled “Kelso
2 Dunes Wilderness—Proposed 1”, dated October
3 1991, a map entitled “Kelso Dunes Wilderness—
4 Proposed 2”, dated May 1991, and a map entitled
5 “Kelso Dunes Wilderness—Proposed 3”, dated Sep-
6 tember 1991, and which shall be known as the Kelso
7 Dunes Wilderness.

8 (31) Certain lands in the California Desert
9 Conservation Area, of the Bureau of Land Manage-
10 ment, and the Sequoia National Forest, which com-
11 prise approximately eighty-eight thousand two hun-
12 dred and ninety acres, as generally depicted on a
13 map entitled “Kiavah Wilderness—Proposed 1”,
14 dated February 1986, and a map entitled “Kiavah
15 Wilderness—Proposed 2”, dated October 1993, and
16 which shall be known as the Kiavah Wilderness.

17 (32) Certain lands in the California Desert
18 Conservation Area, of the Bureau of Land Manage-
19 ment, which comprise approximately two hundred
20 nine thousand, six hundred and eight acres, as gen-
21 erally depicted on four maps entitled “Kingston
22 Range Wilderness—Proposed 1”, “Kingston Range
23 Wilderness—Proposed 2”, “Kingston Range Wilder-
24 ness—Proposed 3”, “Kingston Range Wilderness—

1 Proposed 4", dated July 1993, and which shall be
2 known as the Kingston Range Wilderness.

3 (33) Certain lands in the California Desert
4 Conservation Area, of the Bureau of Land Manage-
5 ment, which comprise approximately twenty-nine
6 thousand eight hundred and eighty acres, as gen-
7 erally depicted on a map entitled "Little Chuckwalla
8 Mountains Wilderness—Proposed", dated July
9 1993, and which shall be known as the Little
10 Chuckwalla Mountains Wilderness.

11 (34) Certain lands in the California Desert
12 Conservation Area and the Yuma District, of the
13 Bureau of Land Management, which comprise ap-
14 proximately thirty-three thousand six hundred acres,
15 as generally depicted on a map entitled "Little
16 Picacho Wilderness—Proposed", dated July 1993,
17 and which shall be known as the Little Picacho Wil-
18 derness.

19 (35) Certain lands in the California Desert
20 Conservation Area, of the Bureau of Land Manage-
21 ment, which comprise approximately thirty-two thou-
22 sand three hundred and sixty acres, as generally de-
23 picted on a map entitled "Malpais Mesa Wilder-
24 ness—Proposed", dated September 1991, and which
25 shall be known as the Malpais Mesa Wilderness.

1 (36) Certain lands in the California Desert
2 Conservation Area, of the Bureau of Land Manage-
3 ment, which comprise approximately sixteen thou-
4 sand one hundred and five acres, as generally de-
5 picted on a map entitled “Manly Peak Wilderness—
6 Proposed”, dated October 1991, and which shall be
7 known as the Manly Peak Wilderness.

8 (37) Certain lands in the California Desert
9 Conservation Area, of the Bureau of Land Manage-
10 ment, which comprise approximately twenty-four
11 thousand two hundred acres, as generally depicted
12 on a map entitled “Mecca Hills Wilderness—Pro-
13 posed”, dated July 1993, and which shall be known
14 as the Mecca Hills Wilderness.

15 (38) Certain lands in the California Desert
16 Conservation Area, of the Bureau of Land Manage-
17 ment, which comprise approximately forty-seven
18 thousand three hundred and thirty acres, as gen-
19 erally depicted on a map entitled “Mesquite Wilder-
20 ness—Proposed”, dated May 1991, and which shall
21 be known as the Mesquite Wilderness.

22 (39) Certain lands in the California Desert
23 Conservation Area, of the Bureau of Land Manage-
24 ment, which comprise approximately twenty-two
25 thousand nine hundred acres, as generally depicted

1 on a map entitled “Newberry Mountains Wilder-
2 ness—Proposed”, dated February 1986, and which
3 shall be known as the Newberry Mountains Wilder-
4 ness.

5 (40) Certain lands in the California Desert
6 Conservation Area, of the Bureau of Land Manage-
7 ment, which comprise approximately one hundred
8 ten thousand eight hundred and sixty acres, as gen-
9 erally depicted on a map entitled “Nopah Range
10 Wilderness—Proposed”, dated July 1993, and which
11 shall be known as the Nopah Range Wilderness.

12 (41) Certain lands in the California Desert
13 Conservation Area, of the Bureau of Land Manage-
14 ment, which comprise approximately thirty-two thou-
15 sand two hundred and forty acres, as generally de-
16 picted on a map entitled “North Algodones Dunes
17 Wilderness—Proposed”, dated October 1991, and
18 which shall be known as the North Algodones Dunes
19 Wilderness.

20 (42) Certain lands in the California Desert
21 Conservation Area, of the Bureau of Land Manage-
22 ment, which comprise approximately twenty-five
23 thousand five hundred and forty acres, as generally
24 depicted on a map entitled “North Mesquite Moun-
25 tains Wilderness—Proposed”, dated May 1991, and

1 which shall be known as the North Mesquite Moun-
2 tains Wilderness.

3 (43) Certain lands in the California Desert
4 Conservation Area, of the Bureau of Land Manage-
5 ment, which comprise approximately one hundred
6 forty-six thousand and twenty acres, as generally de-
7 picted on a map entitled “Old Woman Mountains
8 Wilderness—Proposed 1”, dated July 1993 and a
9 map entitled “Old Woman Mountains Wilderness—
10 Proposed 2”, dated July 1993, and which shall be
11 known as the Old Woman Mountains Wilderness.

12 (44) Certain lands in the California Desert
13 Conservation Area, of the Bureau of Land Manage-
14 ment, which comprise approximately forty thousand
15 seven hundred and thirty-five acres, as generally de-
16 picted on a map entitled “Orocopia Mountains Wil-
17 derness—Proposed”, dated July 1993, and which
18 shall be known as the Orocopia Mountains Wilder-
19 ness.

20 (45) Certain lands in the California Desert
21 Conservation Area and the Bakersfield District, of
22 the Bureau of Land Management, which comprise
23 approximately seventy-four thousand and sixty acres,
24 as generally depicted on a map entitled “Owens
25 Peak Wilderness—Proposed 1”, dated February

1 1986, a map entitled “Owens Peak Wilderness—
2 Proposed 2”, dated March 1994, and a map entitled
3 “Owens Peak Wilderness—Proposed 3”, dated May
4 1991, and which shall be known as the Owens Peak
5 Wilderness.

6 (46) Certain lands in the California Desert
7 Conservation Area, of the Bureau of Land Manage-
8 ment, which comprise approximately seventy-four
9 thousand eight hundred acres, as generally depicted
10 on a map entitled “Pahrump Valley Wilderness—
11 Proposed”, dated February 1986, and which shall be
12 known as the Pahrump Valley Wilderness.

13 (47) Certain lands in the California Desert
14 Conservation Area, of the Bureau of Land Manage-
15 ment, which comprise approximately two hundred
16 seventy thousand six hundred and twenty-nine acres,
17 as generally depicted on a map entitled “Palen/
18 McCoy Wilderness—Proposed 1”, dated July 1993,
19 and a map entitled “Palen/McCoy Wilderness—Pro-
20 posed 2”, dated July 1993, and which shall be
21 known as the Palen/McCoy Wilderness.

22 (48) Certain lands in the California Desert
23 Conservation Area, of the Bureau of Land Manage-
24 ment, which comprise approximately thirty-two thou-
25 sand three hundred and ten acres, as generally de-

1 picted on a map entitled “Palo Verde Mountains
2 Wilderness—Proposed”, dated July 1993, and which
3 shall be known as the Palo Verde Mountains Wilder-
4 ness.

5 (49) Certain lands in the California Desert
6 Conservation Area, of the Bureau of Land Manage-
7 ment, which comprise approximately seven thousand
8 seven hundred acres, as generally depicted on a map
9 entitled “Picacho Peak Wilderness—Proposed”,
10 dated May 1991, and which shall be known as the
11 Picacho Peak Wilderness.

12 (50) Certain lands in the California Desert
13 Conservation Area, of the Bureau of Land Manage-
14 ment, which comprise approximately seventy-two
15 thousand five hundred and seventy-five acres, as
16 generally depicted on a map entitled “Piper Moun-
17 tain Wilderness—Proposed”, dated October 1993,
18 and which shall be known as the Piper Mountain
19 Wilderness.

20 (51) Certain lands in the California Desert
21 Conservation Area, of the Bureau of Land Manage-
22 ment, which comprise approximately thirty-six thou-
23 sand eight hundred and forty acres, as generally de-
24 picted on a map entitled “Piute Mountains Wilder-

1 ness—Proposed”, dated July 1993, and which shall
2 be known as the Piute Mountains Wilderness.

3 (52) Certain lands in the California Desert
4 Conservation Area, of the Bureau of Land Manage-
5 ment, which comprise approximately seventy-eight
6 thousand eight hundred and sixty-eight acres, as
7 generally depicted on a map entitled “Resting
8 Spring Range Wilderness—Proposed”, dated May
9 1991, and which shall be known as the Resting
10 Spring Range Wilderness.

11 (53) Certain lands in the California Desert
12 Conservation Area, of the Bureau of Land Manage-
13 ment, which comprise approximately forty thousand
14 eight hundred and twenty acres, as generally de-
15 picted on a map entitled “Rice Valley Wilderness—
16 Proposed”, dated May 1991, and which shall be
17 known as the Rice Valley Wilderness.

18 (54) Certain lands in the California Desert
19 Conservation area and the Yuma District, of the Bu-
20 reau of Land Management, which comprise approxi-
21 mately twenty-two thousand three hundred eighty
22 acres, as generally depicted on a map entitled “Riv-
23 erside Mountains Wilderness—Proposed”, dated
24 May 1991, and which shall be known as the River-
25 side Mountains Wilderness.

1 (55) Certain lands in the California Desert
2 Conservation Area, of the Bureau of Land Manage-
3 ment, which comprise approximately twenty-one
4 thousand three hundred acres, as generally depicted
5 on a map entitled “Rodman Mountains Wilder-
6 ness—Proposed”, dated July 1993, and which shall
7 be known as the Rodman Mountains Wilderness.

8 (56) Certain lands in the California Desert
9 Conservation Area and the Bakersfield District, of
10 the Bureau of Land Management, which comprise
11 approximately fifty-one thousand nine hundred
12 acres, as generally depicted on two maps entitled
13 “Sacatar Trail Wilderness—Proposed 1” and
14 “Sacatar Trail Wilderness—Proposed 2”, dated May
15 1991, and which shall be known as the Sacatar Trail
16 Wilderness.

17 (57) Certain lands in the California Desert
18 Conservation Area, of the Bureau of Land Manage-
19 ment, which comprise approximately one thousand
20 four hundred and forty acres, as generally depicted
21 on a map entitled “Saddle Peak Hills Wilderness—
22 Proposed”, dated July 1993, and which shall be
23 known as the Saddle Peak Hills Wilderness.

24 (58) Certain lands in the California Desert
25 Conservation Area, of the Bureau of Land Manage-

1 ment, which comprise approximately thirty-seven
2 thousand nine hundred and eighty acres, as gen-
3 erally depicted on a map entitled “San Gorgonio
4 Wilderness Additions—Proposed”, dated July 1993,
5 and which are hereby incorporated in, and which
6 shall be deemed to be a part of, the San Gorgonio
7 Wilderness as designated by Public Laws 88–577
8 and 98–425.

9 (59) Certain lands in the California Desert
10 Conservation Area, of the Bureau of Land Manage-
11 ment, which comprise approximately sixty-four thou-
12 sand three hundred and forty acres, as generally de-
13 picted on a map entitled “Santa Rosa Wilderness
14 Additions—Proposed”, dated March 1994, and
15 which are hereby incorporated in, and which shall be
16 deemed to be part of, the Santa Rosa Wilderness
17 designated by Public Law 98–425.

18 (60) Certain lands in the California Desert Dis-
19 trict, of the Bureau of Land Management, which
20 comprise approximately thirty-five thousand and
21 eighty acres, as generally depicted on a map entitled
22 “Sawtooth Mountains Wilderness—Proposed”, dated
23 July 1993, and which shall be known as the Saw-
24 tooth Mountains Wilderness.

1 (61) Certain lands in the California Desert
2 Conservation Area, of the Bureau of Land Manage-
3 ment, which comprise approximately one hundred
4 seventy-four thousand eight hundred acres, as gen-
5 erally depicted on two maps entitled “Sheephole Val-
6 ley Wilderness—Proposed 1”, dated July 1993, and
7 “Sheephole Valley Wilderness—Proposed 2”, dated
8 July 1993, and which shall be known as the
9 Sheephole Valley Wilderness.

10 (62) Certain lands in the California Desert
11 Conservation Area, of the Bureau of Land Manage-
12 ment, which comprise approximately sixteen thou-
13 sand seven hundred and eighty acres, as generally
14 depicted on a map entitled “South Nopah Range
15 Wilderness—Proposed”, dated February 1986, and
16 which shall be known as the South Nopah Range
17 Wilderness.

18 (63) Certain lands in the California Desert
19 Conservation Area, of the Bureau of Land Manage-
20 ment, which comprise approximately seven thousand
21 and fifty acres, as generally depicted on a map enti-
22 tled “Stateline Wilderness—Proposed”, dated May
23 1991, and which shall be known as the Stateline
24 Wilderness.

1 (64) Certain lands in the California Desert
2 Conservation Area, of the Bureau of Land Manage-
3 ment, which comprise approximately eighty-one
4 thousand six hundred acres, as generally depicted on
5 a map entitled “Stepladder Mountains Wilderness—
6 Proposed”, dated February 1986, and which shall be
7 known as the Stepladder Mountains Wilderness.

8 (65) Certain lands in the California Desert
9 Conservation Area, of the Bureau of Land Manage-
10 ment, which comprise approximately twenty-nine
11 thousand one hundred and eighty acres, as generally
12 depicted on a map entitled “Surprise Canyon Wil-
13 derness—Proposed”, dated September 1991, and
14 which shall be known as the Surprise Canyon Wil-
15 derness.

16 (66) Certain lands in the California Desert
17 Conservation Area, of the Bureau of Land Manage-
18 ment, which comprise approximately seventeen thou-
19 sand eight hundred and twenty acres, as generally
20 depicted on a map entitled “Sylvania Mountains
21 Wilderness—Proposed”, dated February 1986, and
22 which shall be known as the Sylvania Mountains
23 Wilderness.

24 (67) Certain lands in the California Desert
25 Conservation Area, of the Bureau of Land Manage-

1 ment, which comprise approximately thirty-one thou-
2 sand one hundred and sixty acres, as generally de-
3 picted on a map entitled “Trilobite Wilderness—
4 Proposed”, dated July 1993, and which shall be
5 known as the Trilobite Wilderness.

6 (68) Certain lands in the California Desert
7 Conservation Area, of the Bureau of Land Manage-
8 ment, which comprise approximately one hundred
9 forty-four thousand five hundred acres, as generally
10 depicted on a map entitled “Turtle Mountains Wil-
11 derness—Proposed 1”, dated February 1986 and a
12 map entitled “Turtle Mountains Wilderness—Pro-
13 posed 2”, dated May 1991, and which shall be
14 known as the Turtle Mountains Wilderness.

15 (69) Certain lands in the California Desert
16 Conservation Area and the Yuma District, of the
17 Bureau of Land Management, which comprise ap-
18 proximately seventy-seven thousand five hundred
19 and twenty acres, as generally depicted on a map en-
20 titled “Whipple Mountains Wilderness—Proposed”,
21 dated July 1993, and which shall be known as the
22 Whipple Mountains Wilderness.

23 **SEC. 103. ADMINISTRATION OF WILDERNESS AREAS.**

24 (a) MANAGEMENT.—Subject to valid existing rights,
25 each wilderness area designated under section 102 shall

1 be administered by the Secretary of the Interior (herein-
2 after in this Act referred to as the “Secretary”) or the
3 Secretary of Agriculture, as appropriate, in accordance
4 with the provisions of the Wilderness Act, except that any
5 reference in such provisions to the effective date of the
6 Wilderness Act shall be deemed to be a reference to the
7 effective date of this title and any reference to the Sec-
8 retary of Agriculture shall be deemed to be a reference
9 to the Secretary who has administrative jurisdiction over
10 the area.

11 (b) MAP AND LEGAL DESCRIPTIONS.—As soon as
12 practicable after the date of enactment of section 102, the
13 Secretary concerned shall file a map and legal description
14 for each wilderness area designated under this title with
15 the Committee on Energy and Natural Resources of the
16 United States Senate and the Committee on Natural Re-
17 sources of the United States House of Representatives.
18 Each such map and description shall have the same force
19 and effect as if included in this title, except that the Sec-
20 retary or the Secretary of Agriculture, as appropriate, may
21 correct clerical and typographical errors in each such legal
22 description and map. Each such map and legal description
23 shall be on file and available for public inspection in the
24 office of the Director of the Bureau of Land Management,

1 Department of the Interior, or the Chief of the Forest
2 Service, Department of Agriculture, as appropriate.

3 (c) LIVESTOCK.—Within the wilderness areas des-
4 ignated under section 102, the grazing of livestock, where
5 established prior to the date of enactment of this Act, shall
6 be permitted to continue subject to such reasonable regu-
7 lations, policies, and practices as the Secretary deems nec-
8 essary, as long as such regulations, policies, and practices
9 fully conform with and implement the intent of Congress
10 regarding grazing in such areas as such intent is expressed
11 in the Wilderness Act and section 101(f) of Public Law
12 101-628.

13 (d) NO BUFFER ZONES.—The Congress does not in-
14 tend for the designation of wilderness areas in section 102
15 of this Act to lead to the creation of protective perimeters
16 or buffer zones around any such wilderness area. The fact
17 that nonwilderness activities or uses can be seen or heard
18 from areas within a wilderness area shall not, of itself,
19 preclude such activities or uses up to the boundary of the
20 wilderness area.

21 (e) FISH AND WILDLIFE.—As provided in section
22 4(d)(7) of the Wilderness Act, nothing in this title shall
23 be construed as affecting the jurisdiction of the State of
24 California with respect to wildlife and fish on the public
25 lands located in that State.

1 (f) WILDLIFE MANAGEMENT.—In furtherance of the
2 purposes of the Wilderness Act, management activities to
3 maintain or restore fish and wildlife populations and the
4 habitats to support such populations may be carried out
5 within wilderness areas designated by this title, where con-
6 sistent with relevant wilderness management plans, in ac-
7 cordance with appropriate policies and guidelines, as set
8 forth in section 101(h) of Public Law 101–628.

9 (g) LAW ENFORCEMENT BORDER ACTIVITIES.—
10 Nothing in this Act, including the designation as wilder-
11 ness of lands within the Coyote, Fish Creek Mountains,
12 and Jacumba wilderness areas designated in section 102
13 of this Act, the Wilderness Act, or other land management
14 laws generally applicable to such areas, shall restrict or
15 preclude continued law enforcement and border operations
16 within such areas, including the use of motor vehicles and
17 aircraft by the Immigration and Naturalization Service,
18 the Drug Enforcement Administration, the United States
19 Customs Service, or State and local law enforcement agen-
20 cies in such manner and subject to such restrictions as
21 may be determined by the Attorney General of the United
22 States or Secretary of the Treasury, as appropriate, in
23 consultation with the Secretary.

1 **SEC. 104. WILDERNESS REVIEW.**

2 (a) IN GENERAL.—Except as provided in subsection
3 (b), the Congress hereby finds and directs that lands in
4 the California Desert Conservation Area, of the Bureau
5 of Land Management, not designated as wilderness or wil-
6 derness study areas by this Act have been adequately stud-
7 ied for wilderness designation pursuant to section 603 of
8 the Federal Land Policy and Management Act of 1976
9 (90 Stat. 2743, 43 U.S.C. 1701 et seq.), and are no longer
10 subject to the requirement of section 603(c) of the Federal
11 Land Policy and Management Act of 1976 pertaining to
12 the management of wilderness study areas in a manner
13 that does not impair the suitability of such areas for pres-
14 ervation as wilderness.

15 (b) AREAS NOT RELEASED.—The following areas
16 shall continue to be subject to the requirements of section
17 603(c) of the Federal Land Policy and Management Act
18 of 1976, pertaining to the management of wilderness
19 study areas in a manner that does not impair the suit-
20 ability of such areas for preservation as wilderness—

21 (1) certain lands which comprise approximately
22 sixty-one thousand three hundred and twenty, as
23 generally depicted on a map entitled “Avawatz
24 Mountains Wilderness—Proposed”, dated May
25 1991;

1 (2) certain lands which comprise approximately
2 thirty-nine thousand seven hundred and fifty acres,
3 as generally depicted on a map entitled “Kingston
4 Range Wilderness—Proposed 4”, dated July 1993;

5 (3) certain lands which comprise approximately
6 eighty thousand four hundred and thirty acres, as
7 generally depicted on two maps entitled “Soda
8 Mountains Wilderness—Proposed 1”, dated May
9 1991, and “Soda Mountains Wilderness—Proposed
10 2”, dated January 1989;

11 (4) certain lands which compromise approxi-
12 mately twenty-three thousand two hundred and fifty
13 acres, as generally depicted on a map entitled
14 “South Avawatz Mountains—Proposed”, dated May
15 1991;

16 (5) certain lands which comprise approximately
17 seventeen thousand two hundred and eighty acres,
18 as generally depicted on a map entitled “Death Val-
19 ley National Park Boundary and Wilderness 17—
20 Proposed”, dated July 1993;

21 (6) certain lands which comprise approximately
22 eight thousand eight hundred acres, as generally de-
23 picted on a map entitled “Great Falls Basin Wilder-
24 ness—Proposed”, dated February 1986; and

1 (7) certain lands which comprise approximately
2 eighty-four thousand four hundred acres, as gen-
3 erally depicted on a map entitled “Cady Mountains
4 Wilderness—Proposed”, dated July 1993.

5 (c) WITHDRAWAL.—Subject to valid existing rights,
6 the Federal lands referred to in subsection (b) are hereby
7 withdrawn from all forms of entry, appropriation, or dis-
8 posal under the public land laws; from location, entry, and
9 patent under the United States mining laws; and from dis-
10 position under all laws pertaining to mineral and geo-
11 thermal leasing, and mineral materials, and all amend-
12 ments thereto.

13 **SEC. 105. DESIGNATION OF WILDERNESS STUDY AREA.**

14 In furtherance of the provisions of the Wilderness
15 Act, certain lands in the California Desert Conservation
16 Area, of the Bureau of Land Management, which comprise
17 approximately eleven thousand two hundred acres as gen-
18 erally depicted on a map entitled “White Mountains Wil-
19 derness Study Area—Proposed”, dated May 1991, are
20 hereby designated as the White Mountains Wilderness
21 Study Area and shall be administered by the Secretary
22 in accordance with the provisions of section 603(c) of the
23 Federal Land Policy and Management Act of 1976 (43
24 U.S.C. 1782).

1 **SEC. 106. SUITABILITY REPORT.**

2 The Secretary is required, ten years after the date
3 of enactment of this Act, to report to Congress on current
4 and planned exploration, development or mining activities
5 on, and suitability for future wilderness designation of, the
6 lands as generally depicted on maps entitled “Surprise
7 Canyon Wilderness—Proposed”, “Middle Park Canyon
8 Wilderness—Proposed”, and “Death Valley National Park
9 Boundary and Wilderness 15”, dated September 1991 and
10 a map entitled “Manly Peak Wilderness—Proposed”,
11 dated October 1991.

12 **SEC. 107. DESERT LILY SANCTUARY.**

13 (a) DESIGNATION.—There is hereby established the
14 Desert Lily Sanctuary within the California Desert Con-
15 servation Area, California, of the Bureau of Land Man-
16 agement, comprising approximately two thousand forty
17 acres, as generally depicted on a map entitled “Desert Lily
18 Sanctuary”, dated February 1986. The Secretary shall ad-
19 minister the area to provide maximum protection to the
20 desert lily.

21 (b) WITHDRAWAL.—Subject to valid existing rights,
22 all Federal lands within the Desert Lily Sanctuary are
23 hereby withdrawn from all forms of entry, appropriation,
24 or disposal under the public land laws; from location,
25 entry, and patent under the United States mining laws;
26 and from disposition under all laws pertaining to mineral

1 and geothermal leasing, and mineral materials, and all
2 amendments thereto.

3 **SEC. 108. DINOSAUR TRACKWAY AREA OF CRITICAL ENVI-**
4 **RONMENTAL CONCERN.**

5 (a) DESIGNATION.—There is hereby established the
6 Dinosaur Trackway Area of Critical Environmental Con-
7 cern within the California Desert Conservation Area, of
8 the Bureau of Land Management, comprising approxi-
9 mately five hundred and ninety acres as generally depicted
10 on a map entitled “Dinosaur Trackway Area of Critical
11 Environmental Concern”, dated July 1993. The Secretary
12 shall administer the area to preserve the paleontological
13 resources within the area.

14 (b) WITHDRAWAL.—Subject to valid existing rights,
15 the Federal lands within and adjacent to the Dinosaur
16 Trackway Area of Critical Environmental Concern, as
17 generally depicted on a map entitled “Dinosaur Trackway
18 Mineral Withdrawal Area”, dated July 1993, are hereby
19 withdrawn from all forms of entry, appropriation, or dis-
20 posal under the public land laws; from location, entry, and
21 patent under the United States mining laws; and from dis-
22 position under all laws pertaining to mineral and geo-
23 thermal leasing, and mineral materials, and all amend-
24 ments thereto.

1 **TITLE II—DESIGNATION OF WILDERNESS**
2 **AREAS TO BE ADMINISTERED BY THE**
3 **UNITED STATES FISH AND WILDLIFE**
4 **SERVICE**

5 **SEC. 201. DESIGNATION AND MANAGEMENT.**

6 (a) DESIGNATION.—In furtherance of the purposes of
7 the Wilderness Act, the following lands are hereby des-
8 ignated as wilderness and therefore, as components of the
9 National Wilderness Preservation System:

10 (1) Certain lands in the Havasu National Wild-
11 life Refuge, California, which comprise approxi-
12 mately three thousand one hundred and ninety-five
13 acres, as generally depicted on a map entitled
14 “Havasu Wilderness—Proposed”, and dated October
15 1991, and which shall be known as the Havasu Wil-
16 derness.

17 (2) Certain lands in the Imperial National
18 Wildlife Refuge, California, which comprise approxi-
19 mately five thousand eight hundred and thirty-six
20 acres, as generally depicted on two maps entitled
21 “Imperial Refuge Wilderness—Proposed 1” and
22 “Imperial Refuge Wilderness—Proposed 2”, and
23 dated October 1991, and which shall be known as
24 the Imperial Refuge Wilderness.

1 (b) MANAGEMENT.—Subject to valid existing rights,
2 the wilderness areas designated under this title shall be
3 administered by the Secretary in accordance with the pro-
4 visions of the Wilderness Act governing areas designated
5 by that Act as wilderness, except that any reference in
6 such provisions to the effective date of the Wilderness Act
7 (or any similar reference) shall be deemed to be a ref-
8 erence to the date of enactment of this Act.

9 (c) MAPS AND LEGAL DESCRIPTION.—As soon as
10 practicable after enactment of this title, the Secretary
11 shall file a map and a legal description of each wilderness
12 area designated under this section with the Committees
13 on Energy and Natural Resources and Environment and
14 Public Works of the United States Senate and Natural
15 Resources and Merchant Marine and Fisheries of the
16 United States House of Representatives. Such map and
17 description shall have the same force and effect as if in-
18 cluded in this Act, except that correction of clerical and
19 typographical errors in such legal description and map
20 may be made. Such map and legal description shall be on
21 file and available for public inspection in the Office of the
22 Director, United States Fish and Wildlife Service, Depart-
23 ment of the Interior.

1 **SEC. 202. NO EFFECT ON COLORADO RIVER DAMS.**

2 Nothing in this title shall be construed to affect the
3 operation of federally owned dams located on the Colorado
4 River in the Lower Basin.

5 **SEC. 203. NO EFFECT ON UPPER BASIN.**

6 Nothing in this Act shall amend, construe, supersede,
7 or preempt any State law, Federal law, interstate com-
8 pact, or international treaty pertaining to the Colorado
9 River (including its tributaries) in the Upper Basin, in-
10 cluding, but not limited to the appropriation, use, develop-
11 ment, storage, regulation, allocation, conservation, expor-
12 tation, or quality of those rivers.

13 **SEC. 204. COLORADO RIVER.**

14 With respect to the Havasu and Imperial wilderness
15 areas designated by subsection 201(a) of this title, no
16 rights to water of the Colorado River are reserved, either
17 expressly, impliedly, or otherwise.

18 **TITLE III—DEATH VALLEY NATIONAL**
19 **PARK**

20 **SEC. 301. FINDINGS.**

21 The Congress hereby finds that—

22 (1) proclamations by Presidents Herbert Hoo-
23 ver in 1933 and Franklin Roosevelt in 1937 estab-
24 lished and expanded the Death Valley National
25 Monument for the preservation of the unusual fea-

1 tures of scenic, scientific, and educational interest
2 therein contained;

3 (2) Death Valley National Monument is today
4 recognized as a major unit of the National Park
5 System, having extraordinary values enjoyed by mil-
6 lions of visitors;

7 (3) the monument boundaries established in the
8 1930's exclude and thereby expose to incompatible
9 development and inconsistent management, contig-
10 uous Federal lands of essential and superlative natu-
11 ral, ecological, geological, archeological, paleontolog-
12 ical, cultural, historical ad wilderness values;

13 (4) Death Valley National Monument should be
14 substantially enlarged by the addition of all contig-
15 uous Federal lands of national park caliber and af-
16 forded full recognition and statutory protection as a
17 National Park; and

18 (5) the wilderness within Death Valley should
19 receive maximum statutory protection by designation
20 pursuant to the Wilderness Act.

21 **SEC. 302. ESTABLISHMENT OF DEATH VALLEY NATIONAL**
22 **PARK.**

23 There is hereby established the Death Valley Na-
24 tional Park, (hereinafter in this title referred to as the
25 “park”) as generally depicted on twenty-three maps enti-

1 tled “Death Valley National Park Boundary and Wilder-
2 ness—Proposed”, numbered in the title one through twen-
3 ty-three, and dated July 1993 or prior, which shall be on
4 file and available for public inspection in the offices of the
5 Superintendent of the park and the Director of the Na-
6 tional Park Service, Department of the Interior. The
7 Death Valley National Monument is hereby abolished as
8 such, the lands and interests therein are hereby incor-
9 porated within and made part of the new Death Valley
10 National Park, and any funds available for purposes of
11 the monument shall be available for purposes of the park.

12 **SEC. 303. TRANSFER AND ADMINISTRATION OF LANDS.**

13 Upon enactment of this title, the Secretary shall
14 transfer the lands under the jurisdiction of the Bureau
15 of Land Management depicted in the maps described in
16 section 302 of this title, without consideration, to the ad-
17 ministrative jurisdiction of the National Park Service for
18 administration as part of the National Park System, and
19 the boundary of the park shall be adjusted accordingly.
20 The Secretary shall administer the areas added to the
21 park by this title in accordance with the provisions of law
22 generally applicable to units of the National Park System,
23 including the Act entitled “An Act to establish a National
24 Park Service, and for other purposes”, approved August
25 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4).

1 **SEC. 304. MAPS AND LEGAL DESCRIPTION.**

2 Within six months after the enactment of this title,
3 the Secretary shall file maps and a legal description of
4 the park designated under this title with the Committee
5 on Energy and Natural Resources of the United States
6 Senate and the Committee on Natural Resources of the
7 United States House of Representatives. Such maps and
8 legal description shall have the same force and effect as
9 if included in this title, except that the Secretary may cor-
10 rect clerical and typographical errors in such legal descrip-
11 tion and in the maps referred to in section 302. The maps
12 and legal description shall be on file and available for pub-
13 lic inspection in the offices of the Superintendent of the
14 park and the Director of the National Park Service, De-
15 partment of the Interior.

16 **SEC. 305. WITHDRAWAL.**

17 Subject to valid existing rights, all Federal lands
18 within the park are hereby withdrawn from all forms of
19 entry, appropriation, or disposal under the public land
20 laws; from location, entry, and patent under the United
21 States mining laws; and from disposition under all laws
22 pertaining to mineral and geothermal leasing, and mineral
23 materials, and all amendments thereto.

24 **SEC. 306. GRAZING.**

25 (a) IN GENERAL.—The privilege of grazing domestic
26 livestock on lands within the park shall continue to be ex-

1 exercised at no more than the current level, subject to appli-
2 cable laws and National Park Service regulations.

3 (b) SALE OF PROPERTY.—If a person holding a graz-
4 ing permit referred to in subsection (a) informs the Sec-
5 retary that such permittee is willing to convey to the Unit-
6 ed States any base property with respect to which such
7 permit was issued and to which such permittee holds title,
8 the Secretary shall make the acquisition of such base prop-
9 erty a priority as compared with the acquisition of other
10 lands within the park, provided agreement can be reached
11 concerning the terms and conditions of such acquisition.
12 Any such base property which is located outside the park
13 and acquired as a priority pursuant to this section shall
14 be managed by the Federal agency responsible for the ma-
15 jority of the adjacent lands in accordance with the laws
16 applicable to such adjacent lands.

17 **TITLE IV—JOSHUA TREE NATIONAL PARK**

18 **SEC. 401. FINDINGS.**

19 The Congress hereby finds that—

20 (1) a proclamation by President Franklin Roo-
21 sevelt in 1936 established Joshua Tree National
22 Monument to protect various objects of historical
23 and scientific interest;

24 (2) Joshua Tree National Monument today is
25 recognized as a major unit of the National Park

1 System, having extraordinary values enjoyed by mil-
2 lions of visitors;

3 (3) the monument boundaries as modified in
4 1950 and 1961 exclude and thereby expose to in-
5 compatible development and inconsistent manage-
6 ment, contiguous Federal lands of essential and su-
7 perlative natural, ecological, archeological, paleon-
8 tological, cultural, historical, and wilderness values;

9 (4) Joshua Tree National Monument should be
10 enlarged by the addition of contiguous Federal lands
11 of national park caliber, and afforded full recogni-
12 tion and statutory protection as a national park; and

13 (5) the nondesignated wilderness within Joshua
14 Tree should receive statutory protection by designa-
15 tion pursuant to the Wilderness Act.

16 **SEC. 402. ESTABLISHMENT OF JOSHUA TREE NATIONAL**
17 **PARK.**

18 There is hereby established the Joshua Tree National
19 Park, (hereinafter in this section referred to as the
20 “park”), as generally depicted on a map entitled “Joshua
21 Tree National Park Boundary—Proposed”, dated May
22 1991, and four maps entitled “Joshua Tree National Park
23 Boundary and Wilderness”, numbered in the title one
24 through four, and dated October 1991 or prior, which
25 shall be on file and available for public inspection in the

1 offices of the Superintendent of the park and the Director
2 of the National Park Service, Department of the Interior.
3 The Joshua Tree National Monument is hereby abolished
4 as such, the lands and interests therein are hereby incor-
5 porated within and made part of the new Joshua Tree Na-
6 tional Park, and any funds available for purposes of the
7 monument shall be available for purposes of the park.

8 **SEC. 403. TRANSFER AND ADMINISTRATION OF LANDS.**

9 Upon enactment of this title, the Secretary shall
10 transfer the lands under the jurisdiction of the Bureau
11 of Land Management depicted on the maps described in
12 section 402 of this title, without consideration, to the ad-
13 ministrative jurisdiction of the National Park Service for
14 administration as part of the National Park System. The
15 boundaries of the park shall be adjusted accordingly. The
16 Secretary shall administer the areas added to the park by
17 this title in accordance with the provisions of law generally
18 applicable to units of the National Park System, including
19 the Act entitled “An Act to establish a National Park
20 Service, and for other purposes”, approved August 25,
21 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4).

22 **SEC. 404. MAPS AND LEGAL DESCRIPTION.**

23 Within six months after the date of enactment of this
24 title, the Secretary shall file maps and legal description
25 of the park with the Committee on Energy and Natural

1 Resources of the United States Senate and the Committee
2 on Natural Resources of the United States House of Rep-
3 resentatives. Such maps and legal description shall have
4 the same force and effect as if included in this title, except
5 that the Secretary may correct clerical and typographical
6 errors in such legal description and maps. The maps and
7 legal description shall be on file and available for public
8 inspection in the appropriate offices of the National Park
9 Service, Department of the Interior.

10 **SEC. 405. WITHDRAWAL.**

11 Subject to valid existing rights, all Federal lands
12 within the park are hereby withdrawn from all forms of
13 entry, appropriation, or disposal under the public land
14 laws; from location, entry, and patent under the United
15 States mining laws; and from disposition under all laws
16 pertaining to mineral and geothermal leasing, and mineral
17 materials, and all amendments thereto.

18 **SEC. 406. UTILITY RIGHTS-OF-WAY.**

19 Nothing in this title shall have the effect of terminat-
20 ing any validly issued right-of-way or customary operation
21 maintenance, repair, and replacement activities in such
22 right-of-way, issued, granted, or permitted to the Metro-
23 politan Water District pursuant to the Boulder Canyon
24 Project Act (43 U.S.C. 617–619b), which is located on
25 lands included in the Joshua Tree National Park, but out-

1 side lands designated as wilderness under section 601(2).
2 Such activities shall be conducted in a manner which will
3 minimize the impact on park resources. Nothing in this
4 title shall have the effect of terminating the fee title to
5 lands or customary operation, maintenance, repair, and
6 replacement activities on or under such lands granted to
7 the Metropolitan Water District pursuant to the Act on
8 June 18, 1932 (47 Stat. 324), which are located on lands
9 included in the Joshua Tree National Park, but outside
10 lands designated as wilderness under section 601(2). Such
11 activities shall be conducted in a manner which will mini-
12 mize the impact on park resources. The Secretary shall
13 prepare within one hundred and eighty days after the date
14 of enactment of this Act, in consultation with the Metro-
15 politan Water District, plans for emergency access by the
16 Metropolitan Water District to its lands and rights-of-way.

17 **TITLE V—MOJAVE NATIONAL PARK**

18 **SEC. 501. FINDINGS.**

19 The Congress hereby finds that—

20 (1) Death Valley and Joshua Tree National
21 Parks, as established by this Act, protect unique and
22 superlative desert resources, but do not embrace the
23 particular ecosystems and transitional desert type
24 found in the Mojave Desert area lying between them

1 on public lands now afforded only impermanent ad-
2 ministrative designation as a national scenic area;

3 (2) the Mojave desert possesses outstanding
4 natural, cultural, historical, and recreational values
5 meriting statutory designation and recognition as a
6 unit of the National Park System;

7 (3) portions of the Mojave desert should be af-
8 farded full recognition and statutory protection as a
9 National Park;

10 (4) the wilderness within the Mojave desert
11 should receive maximum statutory protection by des-
12 ignation pursuant to the Wilderness Act; and

13 (5) the Mojave desert area provides an out-
14 standing opportunity to develop services, programs,
15 accommodations and facilities to ensure the use and
16 enjoyment of the area by individuals with disabil-
17 ities, consistent with section 504 of the Rehabilita-
18 tion Act of 1973, Public Law 101-336, the Ameri-
19 cans With Disabilities Act of 1990 (42 U.S.C.
20 12101), and other appropriate laws and regulations.

21 **SEC. 502. ESTABLISHMENT OF MOJAVE NATIONAL PARK.**

22 There is hereby established the Mojave National Park
23 (hereinafter in this title referred to as the “park”) com-
24 prising approximately one million one hundred eighty-one
25 thousand three hundred and fifty acres, as generally de-

1 picted on a map entitled “Mojave National Park Bound-
2 ary—Proposed”, dated March 1994, which shall be on file
3 and available for inspection in the appropriate offices of
4 the National Park Service, Department of the Interior.

5 **SEC. 503. TRANSFER OF LANDS.**

6 Upon enactment of this title, the Secretary shall
7 transfer the lands under the jurisdiction of the Bureau
8 of Land Management depicted on the maps described in
9 section 502 of this title, without consideration, to the ad-
10 ministrative jurisdiction of the National Park Service.

11 **SEC. 504. MAPS AND LEGAL DESCRIPTION.**

12 Within six months after the date of enactment of this
13 title, the Secretary shall file maps and a legal description
14 of the park with the Committee on Energy and Natural
15 Resources of the United States Senate and the Committee
16 on Natural Resources of the United States House of Rep-
17 resentatives. Such maps and legal descriptions shall have
18 the same force and effect as if included in this title, except
19 that the Secretary may correct clerical and typographical
20 errors in such legal descriptions and maps. The maps and
21 legal description shall be on file and available for public
22 inspection in the appropriate offices of the National Park
23 Service, Department of the Interior.

1 **SEC. 505. ABOLISHMENT OF SCENIC AREA.**

2 The East Mojave Scenic Area, designated on January
3 13, 1981 (46 FR 3994), and modified on August 9, 1983
4 (48 FR 36210), is hereby abolished.

5 **SEC. 506. ADMINISTRATION OF PARK.**

6 The Secretary shall administer the park in accord-
7 ance with this title and with the provisions of law generally
8 applicable to units of the National Park System, including
9 the Act entitled “An Act to establish a National Park
10 Service, and for other purposes”, approved August 25,
11 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4).

12 **SEC. 507. WITHDRAWAL.**

13 Subject to valid existing rights, all Federal lands
14 within the park are hereby withdrawn from all forms of
15 entry, appropriation, or disposal under the public land
16 laws; from location, entry, and patent under the United
17 States mining laws; and from disposition under all laws
18 pertaining to mineral and geothermal leasing, and mineral
19 materials, and all amendments thereto.

20 **SEC. 508. REGULATION OF MINING.**

21 Subject to valid existing rights, all mining claims lo-
22 cated within the park shall be subject to all applicable laws
23 and regulations applicable to mining within units of the
24 National Park System, including the Mining in the Parks
25 Act (16 U.S.C. 1901 et seq.), and any patent issued after
26 the date of enactment of this title shall convey title only

1 to the minerals together with the right to use the surface
2 of lands for mining purposes, subject to such laws and
3 regulations.

4 **SEC. 509. GRAZING.**

5 (a) IN GENERAL.—The privilege of grazing domestic
6 livestock on lands within the park shall continue to be ex-
7 ercised at no more than the current level, subject to appli-
8 cable laws and National Park Service regulations.

9 (b) OFFERS TO SELL.—If a person holding a grazing
10 permit referred to in subsection (a) informs the Secretary
11 that such permittee is willing to convey to the United
12 States any base property with respect to which the permit
13 was issued and to which such permittee holds title, the
14 Secretary shall make the acquisition of such base property
15 a priority as compared with the acquisition of other lands
16 within the park, provided agreement can be reached con-
17 cerning the terms and conditions of such acquisition. Any
18 such base property which is located outside the park and
19 acquired as a priority pursuant to this section shall be
20 managed by the Federal agency responsible for the major-
21 ity of the adjacent lands in accordance with the laws appli-
22 cable to such adjacent lands.

23 **SEC. 510. UTILITY RIGHTS OF WAY.**

24 (a)(1) Nothing in this title shall have the effect of
25 terminating any validly issued rights-of-way or customary

1 operation, maintenance, repair, and replacement activities
2 in such rights-of-way, issued, granted, or permitted to
3 Southern California Edison Company, its successors or as-
4 signs, which is located on lands included in the Mojave
5 National Park, but outside lands designated as wilderness
6 under section 601(3). Such activities shall be conducted
7 in a manner which will minimize the impact on park re-
8 sources.

9 (2) Nothing in this title shall have the effect of pro-
10 hibiting the upgrading of an existing electrical trans-
11 mission line for the purpose of increasing the capacity of
12 such transmission line in the Southern California Edison
13 Company validly issued Eldorado-Lugo Transmission Line
14 right-of-way and Mojave-Lugo Transmission Line right-
15 of-way, or in a right-of-way if issued, granted, or per-
16 mitted by the Secretary adjacent to the existing Mojave-
17 Lugo Transmission Line right-of-way (hereafter in this
18 section referred to as “adjacent right-of-way”), including
19 construction of a replacement transmission line: *Provided,*
20 That—

21 (A) in the Eldorado-Lugo Transmission Line
22 rights-of-way (hereafter in this section referred to as
23 the “Eldorado-Lugo right-of-way”) at no time shall
24 there be more than 3 electrical transmission lines,

1 (B) in the Mojave-Lugo Transmission Line
2 right-of-way (hereafter in this section referred to as
3 the “Mojave right-of-way”) and adjacent right-of-
4 way, removal of the existing electrical transmission
5 line and reclamation of the site shall be completed
6 no later than three years after the date on which
7 construction of the upgraded transmission line be-
8 gins, after which time there may be only one elec-
9 trical transmission line in the lands encompassed by
10 Mojave right-of-way and adjacent right-of-way,

11 (C) if there are no more than two electrical
12 transmission lines in the Eldorado rights-of-way, two
13 electrical transmission lines in the lands encom-
14 passed by the Mojave right-of-way and adjacent
15 right-of-way may be allowed,

16 (D) in the Eldorado rights-of-way and Mojave
17 right-of-way no additional land shall be issued,
18 granted, or permitted for such upgrade unless an
19 addition would reduce the impacts to park resources,

20 (E) no more than three hundred and fifty feet
21 of additional land shall be issued, granted, or per-
22 mitted for an adjacent right-of-way to the south of
23 the Mojave right-of-way unless a greater addition
24 would reduce the impacts to park resources, and

1 (F) such upgrade activities, including helicopter
2 aided construction, shall be conducted in a manner
3 which will minimize the impact on park resources.

4 (3) The Secretary shall prepare within one hundred
5 and eighty days after the date of enactment of this title,
6 in consultation with the Southern California Edison Com-
7 pany, plans for emergency access by the Southern Califor-
8 nia Edison Company to its rights-of-way.

9 (b)(1) Nothing in this title shall have the effect of
10 terminating any validly issued right-of-way, or customary
11 operation, maintenance, repair, and replacement activities
12 in such right-of-way; prohibiting the upgrading of and
13 construction on existing facilities in such right-of-way for
14 the purpose of increasing the capacity of the existing pipe-
15 line; or prohibiting the renewal of such right-of-way; is-
16 sued, granted, or permitted to the Southern California
17 Gas Company, its successors or assigns, which is located
18 on lands included in the Mojave National Park, but out-
19 side lands designated as wilderness under section 601(3).
20 Such activities shall be conducted in a manner which will
21 minimize the impact on park resources.

22 (2) The Secretary shall prepare within one hundred
23 and eighty days after the date of enactment of this title,
24 in consultation with the Southern California Gas Com-

1 pany, plans for emergency access by the Southern Califor-
2 nia Gas Company to its rights-of-way.

3 (c) Nothing in this title shall have the effect of termi-
4 nating any validly issued right-of-way or customary oper-
5 ation, maintenance, repair, and replacement activities of
6 existing facilities issued, granted, or permitted for commu-
7 nications cables or lines, which are located on lands in-
8 cluded in the Mojave National Park, but outside lands des-
9 igned as wilderness under section 601(3). Such activities
10 shall be conducted in a manner which will minimize the
11 impact on park resources.

12 (d) Nothing in this title shall have the effect of termi-
13 nating any validly issued right-of-way or customary oper-
14 ation, maintenance, repair, and replacement activities of
15 existing facilities issued, granted, or permitted to Molyb-
16 denum Corporation of America; Molycorp, Incorporated;
17 or Union Oil Company of California (d/b/a Unocal Cor-
18 poration); or its successors or assigns, or prohibiting re-
19 newal of such right-of-way, which is located on lands in-
20 cluded in the Mojave National Park, but outside lands des-
21 igned as wilderness under section 601(3). Such activities
22 shall be conducted in a manner which will minimize the
23 impact on park resources.

1 **SEC. 511. GENERAL MANAGEMENT PLAN.**

2 (a) IN GENERAL.—Within three years of the date of
3 enactment of this title, the Secretary shall submit to the
4 Committee on Energy and Natural Resources of the Unit-
5 ed States Senate and the Committee on Natural Resources
6 of the United States House of Representatives a detailed
7 and comprehensive management plan for the park.

8 (b) KELSO DEPOT.—Such plan shall place emphasis
9 on historical and cultural sites and ecological and wilder-
10 ness values within the boundaries of the park, and shall
11 evaluate the feasibility of using the Kelso Depot and exist-
12 ing railroad corridor to provide public access to and a fa-
13 cility for special interpretive, educational, and scientific
14 programs within the park.

15 (c) NEEDS OF INDIVIDUALS WITH DISABILITIES.—
16 Such plan shall specifically address the needs of individ-
17 uals with disabilities in the design of services, programs,
18 accommodations and facilities consistent with section 504
19 of the Rehabilitation Act of 1973, the Americans with Dis-
20 abilities Act of 1990 (42 U.S.C. 12101), and other appro-
21 priate laws and regulations.

22 **SEC. 512. GRANITE MOUNTAINS NATURAL RESERVE.**

23 (a) ESTABLISHMENT.—There is hereby designated
24 the Granite Mountains Natural Reserve within the park
25 comprising approximately nine thousand acres as gen-
26 erally depicted on a map entitled “Mojave National Park

1 Boundary and Wilderness—Proposed 6'', dated May
2 1991.

3 (b) COOPERATIVE MANAGEMENT AGREEMENT.—

4 Upon enactment of this title, the Secretary shall enter into
5 a cooperative management agreement with the University
6 of California for the purposes of managing the lands with-
7 in the Granite Mountains Natural Reserve. Such coopera-
8 tive agreement shall ensure continuation of arid lands re-
9 search and educational activities of the University of Cali-
10 fornia, consistent with the provisions of this title and laws
11 generally applicable to units of the National Park System.

12 **SEC. 513. SODA SPRINGS DESERT STUDY CENTER.**

13 Upon enactment of this title, the Secretary shall
14 enter into a cooperative management agreement with Cali-
15 fornia State University for the purposes of managing fa-
16 cilities at the Soda Springs Desert Study Center. Such
17 cooperative agreement shall ensure continuation of the
18 desert research and educational activities of California
19 State University, consistent with the provisions of this title
20 and laws generally applicable to units of the National Park
21 System.

22 **SEC. 514. CONSTRUCTION OF VISITOR CENTER.**

23 The Secretary is authorized to construct a visitor cen-
24 ter in the park for the purpose of providing information

1 through appropriate displays, printed material, and other
2 interpretive programs, about the resources of the park.

3 **SEC. 515. ACQUISITION OF LANDS**

4 IN GENERAL.—The Secretary is authorized to ac-
5 quire all lands and interests therein within the boundary
6 of the park by donation, purchase, or exchange, except
7 that—

8 (1) any lands or interests therein within the
9 boundary of the park which are owned by the State
10 of California, or any political subdivision thereof,
11 may be acquired only by donation or exchange ex-
12 cept for lands managed by California State Lands
13 Commission; and

14 (2) lands or interests therein within the bound-
15 ary of the park which are not owned by the State
16 of California or any political subdivision thereof may
17 be acquired only with the consent of the owner
18 thereof unless the Secretary determines, after writ-
19 ten notice to the owner and after opportunity for
20 comment, that the property is being developed, or
21 proposed to be developed, in a manner which is det-
22 rimental to the integrity of the park or which is oth-
23 erwise incompatible with the purposes of this title:
24 *Provided, however,* That the construction, modifica-
25 tion, repair, improvement, or replacement of a sin-

1 gle-family residence shall not be determined to be
2 detrimental to the integrity of the park or incompat-
3 ible with the purposes of this title.

4 **SEC. 516. SUITABILITY REPORT.**

5 The Secretary is required, twenty years after the date
6 of enactment of this title, to report to Congress on current
7 and planned exploration, development or mining activities
8 on, and suitability for future park designation of, the
9 lands as generally depicted on a map entitled “Mojave Na-
10 tional Park Study Area— Proposed”, dated July 1992.

11 **SEC. 517. ADVISORY COMMISSION.**

12 (a) There is hereby established the Mojave National
13 Park Advisory Commission (hereinafter in this section re-
14 ferred to as the “Advisory Commission”).

15 (b) The Advisory Commission shall be composed of
16 fifteen members appointed by the Secretary for terms of
17 three years each.

18 (c) Any vacancy in the Advisory Commission shall be
19 filled in the same manner in which the original appoint-
20 ment was made.

21 (d) Members of the Advisory Commission shall serve
22 without compensation as such, but the Secretary may pay,
23 upon vouchers signed by the Chairman, the expenses rea-
24 sonably incurred by the Commission and its members in
25 carrying out their responsibilities under this Act.

1 (e) The Secretary, or his designee, shall from time
2 to time, but at least annually, meet and consult with the
3 Advisory Commission on general policies and specific mat-
4 ters related to planning, administration and development
5 affecting the park.

6 (f) The Advisory Commission shall act and advise by
7 affirmative vote of the majority of the members thereof.

8 (g) The Advisory Commission shall cease to exist ten
9 years after the enactment of this Act.

10 **TITLE VI—NATIONAL PARK WILDERNESS**

11 **SEC. 601. DESIGNATION OF WILDERNESS.**

12 (a) In furtherance of the purposes of the Wilderness
13 Act (78 Stat. 890; 16 U.S.C. 1311 et seq.), the following
14 lands within the units of the National Park System des-
15 ignated by this Act are hereby designated as wilderness,
16 and therefore, as components of the National Wilderness
17 Preservation System:

18 (1) Death Valley National Park Wilderness,
19 comprising approximately three million one hundred
20 fifty-eight thousand thirty-eight acres, as generally
21 depicted on twenty-three maps entitled “Death Val-
22 ley National Park Boundary and Wilderness”, num-
23 bered in the title one through twenty-three, and
24 dated October 1993 or prior, and three maps enti-
25 tled “Death Valley National Park Wilderness”, num-

1 bered in the title one through three, and dated July
2 1993 or prior, and which shall be known as the
3 Death Valley Wilderness.

4 (2) Joshua Tree National Park Wilderness Ad-
5 ditions, comprising approximately one hundred thir-
6 ty-one thousand seven hundred and eighty acres, as
7 generally depicted on four maps entitled “Joshua
8 Tree National Park Boundary and Wilderness—Pro-
9 posed”, numbered in the title one through four, and
10 dated October 1991 or prior, and which are hereby
11 incorporated in, and which shall be deemed to be a
12 part of the Joshua Tree Wilderness as designated by
13 Public Law 94–567.

14 (3) Mojave Naional Park Wilderness, compris-
15 ing approximately six hundred ninety-five thousand
16 two hundred acres, as generally depicted on ten
17 maps entitled “Mojave National Park Boundary and
18 Wilderness—Proposed”, and numbered in the title
19 one through ten, and dated March 1994 or prior,
20 and seven maps entitled “Mojave National Park Wil-
21 derness—Proposed”, numbered in the title one
22 through seven, and dated March 1994 or prior, and
23 which shall be known as the Mojave Wilderness.

24 (b) POTENTIAL WILDERNESS.—Upon cessation of all
25 uses prohibited by the Wilderness Act and publication by

1 the Secretary in the Federal Register of notice of such
2 cessation, potential wilderness, comprising approximately
3 six thousand eight hundred and forty acres, as described
4 in “1988 Death Valley National Monument Draft General
5 Management Plan Draft Environmental Impact State-
6 ment” (hereafter in this title referred to as “Draft Plan”)
7 and as generally depicted on map in the Draft Plan enti-
8 tled “Wilderness Plan Death Valley National Monument”,
9 dated January 1988, and which shall be deemed to be a
10 part of the Death Valley Wilderness as designated in para-
11 graph (1). Lands identified in the Draft Plan as potential
12 wilderness shall be managed by the Secretary insofar as
13 practicable as wilderness until such time as said lands are
14 designated as wilderness.

15 **SEC. 602. FILING OF MAPS AND DESCRIPTIONS.**

16 Maps and a legal description of the boundaries of the
17 areas designated in section 601 of this title shall be on
18 file and available for public inspection in the appropriate
19 offices of the National Park Service, Department of the
20 Interior. As soon as practicable after the date of enact-
21 ment of this title takes effect, maps and legal descriptions
22 of the wilderness areas shall be filed with the Committee
23 on Energy and Natural Resources of the United States
24 Senate and the Committee on Natural Resources of the
25 United States House of Representatives, and such maps

1 and legal descriptions shall have the same force and effect
2 as if included in this title, except that the Secretary may
3 correct clerical and typographical errors in such maps and
4 legal descriptions.

5 **SEC. 603. ADMINISTRATION OF WILDERNESS AREAS.**

6 The areas designated by section 601 of this title as
7 wilderness shall be administered by the Secretary in ac-
8 cordance with the applicable provisions of the Wilderness
9 Act governing areas designated by that title as wilderness,
10 except that any reference in such provision to the effective
11 date of the Wilderness Act shall be deemed to be a ref-
12 erence to the effective date of this title, and where appro-
13 priate, and reference to the Secretary of Agriculture shall
14 be deemed to be a reference to the Secretary of the Inte-
15 rior.

16 **TITLE VII—MISCELLANEOUS PROVISIONS**

17 **SEC. 701. TRANSFER OF LANDS TO RED ROCK CANYON**
18 **STATE PARK.**

19 Upon enactment of this title, the Secretary shall
20 transfer to the State of California certain lands within the
21 California Desert Conservation Area, California, of the
22 Bureau of Land Management, comprising approximately
23 twenty thousand five hundred acres, as generally depicted
24 on two maps entitled “Red Rock Canyon State Park Addi-
25 tions 1” and “Red Rock Canyon State Park Additions 2”,

1 dated May 1991, for inclusion in the State of California
2 Park System. Should the State of California cease to man-
3 age these lands as part of the State Park System, owner-
4 ship of the lands shall revert to the Department of the
5 Interior to be managed as part of California Desert Con-
6 servation Area to provide maximum protection for the
7 area's scenic and scientific values.

8 **SEC. 702. LAND TENURE ADJUSTMENTS.**

9 In preparing land tenure adjustment decisions with
10 the California Desert Conservation Area, of the Bureau
11 of Land Management, the Secretary shall give priority to
12 consolidating Federal ownership within the national park
13 units and wilderness areas designated by this Act.

14 **SEC. 703. LAND DISPOSAL.**

15 Except as provided in section 406, none of the lands
16 within the boundaries of the wilderness or park areas des-
17 ignated under this Act shall be granted to or otherwise
18 made available for use by the Metropolitan Water District
19 or any other agencies or persons pursuant to the Boulder
20 Canyon Project Act (43 U.S.C. 617-619b) or any similar
21 acts.

22 **SEC. 704. MANAGEMENT OF NEWLY ACQUIRED LANDS.**

23 Any lands within the boundaries of a wilderness area
24 designated under this Act which are acquired by the Fed-
25 eral Government, shall become part of the wilderness area

1 within which they are located and shall be managed in
2 accordance with all the provisions of this Act and other
3 laws applicable to such wilderness area.

4 **SEC. 705. NATIVE AMERICAN USES AND INTERESTS.**

5 (a) ACCESS.—In recognition of the past use of the
6 parks and wilderness areas designed under this Act by In-
7 dian people for traditional cultural and religious purposes,
8 the Secretary shall ensure access to such parks and wilder-
9 ness areas by Indian people for such traditional cultural
10 and religious purposes. In implementing this section, the
11 Secretary, upon the request of an Indian tribe or Indian
12 religious community, shall temporarily close to the general
13 public use of one or more specific portions of park or wil-
14 derness in order to protect the privacy of traditional cul-
15 tural and religious activities in such areas by Indian peo-
16 ple. Any such closure shall be made to affect the smallest
17 practicable area for the minimum period necessary for
18 such purposes. Such access shall be consistent with the
19 purpose and intent of Public Law 95–341 (42 U.S.C.
20 1996) commonly referred to as the “American Indian Reli-
21 gious Freedom Act”, and with respect to areas designated
22 as wilderness, the Wilderness Act (78 Stat. 890; 16 U.S.C.
23 1131).

1 (b) COOK INLET REGIONAL CORPORATION.—Section
2 12 of the Act of January 2, 1976 (Public Law 94-204;
3 38 U.S.C. 1611 note), as amended, is further amended—

4 (1) by redesignating subsections (c) through (i)
5 as subsections (d) through (j), respectively;

6 (2) by inserting after subsection (b) the follow-
7 ing new subsection:

8 “(c) The Native landowner shall be required to deter-
9 mine the fair value of subsurface interests conveyed to it
10 pursuant to subsection (b) utilizing the appraisal meth-
11 odology customarily used by the Minerals Management
12 Service for valuing similar interests (such as discounted
13 cash flow based methodology). The fair value of any sub-
14 surface interests in land determined by a qualified inde-
15 pendent appraiser designated by the Region utilizing the
16 methodology described above shall be binding for all pur-
17 poses, except for Federal tax matters, and provided that
18 this exception shall create no inference about the appro-
19 priate methodology for establishing fair value in such mat-
20 ters.”; and

21 (3) in paragraph (9) of subsection (b), by strik-
22 ing “section 12(h)” and inserting in lieu thereof
23 “section 12(i)”.

24 (c) STUDY.—

1 (1) IN GENERAL.—The Secretary, in consulta-
2 tion with the Timbisha Shoshone Tribe and relevant
3 Federal agencies, shall conduct a study, subject to
4 the availability of appropriations, to identify lands
5 suitable for a reservation for the Timbisha Shoshone
6 Tribe that are located within the Tribe’s aboriginal
7 homeland area within and outside the boundaries of
8 the Death Valley National Monument and the Death
9 Valley National Park, as described in title III of the
10 California Desert Protection Act of 1993.

11 (2) REPORT.—Not later than 1 year after the
12 date of enactment of the California Desert Protec-
13 tion Act of 1993, the Secretary shall submit a report
14 to the Committee on Energy and Natural Resources
15 and the Committee on Indian Affairs of the Senate,
16 and the Committee on Natural Resources of the
17 House of Representatives on the results of the study
18 conducted under paragraph (1).

19 **SEC. 706. FEDERAL RESERVE WATER RIGHTS.**

20 (a) Except as otherwise provided in section 204, with
21 respect to each wilderness area designated by this Act,
22 Congress hereby reserves a quantity of water sufficient to
23 fulfill the purposes of this Act. The priority date of such
24 reserved water rights shall be the date of enactment of
25 this Act.

1 (b) The Secretary and all other officers of the United
2 States shall take all steps necessary to protect the rights
3 reserved by this section, including the filing by the Sec-
4 retary of a claim for the quantification of such rights in
5 any present or future appropriate stream adjudication in
6 the courts of the State of California in which the United
7 States is or may be joined in accordance with section 208
8 of the Act of July 10, 1952 (66 Stat. 560, 44 U.S.C. 666),
9 commonly referred to as the McCarran Amendment.

10 (c) Nothing in this Act shall be construed as a relin-
11 quishment or reduction of any water rights reserved or
12 appropriated by the United States in the State of Califor-
13 nia on or before the date of enactment of this Act.

14 (d) The Federal water rights reserved by this Act are
15 specific to the wilderness area located in the State of Cali-
16 fornia designated under this Act. Nothing in this Act re-
17 lated to the reserved Federal water rights shall be con-
18 strued as establishing a precedent with regard to any fu-
19 ture designations, nor shall it constitute an interpretation
20 of any other Act or any designation made thereto.

21 **SEC. 707. CALIFORNIA STATE SCHOOL LANDS.**

22 (a) NEGOTIATIONS TO EXCHANGE.—Upon request of
23 the California State Lands Commission (hereinafter in
24 this section referred to as the “Commission”), the Sec-
25 retary shall enter into negotiations for an agreement to

1 exchange Federal lands or interests therein on the list re-
2 ferred to in subsection (b) (2) for California State School
3 lands or interests therein which are located within the
4 boundaries of one or more of the wilderness areas or park
5 units designated by this Act (hereinafter in this section
6 referred to as “State School lands.”). The Secretary shall
7 negotiate in good faith to reach a land exchange agree-
8 ment consistent with the requirements of section 206 of
9 the Federal Land Policy and Management Act of 1976.

10 (b) PREPARATION OF LIST.—Within six months after
11 the date of enactment of this Act, the Secretary shall send
12 to the Commission and to the Committee on Energy and
13 Natural Resources of the United States Senate and the
14 Committee on Natural Resources of the United States
15 House of Representatives a list of the following:

16 (1) State School lands or interests therein (in-
17 cluding mineral interests) which are located within
18 the boundaries of the wilderness areas or park units
19 designated by this Act.

20 (2) Lands within the State of California under
21 the jurisdiction of the Secretary that the Secretary
22 determines to be suitable for disposal for exchange,
23 identified in the following priority—

24 (A) lands with mineral interests, including
25 geothermal, which have the potential for com-

1 mercial development but which are not cur-
2 rently under mineral lease or producing Federal
3 mineral revenues;

4 (B) Federal claims in California managed
5 by the Bureau of Reclamation that the Sec-
6 retary determines are not needed for any Bu-
7 reau of Reclamation project; and

8 (C) any public lands in California that the
9 Secretary, pursuant to the Federal Land Policy
10 and Management Act of 1976, has determined
11 to be suitable for disposal through exchange.

12 (3) Any other Federal land, or interest therein,
13 within the State of California, which is or becomes
14 surplus to the needs of the Federal Government.
15 The Secretary may exclude, in his discretion, lands
16 located within, or contiguous to, the exterior bound-
17 aries of lands held in trust for a federally recognized
18 Indian tribe located in the State of California.

19 (4) The Secretary shall maintain such list and
20 shall annually transmit such list to the Committee
21 on Energy and Natural Resources of the United
22 States Senate and the Committee on Natural Re-
23 sources of the United States House of Representa-
24 tives until all of the State School lands identified in
25 paragraph (1) have been acquired.

1 (c) DISPOSAL OF SURPLUS FEDERAL PROPERTY.—

2 (1) Effective upon the date of enactment of this Act and
3 until all State School lands identified in paragraph (b)(1)
4 of this section are acquired, no Federal lands or interests
5 therein within the State of California may be disposed of
6 from Federal ownership unless—

7 (A) the Secretary is notified of the availability
8 of such lands or interest therein;

9 (B) the Secretary has notified the Commission
10 of the availability of such lands or interests therein
11 for exchange; and

12 (C) the Commission has not notified the Sec-
13 retary within six months that it wishes to consider
14 entering into an exchange for such lands or interests
15 therein.

16 (2) If the Commission notifies the Secretary that it
17 wishes to consider an exchange for such lands or interests
18 therein, the Secretary shall attempt to conclude such ex-
19 change in accordance with the provisions of this section
20 as quickly as possible.

21 (3) If an agreement is reached and executed with the
22 Commission, then upon notice to the head of the agency
23 having administrative jurisdiction over such lands or inter-
24 ests therein, the Secretary shall be vested with administra-

1 tive jurisdiction over such lands or interests therein for
2 the purpose of concluding such exchange.

3 (4) Upon the acquisition of all State School lands or
4 upon notice by the Commission to the Secretary that it
5 no longer has an interest in such lands or interests there-
6 in, such lands or interests shall be released to the agency
7 that originally had jurisdiction over such lands or interests
8 for disposal in accordance with the laws otherwise applica-
9 ble to such lands or interests.

10 (d) NO EFFECT ON MILITARY BASE CLOSURES.—
11 The provisions of this section shall not apply to the dis-
12 posal of property under title II of the Defense Authoriza-
13 tion Amendments and Base Closure and Realignment Act
14 (Public Law 100–526; 102 Stat. 2627; 10 U.S.C. 2687
15 note) or the Defense Base Closure and Realignment Act
16 of 1990 (Public Law 101–510; 104 Stat. 1808; 10 U.S.C.
17 2687 note).

18 **SEC. 708. ACCESS TO PRIVATE PROPERTY.**

19 The Secretary shall provide adequate access to
20 nonfederally owned land or interests in land within the
21 boundaries of the conservation units and wilderness areas
22 designated by this Act which will provide the owner of
23 such land or interest the reasonable use and enjoyment
24 thereof.

1 **SEC. 709. FEDERAL FACILITIES FEE EQUITY.**

2 (a) POLICY STATEMENT.—It is the intent of Con-
3 gress that entrance, tourism or recreational use fees for
4 use of Federal lands and facilities not discriminate against
5 any State or any region of the country.

6 (b) FEE STUDY.—The Secretary of the Interior, in
7 cooperation with other affected agencies, shall prepare and
8 submit a report to the appropriate committees of the
9 House of Representatives and the Senate Committee on
10 Energy and Natural Resources of the United States Sen-
11 ate and any other relevant committees by May 1, 1996,
12 which shall—

13 (1) identify all Federal lands and facilities that
14 provide recreational or tourism use; and

15 (2) analyze by State and region any fees
16 charged for entrance, recreational or tourism use, if
17 any, on Federal lands or facilities in a State or re-
18 gion, individually and collectively.

19 (c) RECOMMENDATIONS.—Following completion of
20 the report in subsection (b), the Secretary of the Interior,
21 in cooperation with other affected agencies, shall prepare
22 and submit a report to the appropriate committees of the
23 House and the Energy and Natural Resource Committee
24 of the United States Senate and any other relevant com-
25 mittees by May 1, 1997, which shall contain recommenda-
26 tions which the Secretary deems appropriate for imple-

1 mentioning the congressional intent outlined in subsection
2 (a).

3 **TITLE VIII—MILITARY LANDS AND**
4 **OVERFLIGHTS**

5 **SEC. 801. SHORT TITLE AND FINDINGS.**

6 (a) SHORT TITLE.—This title may be cited as the
7 “California Military Lands Withdrawal and Overflights
8 Act of 1994”.

9 (b) FINDINGS.—The Congress finds that—

10 (1) military aircraft testing and training activi-
11 ties as well as demilitarization activities in California
12 are an important part of the national defense system
13 of the United States, and are essential in order to
14 secure for the American people of this and future
15 generations an enduring and viable national defense
16 system;

17 (2) the National Parks and wilderness areas
18 designated by this Act lie within a region critical to
19 providing training, research, and development for
20 the Armed Forces of the United States and its al-
21 lies;

22 (3) there is a lack of alternative sites available
23 for these military training, testing, and research ac-
24 tivities;

1 (4) continued use of the lands and airspace in
2 the California desert region is essential for military
3 purposes; and

4 (5) continuation of these military activities,
5 under appropriate terms and conditions, is not in-
6 compatible with the protection and proper manage-
7 ment of the natural, environmental, cultural, and
8 other resources and values of the Federal lands in
9 the California desert area.

10 **SEC. 802. MILITARY OVERFLIGHTS.**

11 (a) OVERFLIGHTS.—Nothing in this Act, the Wilder-
12 ness Act, or other land management laws generally appli-
13 cable to the new units of the National Park or Wilderness
14 Preservation Systems (or any additions to existing units)
15 designated by this Act, shall restrict or preclude low-level
16 overflights of military aircraft over such units, including
17 military overflights that can be seen or heard within such
18 units.

19 (b) SPECIAL AIRSPACE.—Nothing in this Act, the
20 Wilderness Act, or other land management laws generally
21 applicable to the new units of the National Park or Wil-
22 derness Preservation Systems (or any additions to existing
23 units) designated by this Act, shall restrict or preclude the
24 designation of new units of special airspace or the use or

1 establishment of military flight training routes over such
2 new park or wilderness units.

3 (c) NO EFFECT ON OTHER LAWS.—Nothing in this
4 section shall be construed to modify, expand, or diminish
5 any authority under other Federal law.

6 **SEC. 803. WITHDRAWALS.**

7 (a) CHINA LAKE.—(1) Subject to valid existing rights
8 and except as otherwise provided in this title, the Federal
9 lands referred to in paragraph (2), and all other areas
10 within the boundary of such lands as depicted on the map
11 specified in such paragraph which may become subject to
12 the operation of the public land laws, are hereby with-
13 drawn from all forms of appropriation under the public
14 land laws (including the mining laws and the mineral leas-
15 ing laws). Such lands are reserved for use by the Secretary
16 of the Navy for—

17 (A) use as a research, development, test, and
18 evaluation laboratory;

19 (B) use as a range for air warfare weapons and
20 weapon systems;

21 (C) use as a high hazard training area for aer-
22 ial gunnery, rocketry, electronic warfare and coun-
23 termeasures, tactical maneuvering and air support;

24 (D) geothermal leasing and development and
25 related power production activities; and

1 (E) subject to the requirements of section
2 804(f), other defense-related purposes consistent
3 with the purposes specified in this paragraph.

4 (2) The lands referred to in paragraph (1) are the
5 Federal lands located within the boundaries of the China
6 Lake Naval Weapons Center, comprising approximately
7 one million one hundred thousand acres in Inyo, Kern, and
8 San Bernardino Counties, California, as generally depicted
9 on a map entitled “China Lake Naval Weapons Center
10 Withdrawal—Proposed”, dated January 1985.

11 (b) CHOCOLATE MOUNTAIN.—(1) Subject to valid ex-
12 isting rights and except as otherwise provided in this title,
13 the Federal lands referred to in paragraph (2), and all
14 other areas within the boundary of such lands as depicted
15 on the map specified in such paragraph which may become
16 subject to the operation of the public land laws, are hereby
17 withdrawn from all forms of appropriation under the pub-
18 lic land laws (including the mining laws and the mineral
19 leasing and the geothermal leasing laws). Such lands are
20 reserved for use by the Secretary of the Navy for—

21 (A) testing and training for aerial bombing,
22 missile firing, tactical maneuvering and air support;
23 and

1 (B) subject to the provisions of section 804(f),
2 other defense-related purposes consistent with the
3 purposes specified in this paragraph.

4 (2) The lands referred to in paragraph (1) are the
5 Federal lands comprising approximately two hundred
6 twenty-six thousand seven hundred and eleven acres in
7 Imperial County, California, as generally depicted on a
8 map entitled “Chocolate Mountain Aerial Gunnery Range
9 Proposed—Withdrawal” dated July 1993.

10 **SEC. 804. MAPS AND LEGAL DESCRIPTIONS.**

11 (a) PUBLICATION AND FILING REQUIREMENT.—As
12 soon as practicable after the date of enactment of this
13 title, the Secretary shall—

14 (1) publish in the Federal Register a notice
15 containing the legal description of the lands with-
16 drawn and reserved by this title; and

17 (2) file maps and the legal description of the
18 lands withdrawn and reserved by this title with the
19 Committee on Energy and Natural Resources of the
20 United States Senate and with the Committee on
21 Natural Resources of the United States House of
22 Representatives.

23 (b) TECHNICAL CORRECTIONS.—Such maps and
24 legal descriptions shall have the same force and effect as
25 if they were included in this title except that the Secretary

1 may correct clerical and typographical errors in such maps
2 and legal descriptions.

3 (c) AVAILABILITY FOR PUBLIC INSPECTION.—Copies
4 of such maps and legal descriptions shall be available for
5 public inspection in the appropriate offices of the Bureau
6 of Land Management; the office of the commander of the
7 Naval Weapons Center, China Lake, California; the office
8 of the commanding officer, Marine Corps Air Station,
9 Yuma, Arizona; and the Office of the Secretary of De-
10 fense, Washington, District of Columbia.

11 (d) REIMBURSEMENT.—The Secretary of Defense
12 shall reimburse the Secretary for the cost of implementing
13 this section.

14 **SEC. 805. MANAGEMENT OF WITHDRAWN LANDS.**

15 (a) MANAGEMENT BY THE SECRETARY OF THE INTE-
16 RIOR.—(1) Except as provided in subsection (g), during
17 the period of the withdrawal the Secretary shall manage
18 the lands withdrawn under section 802 of this title pursu-
19 ant to the Federal Land Policy and Management Act of
20 1976 (43 U.S.C. 1701 et seq.) and other applicable law,
21 including this title.

22 (2) To the extent consistent with applicable law and
23 Executive orders, the lands withdrawn under section 802
24 may be managed in a manner permitting—

1 (A) the continuation of grazing pursuant to ap-
2 plicable law and Executive orders were permitted on
3 the date of enactment of this title;

4 (B) protection of wildlife and wildlife habitat;

5 (C) control of predatory and other animals;

6 (D) recreation (but only on lands withdrawn by
7 section 802(a) (relating to China Lake));

8 (E) the prevention and appropriate suppression
9 of brush and range fires resulting from nonmilitary
10 activities; and

11 (F) geothermal leasing and development and re-
12 lated power production activities on the lands with-
13 drawn under section 802(a) (relating to China
14 Lake).

15 (3)(A) All nonmilitary use of such lands, including
16 the uses described in paragraph (2), shall be subject to
17 such conditions and restrictions as may be necessary to
18 permit the military use of such lands for the purposes
19 specified in or authorized pursuant to this title.

20 (B) The Secretary may issue any lease, easement,
21 right-of-way, or other authorization with respect to the
22 nonmilitary use of such lands only with the concurrence
23 of the Secretary of the Navy.

24 (b) CLOSURE TO PUBLIC.—(1) If the Secretary of the
25 Navy determines that military operations, public safety,

1 or national security require the closure to public use of
2 any road, trail, or other portion of the lands withdrawn
3 by this title, the Secretary may take such action as the
4 Secretary determines necessary or desirable to effect and
5 maintain such closure.

6 (2) Any such closure shall be limited to the minimum
7 areas and periods which the Secretary of the Navy deter-
8 mines are required to carry out this subsection.

9 (3) Before and during any closure under this sub-
10 section, the Secretary of the Navy shall—

11 (A) keep appropriate warning notices posted;
12 and

13 (B) take appropriate steps to notify the public
14 concerning such closures.

15 (c) MANAGEMENT PLAN.—The Secretary (after con-
16 sultation with the Secretary of the Navy) shall develop a
17 plan for the management of each area withdrawn under
18 section 802 of this title during the period of such with-
19 drawal. Each plan shall—

20 (1) be consistent with applicable law;

21 (2) be subject to conditions and restrictions
22 specified in subsection (a)(3);

23 (3) include such provisions as may be necessary
24 for proper management and protection of the re-
25 sources and values of such area; and

1 (4) be developed not later than three years after
2 the date of enactment of this title.

3 (d) BRUSH AND RANGE FIRES.—The Secretary of
4 the Navy shall take necessary precautions to prevent and
5 suppress brush and range fires occurring within and out-
6 side the lands withdrawn under section 802 as a result
7 of military activities and may seek assistance from the Bu-
8 reau of Land Management in the suppression of such
9 fires. The memorandum of understanding required by sub-
10 section (e) shall provide for Bureau of Land Management
11 assistance in the suppression of such fires, and for a
12 transfer of funds from the Department of the Navy to the
13 Bureau of Land Management as compensation for such
14 assistance.

15 (e) MEMORANDUM OF UNDERSTANDING.—(1) The
16 Secretary and the Secretary of the Navy shall (with re-
17 spect to each land withdrawal under section 802 of this
18 title) enter into a memorandum of understanding to imple-
19 ment the management plan developed under subsection
20 (c). Any such memorandum of understanding shall provide
21 that the Director of the Bureau of Land Management
22 shall provide assistance in the suppression of fires result-
23 ing from the military use of lands withdrawn under section
24 802 if requested by the Secretary of the Navy.

1 (2) The duration of any such memorandum shall be
2 the same as the period of the withdrawal of the lands
3 under section 802.

4 (f) ADDITIONAL MILITARY USES.—Lands withdrawn
5 under section 802 of this title may be used for defense-
6 related uses other than those specified in such section. The
7 Secretary of Defense shall promptly notify the Secretary
8 in the event that the lands withdrawn by this title will
9 be used for defense-related purposes other than those
10 specified in section 802. Such notification shall indicate
11 the additional use or uses involved, the proposed duration
12 of such uses, and the extent to which such additional mili-
13 tary uses of the withdrawn lands will require that addi-
14 tional or more stringent conditions or restrictions be im-
15 posed on otherwise-permitted nonmilitary uses of the with-
16 drawn land or portions thereof.

17 (g) MANAGEMENT OF CHINA LAKE.—(1) The Sec-
18 retary may assign the management responsibility for the
19 lands withdrawn under section 802(a) to the Secretary of
20 the Navy who shall manage such lands, and issue leases,
21 easements, rights-of-way, and other authorizations, in ac-
22 cordance with this title and cooperative management ar-
23 rangements between the Secretary and the Secretary of
24 the Navy: *Provided*, That nothing in this subsection shall
25 affect geothermal leases issued by the Secretary prior to

1 the date of enactment of this title, or the responsibility
2 of the Secretary to administer and manage such leases,
3 consistent with the provisions of this section. In the case
4 that the Secretary assigns such management responsibility
5 to the Secretary of the Navy before the development of
6 the management plan under subsection (c), the Secretary
7 of the Navy (after consultation with the Secretary) shall
8 develop such management plan.

9 (2) The Secretary shall be responsible for the issu-
10 ance of any lease, easement, right-of-way, and other au-
11 thorization with respect to any activity which involves both
12 the lands withdrawn under section 802(a) and any other
13 lands. Any such authorization shall be issued only with
14 the consent of the Secretary of the Navy and, to the extent
15 that such activity involves lands withdrawn under section
16 802(a), shall be subject to such conditions as the Sec-
17 retary of the Navy may prescribe.

18 (3) The Secretary of the Navy shall prepare and sub-
19 mit to the Secretary an annual report on the status of
20 the natural and cultural resources and values of the lands
21 withdrawn under section 802(a). The Secretary shall
22 transmit such report to the Committee on Energy and
23 Natural Resources of the United States Senate and the
24 Committee on Natural Resources of the United States
25 House of Representatives.

1 (4) The Secretary of the Navy shall be responsible
2 for the management of wild horses and burros located on
3 the lands withdrawn under section 802(a) and may utilize
4 helicopters and motorized vehicles for such purposes. Such
5 management shall be in accordance with laws applicable
6 to such management on public lands and with an appro-
7 priate memorandum of understanding between the Sec-
8 retary and the Secretary of the Navy.

9 (5) Neither this title nor any other provision of law
10 shall be construed to prohibit the Secretary from issuing
11 and administering any lease for the development and utili-
12 zation of geothermal steam and associated geothermal re-
13 sources on the lands withdrawn under section 802(a) pur-
14 suant to the Geothermal Steam Act of 1970 (30 U.S.C.
15 1001 et seq.) and other applicable law, but no such lease
16 shall be issued without the concurrence of the Secretary
17 of the Navy.

18 (6) This title shall not affect the geothermal explo-
19 ration and development authority of the Secretary of the
20 Navy under section 2689 of title 10, United States Code,
21 except that the Secretary of the Navy shall obtain the con-
22 currence of the Secretary before taking action under that
23 section with respect to the lands withdrawn under section
24 802(a).

1 (7) Upon the expiration of the withdrawal or relin-
2 quishment of China Lake, Navy contracts for the develop-
3 ment of geothermal resources at China Lake then in effect
4 (as amended or renewed by the Navy after the date of
5 enactment of this title) shall remain in effect: Provided,
6 That the Secretary, with the consent of the Secretary of
7 the Navy, may offer to substitute a standard geothermal
8 lease for any such contract.

9 **SEC. 806. DURATION OF WITHDRAWALS.**

10 (a) DURATION.—The withdrawals and reservations
11 established by this title shall terminate twenty-five years
12 after the date of enactment of this title.

13 (b) DRAFT ENVIRONMENTAL IMPACT STATEMENT.—
14 No later than twenty-two years after the date of enact-
15 ment of this title, the Secretary of the Navy shall publish
16 a draft environmental impact statement concerning con-
17 tinued or renewed withdrawal of any portion of the lands
18 withdrawn by this title for which that Secretary intends
19 to seek such continued or renewed withdrawal. Such draft
20 environmental impact statement shall be consistent with
21 the requirements of the National Environmental Policy
22 Act of 1969 (42 U.S.C. 4321 et seq.) applicable to such
23 a draft environmental impact statement. Prior to the ter-
24 mination date specified in subsection (a), the Secretary of
25 the Navy shall hold a public hearing on any draft environ-

1 mental impact statement published pursuant to this sec-
2 tion. Such hearing shall be held in the State of California
3 in order to receive public comments on the alternatives
4 and other matters included in such draft environmental
5 impact statement.

6 (c) EXTENSIONS OR RENEWALS.—The withdrawals
7 established by this title may not be extended or renewed
8 except by an Act or joint resolution of Congress.

9 **SEC. 807. ONGOING DECONTAMINATION.**

10 (a) PROGRAM.—Throughout the duration of the with-
11 draws made by this title, the Secretary of the Navy, to
12 the extent funds are made available, shall maintain a pro-
13 gram of decontamination of lands withdrawn by this title
14 at least at the level of decontamination activities per-
15 formed on such lands in fiscal year 1986.

16 (b) REPORTS.—At the same time as the President
17 transmits to the Congress the President's proposed budget
18 for the first fiscal year beginning after the date of enact-
19 ment of this title and for each subsequent fiscal year, the
20 Secretary of the Navy shall transmit to the Committees
21 on Appropriations, Armed Services, and Energy and Nat-
22 ural Resources of the United States Senate and to the
23 Committees on Appropriations, Armed Services, and Nat-
24 ural Resources of the United States House of Representa-
25 tives a description of the decontamination efforts under-

1 taken during the previous fiscal year on such lands and
2 the decontamination activities proposed for such lands
3 during the next fiscal year including—

4 (1) amounts appropriated and obligated or ex-
5 pended for decontamination of such lands;

6 (2) the methods used to decontaminate such
7 lands;

8 (3) amount and types of contaminants removed
9 from such lands;

10 (4) estimated types and amounts of residual
11 contamination on such lands; and

12 (5) an estimate of the costs for full contamina-
13 tion of such lands and the estimate of the time to
14 complete such decontamination.

15 **SEC. 808. REQUIREMENTS FOR RENEWAL.**

16 (a) NOTICE AND FILING.—(1) No later than three
17 years prior to the termination of the withdrawal and res-
18 ervation established by this title, the Secretary of the Navy
19 shall advise the Secretary as to whether or not the Sec-
20 retary of the Navy will have a continuing military need
21 for any of the lands withdrawn under section 802 after
22 the termination date of such withdrawal and reservation.

23 (2) If the Secretary of the Navy concludes that there
24 will be a continuing military need for any of such lands
25 after the termination date, the Secretary of the Navy shall

1 file an application for extension of the withdrawal and res-
2 ervation of such needed lands in accordance with the regu-
3 lations and procedures of the Department of the Interior
4 applicable to the extension of withdrawals of lands for
5 military uses.

6 (3) If, during the period of withdrawal and reserva-
7 tion, the Secretary of the Navy decides to relinquish all
8 or any of the lands withdrawn and reserved by this title,
9 the Secretary of the Navy shall file a notice of intention
10 to relinquish with the Secretary.

11 (b) CONTAMINATION.—(1) Before transmitting a no-
12 tice of intention to relinquish pursuant to subsection (a),
13 the Secretary of Defense, acting through the Department
14 of the Navy, shall prepare a written determination con-
15 cerning whether and to what extent the lands that are to
16 be relinquished are contaminated with explosive, toxic, or
17 other hazardous materials.

18 (2) A copy of such determination shall be transmitted
19 with the notice of intention to relinquish.

20 (3) Copies of both the notice of intention to relinquish
21 and the determination concerning the contaminated state
22 of the lands shall be published in the Federal Register by
23 the Secretary of the Interior.

24 (c) DECONTAMINATION.—If any land which is the
25 subject of a notice of intention to relinquish pursuant to

1 subsection (a) is contaminated, and the Secretary, in con-
2 sultation with the Secretary of the Navy, determines that
3 decontamination is practicable and economically feasible
4 (taking into consideration the potential future use and
5 value of the land) and that upon decontamination, the
6 land could be opened to operation of some or all of the
7 public land laws, including the mining laws, the Secretary
8 of the Navy shall decontaminate the land to the extent
9 that funds are appropriated for such purpose.

10 (d) ALTERNATIVES.—If the Secretary, after consulta-
11 tion with the Secretary of the Navy, concludes that decon-
12 tamination of any land which is the subject of a notice
13 of intention to relinquish pursuant to subsection (a) is not
14 practicable or economically feasible, or that the land can-
15 not be decontaminated sufficiently to be opened to oper-
16 ation of some or all of the public land laws, or if Congress
17 does not appropriate a sufficient amount of funds for the
18 decontamination of such land, the Secretary shall not be
19 required to accept the land proposed for relinquishment.

20 (e) STATUS OF CONTAMINATED LANDS.—If, because
21 of their contaminated state, the Secretary declines to ac-
22 cept jurisdiction over lands withdrawn by this title which
23 have been proposed for relinquishment, or if at the expira-
24 tion of the withdrawal made by this title the Secretary
25 determines that some of the lands withdrawn by this title

1 are contaminated to an extent which prevents opening
2 such contaminated lands to operation of the public land
3 laws—

4 (1) the Secretary of the Navy shall take appro-
5 priate steps to warn the public of the contaminated
6 state of such lands and any risks associated with
7 entry onto such lands;

8 (2) after the expiration of the withdrawal, the
9 Secretary of the Navy shall undertake no activities
10 on such lands except in connection with decon-
11 tamination of such lands; and

12 (3) the Secretary of the Navy shall report to
13 the Secretary and to the Congress concerning the
14 status of such lands and all actions taken in further-
15 ance of this subsection.

16 (f) REVOCATION AUTHORITY.—Notwithstanding any
17 other provision of law, the Secretary, upon deciding that
18 it is in the public interest to accept jurisdiction over lands
19 proposed for relinquishment pursuant to subsection (a),
20 is authorized to revoke the withdrawal and reservation es-
21 tablished by this title as it applies to such lands. Should
22 the decision be made to revoke the withdrawal and res-
23 ervation, the Secretary shall publish in the Federal Reg-
24 ister an appropriate order which shall—

25 (1) terminate the withdrawal and reservation;

1 (2) constitute official acceptance of full jurisdic-
2 tion over the lands by the Secretary; and

3 (3) state the date upon which the lands will be
4 opened to the operation of some or all of the public
5 lands law, including the mining laws.

6 **SEC. 809. DELEGABILITY.**

7 (a) DEPARTMENT OF DEFENSE.—The functions of
8 the Secretary of Defense or the Secretary of the Navy
9 under this title may be delegated.

10 (b) DEPARTMENT OF THE INTERIOR.—The functions
11 of the Secretary under this title may be delegated, except
12 that an order described in section 807(f) may be approved
13 and signed only by the Secretary, the Under Secretary of
14 the Interior, or an Assistant Secretary of the Department
15 of the Interior.

16 **SEC. 810. HUNTING, FISHING, AND TRAPPING.**

17 All hunting, fishing, and trapping on the lands with-
18 drawn by this title shall be conducted in accordance with
19 the provisions of section 2671 of title 10, United States
20 Code.

21 **SEC. 811. IMMUNITY OF UNITED STATES.**

22 The United States and all departments or agencies
23 thereof shall be held harmless and shall not be liable for
24 any injury or damage to persons or property suffered in
25 the course of any geothermal leasing or other authorized

1 nonmilitary activity conducted on lands described in sec-
 2 tion 802 of this title.

3 **SEC. 812. EL CENTRO RANGES.**

4 The Secretary is authorized to permit the Secretary
 5 of the Navy to use until January 1, 1997, the approxi-
 6 mately forty-four thousand eight hundred and seventy
 7 acres of public lands in Imperial County, California,
 8 known as the East Mesa and West Mesa ranges, in accord-
 9 ance with the Memorandum of Understanding dated June
 10 29, 1987, between the Bureau of Land Management, the
 11 Bureau of Reclamation, and the Department of the Navy.
 12 All military uses of such lands shall cease on January 1,
 13 1997, unless authorized by a subsequent Act of Congress.

14 **TITLE IX—INITIATIVES PERTAINING TO**
 15 **THE LOWER MISSISSIPPI DELTA REGION**

16 **SEC. 901. FINDINGS.**

17 (a) The Congress finds that—

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

1 (2) the Commission conducted a thorough in-
2 vestigation to assess these needs, problems, and op-
3 portunities, and held several public hearings
4 throughout the Delta Region;

5 (3) on the basis of these investigations, the
6 Commission issued the Delta Initiatives Report,
7 which included recommendations on natural resource
8 protection, historic preservation, and the enhance-
9 ment of educational and other opportunities for
10 Delta residents;

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
19 units of the National Park System within the
20 Delta Region; and

21 (D) that Federal agencies target more
22 monies in selected areas to institutions of high-
23 er education in the Delta Region, especially
24 Historically Black Colleges and Universities.

1 **SEC. 902. 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 Dream . . .
9 Fulfilling the Potential”;

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

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

25 (5) “minority college or university” means a
26 Historically Black College or University that would

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

6 **SEC. 903. DEFINITIONS.**

7 As used in this title, the term—

8 (1) “Department” means the United States De-
9 partment of the Interior, unless otherwise specifi-
10 cally stated; and

11 (2) “Secretary” means the Secretary of the In-
12 terior, unless otherwise specifically stated.

13 **SEC. 904. NATURAL RESOURCES AND ENVIRONMENTAL**
14 **EDUCATIONAL INITIATIVES.**

15 (a) OFFICE OF EDUCATION.—(1) There shall be es-
16 tablished within the Department an Office of Education
17 to encourage, support, and coordinate education programs
18 of the Department at the elementary, secondary, college
19 and university, and graduate levels.

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

21 (A) enhance the quality of education in the
22 areas of natural resources, the environment, the
23 sciences, cultural resource management, historic
24 preservation, archeology, aquaculture, and related
25 subjects;

1 (B) establish initiatives at minority colleges or
2 universities;

3 (C) encourage the consideration of careers in
4 the areas of natural resources, the environment, the
5 sciences, cultural resource management, historic
6 preservation, archeology, aquaculture, and related
7 subjects;

8 (D) enhance teacher development and recruit-
9 ment;

10 (E) increase research opportunities for teachers
11 and students;

12 (F) enhance curriculum development; and

13 (G) improve laboratory instrumentation and
14 equipment through purchase, loan, or other transfer
15 mechanisms.

16 (b) DUTIES.—The duties of the Secretary, through
17 the Office of Education, shall be to—

18 (1) coordinate the educational programs within
19 the Department, including implementation of pro-
20 grams established under this title, in order to ensure
21 the goals of the Office of Education are met; and

22 (2) inventory existing education programs with-
23 in the Department.

24 (c) The Secretary shall report to Congress, within one
25 year after the date of the enactment of this Act and annu-

1 ally thereafter, on an inventory of existing education pro-
2 grams of the Department, the status of such programs,
3 and progress toward meeting the goals of the Office of
4 Education as established in this Act.

5 (d) MINORITY COLLEGE AND UNIVERSITY INITIA-
6 TIVE.—(1) Within one year after the date of the enact-
7 ment of this Act, and annually thereafter, the Secretary,
8 through the Office of Education, shall submit to the Com-
9 mittee on Energy and Natural Resources of the United
10 States Senate and to the United States House of Rep-
11 resentatives a report identifying opportunities for minority
12 colleges or universities to participate in programs and ac-
13 tivities carried out by the Department. The Secretary,
14 through the Office of Education, shall consult with rep-
15 resentatives of minority colleges or universities in prepar-
16 ing the report. Such report shall—

17 (A) describe ongoing education and training
18 programs carried out by the Department with re-
19 spect to, or in conjunction with, minority colleges or
20 universities in the areas of natural resources, the en-
21 vironment, the sciences, cultural resource manage-
22 ment, historic preservation, archeology, aquaculture,
23 and related subjects;

1 (B) describe ongoing research, development or
2 demonstration programs involving the Department
3 and minority colleges or universities;

4 (C) describe funding levels for the programs re-
5 ferred to in subparagraphs (A) and (B);

6 (D) include specific proposals and recommenda-
7 tions for providing assistance to minority colleges
8 and universities to enter into memoranda of under-
9 standing and other appropriate forms of agreement
10 with the Department in order to plan and develop
11 programs to foster greater involvement of these
12 schools in the contract, research, education, training,
13 and recruitment activities of the Department;

14 (E) address the need for, and potential role of,
15 the Department in providing minority colleges or
16 universities with the following—

17 (i) increased research opportunities for fa-
18 cility and students;

19 (ii) assistance in faculty development and
20 recruitment;

21 (iii) curriculum enhancement and develop-
22 ment; and

23 (iv) improved laboratory instrumentation
24 and equipment, through purchase, loan, or
25 other transfer mechanisms;

1 (F) address the need for, and potential role of,
2 the Department in providing financial and technical
3 assistance for the development of infrastructure fa-
4 cilities, including buildings and laboratory facilities,
5 at minority colleges or universities; and

6 (G) include specific proposals and recommenda-
7 tions, together with estimates of necessary funding
8 levels, for initiatives to be carried out by the Depart-
9 ment in order to assist minority colleges or univer-
10 sities in providing education and training in the
11 areas of natural resources, the environment, the
12 sciences, cultural resource management, historic
13 preservation, archeology, aquaculture, and related
14 subjects.

15 (2) The Secretary, through the Office of Education,
16 shall encourage memoranda of understanding and other
17 appropriate forms of agreement between the Department
18 and minority colleges or universities directed at jointly
19 planning and developing programs to foster greater in-
20 volvement of minority colleges or universities in the re-
21 search, education, training, and recruitment activities of
22 the Department.

23 (e) SCHOLARSHIP PROGRAM.—The Secretary,
24 through the Office of Education, shall establish a scholar-
25 ship program for students pursuing undergraduate or

1 graduate degrees in natural resource and environmental
2 related fields including, but not limited to: biology, wildlife
3 biology, forestry, botany, horticulture, historic preserva-
4 tion, cultural resource management, archeology, anthro-
5 pology, aquaculture, geology, engineering, the environ-
6 ment, the sciences, and ecology at minority colleges and
7 universities in the Delta Region. The scholarship program
8 shall include tuition assistance. Recipients of such scholar-
9 ships shall be students deemed by the Secretary to have
10 demonstrated (1) a need for such assistance; and (2) aca-
11 demic potential in the particular area of study.

12 (f) PRE-COLLEGE EDUCATION.—The Secretary,
13 through the Office of Education, shall undertake activities
14 to encourage pre-college education programs in subjects
15 relating to natural resources, the environment, the
16 sciences, cultural resource management, historic preserva-
17 tion, archeology, aquaculture, and related subjects, for
18 students in the Delta Region. Such activities shall include,
19 but not be limited to, the following—

20 (1) cooperation with, and assistance to, State
21 departments of education and local school districts
22 in the Delta Region to develop and carry out after
23 school and summer education programs for elemen-
24 tary, middle, and secondary school students;

1 (2) cooperation with, and assistance to, institu-
2 tions of higher education in the Delta Region to de-
3 velop and carry out pre-college education programs
4 for elementary, middle, and secondary school stu-
5 dents;

6 (3) cooperation with, and assistance to, State
7 departments of education and local school districts
8 in the Delta Region in the development and use of
9 curriculum and educational materials; and

10 (4) the establishment of education programs for
11 elementary, middle, and secondary school teachers in
12 the Delta Region at research facilities of the Depart-
13 ment.

14 (g) VOLUNTEER PROGRAM.—The Secretary, through
15 the Office of Education, shall establish and carry out a
16 program to encourage the involvement on a voluntary
17 basis of qualified employees of the Department in edu-
18 cational enrichment programs relating to natural re-
19 sources, the environment, the sciences, cultural resource
20 management, historic preservation, archeology, aqua-
21 culture, and related subjects, in cooperation with State de-
22 partments of education and local school districts in the
23 Delta Region.

24 (h) WOMEN AND MINORITIES IN THE SCIENCES.—
25 The Secretary, through the Office of Education, shall es-

1 tablish a Center for Excellence in the Sciences at Alcorn
2 State in Lorman, Mississippi, in cooperation with South-
3 ern University in Baton Rouge, Louisiana, and the Uni-
4 versity of Arkansas at Pine Bluff, Arkansas, and other
5 minority colleges or universities for purposes of encourag-
6 ing women and minority students in the Delta Region to
7 study and pursue careers in the sciences. The Center shall
8 enter into cooperative agreements with Southern Univer-
9 sity in Baton Rouge, Louisiana, and the University of Ar-
10 kansas at Pine Bluff, Arkansas, and other minority col-
11 leges and universities in the Delta Region, to carry out
12 affiliated programs and coordinate program activities at
13 such colleges and universities. The Secretary is authorized
14 to provide grants and other forms of financial assistance
15 to the Center.

16 (i) CENTER FOR AQUACULTURE STUDIES.—The Sec-
17 retary, through the Office of Education, shall establish a
18 Center for Aquaculture Studies at the University of Ar-
19 kansas at Pine Bluff, Arkansas, in cooperation with
20 Southern University in Baton Rouge, Louisiana, and
21 Alcorn State in Lorman, Mississippi, and other minority
22 colleges or universities for purposes of encouraging women
23 and minority students in the Delta Region to study and
24 pursue careers in the field of aquaculture. The Center
25 shall enter into cooperative agreements with Southern

1 University in Baton Rouge, Louisiana, and Alcorn State
2 in Lorman, Mississippi, and other minority colleges or uni-
3 versities in the Delta Region to carry out affiliated pro-
4 grams and coordinate program activities at such colleges
5 or universities.

6 (j) COORDINATION WITH OTHER FEDERAL AGEN-
7 CIES.—The Secretary, through the Office of Education,
8 shall ensure that the programs authorized in this section
9 are coordinated with, and complimentary to, educational
10 assistance programs administered by other Federal agen-
11 cies. These agencies include, but are not limited to, the
12 Department of Energy, the Department of Agriculture,
13 the Department of Education, the Department of Defense,
14 the National Science Foundation, and the National Aero-
15 nautics and Space Administration.

16 **SEC. 905. LOWER MISSISSIPPI DELTA REGION HERITAGE**
17 **STUDY.**

18 (a) IN GENERAL.—The Secretary, in consultation
19 with the States of the Delta Region, the Lower Mississippi
20 Delta Development Center, and other appropriate Delta
21 Region institutions, is directed to prepare and transmit
22 to the Congress within three years after the date of the
23 enactment of this Act, a study of significant natural, rec-
24 reational, historical or prehistorical, and cultural lands,
25 waters, sites, and structures located within the Delta Re-

1 gion. This study shall take into consideration the research
2 and inventory of resources conducted by the Mississippi
3 River Heritage Corridor Study Commission.

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

8 (2) In order to provide for public appreciation, edu-
9 cation, understanding, interpretation, and enjoyment of
10 the significant sites identified pursuant to subsection (a),
11 which are accessible by public roads, the Secretary shall
12 recommend in the study vehicular tour routes along exist-
13 ing public roads linking such sites within the Delta Re-
14 gion.

15 (3) Such recommendations shall include an analysis
16 of designating the Great River Road (as depicted on the
17 map entitled “Proposed Delta Transportation Network”
18 on pages 102–103 of the Delta Initiatives Report) and
19 other sections of the Great River Road between Baton
20 Rouge and New Orleans, Louisiana and an analysis of
21 designating that portion of the Old Antonio Road and the
22 Louisiana Natchez Trace which extends generally along
23 Highway 84 from Vidalia, Louisiana, to Clarence, Louisi-
24 ana, and Louisiana Highway 6 from Clarence, Louisiana,
25 to the Toledo Bend Reservoir, Louisiana, as a National

1 Scenic Byway, or as a component of the National Trails
2 System, or such other designation as the Secretary deems
3 appropriate.

4 (4) The Secretary shall also recommend in the study
5 an appropriate route along existing public roads to com-
6 memorate the importance of timber production and trade
7 to the economic development of the Delta Region in the
8 early twentieth century, and to highlight the continuing
9 importance of timber production and trade to the eco-
10 nomic life of the Delta Region. Recommendations shall in-
11 clude an analysis of designating that portion of US 165
12 which extends from Alexandria, Louisiana, to Monroe,
13 Louisiana, as a National Scenic Byway, or as a component
14 of the National Trails System, or such other designation
15 as the Secretary deems appropriate.

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

23 (6) The Secretary is authorized to make grants to
24 States for work necessary to stabilize, maintain, and widen
25 public roads to allow for adequate access to the nationally

1 significant sites and structures identified by the study, to
2 allow for proper use of the vehicular tour route, trails, by-
3 ways, including the routes defined in paragraphs (3) and
4 (4) or other public roads within the Delta Region and to
5 implement the comprehensive recreation, interpretive, and
6 visitor use plan required in paragraph (5).

7 (c) LISTING.—On the basis of the study, and in con-
8 sultation with the National Trust for Historic Preserva-
9 tion, the Secretary shall inventory significant structures
10 and sites in the Delta Region. The Secretary shall further
11 recommend and encourage cooperative preservation and
12 economic development efforts such as the establishment
13 of preservation districts linking groups of contiguous
14 counties or parishes, especially those that lie along the
15 aforementioned designated routes. The Secretary shall
16 prepare a list of the sites and structures for possible inclu-
17 sion by the National Park Service as National Historic
18 Landmarks or such other designation as the Secretary
19 deems appropriate.

20 **SEC. 906. DELTA REGION HERITAGE CORRIDORS AND HER-**
21 **ITAGE AND CULTURAL CENTERS.**

22 (a) FINDINGS.—The Congress finds that—

23 (1) in 1990, the Congress authorized the Insti-
24 tute of Museum Services to prepare a report assess-
25 ing the needs of small, emerging, minority, and rural

1 museums in order to identify the resources such mu-
2 seums needed to meet their educational mission, to
3 identify the areas of museum operation in which the
4 needs were greatest, and to make recommendations
5 on how these needs could best be met;

6 (2) the Institute of Museum Services undertook
7 a comprehensive eighteen month study of such needs
8 with the assistance of two advisory groups, surveyed
9 524 museums from throughout the Nation, held dis-
10 cussion groups in which representatives of 25 mu-
11 seum groups participated, and conducted case stud-
12 ies of 12 museum facilities around the Nation;

13 (3) on the basis of this assessment, the Insti-
14 tute of Museum Services issued a report in Septem-
15 ber, 1992, entitled, "National Needs Assessment of
16 Small, Emerging, Minority and Rural Museums in
17 the United States" (hereinafter "National Needs As-
18 sessment") which found that small, emerging, mi-
19 nority, and rural museums provide valuable edu-
20 cational and cultural resources for their communities
21 and contain a reservoir of the Nation's material, cul-
22 tural and historical heritage, but due to inadequate
23 resources are unable to meet their full potential or
24 the demands of the surrounding communities;

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

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

8 (6) based on the National Needs Assessment,
9 that funding agencies should increase support avail-
10 able to small, emerging, minority, and rural muse-
11 ums and make specific recommendations for increas-
12 ing technical assistance in order to identify such in-
13 stitutions and provide assistance to facilitate their
14 participation in Federal programs;

15 (7) the Delta Initiatives Report made specific
16 recommendations for the creation and development
17 of centers for the preservation of the cultural, histor-
18 ical, and literary heritage of the Delta Region, in-
19 cluding recommendations for the establishment of a
20 Delta Region Native American Heritage and Cul-
21 tural Center and a Delta Region African American
22 Heritage and Cultural Center with additional sat-
23 ellite centers or museums linked throughout the
24 Delta Region;

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

7 (9) wholesale destruction and attrition of ar-
8 cheological sites and structures has eliminated a sig-
9 nificant portion of Native American heritage as well
10 as the interpretive potential of the Delta Region's
11 parks and museums. Furthermore, site and struc-
12 ture destruction is so severe that an ambitious pro-
13 gram of site and structure acquisition in the Delta
14 Region is necessary.

15 (b) GENERAL.—The Secretary, in consultation with
16 the States of the Delta Region, the Chairman of the Na-
17 tional Endowment for the Arts, the Chairman of the Na-
18 tional Endowment for the Humanities, the Director of the
19 Smithsonian Institution, the Lower Mississippi Delta De-
20 velopment Center, Historically Black Colleges and Univer-
21 sities, and appropriate African American, Native Amer-
22 ican and other relevant institutions or organizations in the
23 Delta Region, is further directed to prepare and transmit
24 to the Congress a plan outlining specific recommendations,
25 including recommendations for necessary funding, for the

1 establishment of a Delta Region Native American Herit-
2 age Corridor and Heritage and Cultural Center and a
3 Delta Region African American Heritage Corridor and
4 Heritage and Cultural Center with a network of satellite
5 or cooperative units.

6 (c) DELTA REGION NATIVE AMERICAN HERITAGE
7 CORRIDOR AND CULTURAL CENTER.—(1) The plan re-
8 ferred to in subsection (b) of this section shall include rec-
9 ommendations for establishing a network of parks, muse-
10 ums, and other centers to interpret Native American cul-
11 ture and heritage in the Delta Region, including a ten year
12 development strategy for such a network.

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

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

21 (4) Such plan shall also include specific proposals for
22 educational and training assistance for Delta Region Na-
23 tive Americans to carry out the recommendations provided
24 in the study.

1 (d) DELTA REGION AFRICAN AMERICAN HERITAGE
2 CORRIDOR AND HERITAGE AND CULTURAL CENTER.—(1)

3 The plan referred to in subsection (b) of this section shall
4 include recommendations for establishing a heritage cor-
5 ridor or trail system, consisting of one or two major north-
6 south routes and several east-west-spur loops to preserve,
7 interpret and commemorate the African American herit-
8 age and culture in the Delta Region during all significant
9 historical periods.

10 (2) Such plan shall make specific recommendations
11 for representing all forms of expensive culture including
12 the musical, folklore, literary, artistic, scientific, historical,
13 educational, and political contributions and accomplish-
14 ments of African Americans in the Delta Region.

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

24 (4) Such plan shall be conducted in consultation with
25 institutions of higher education in the Delta Region with

1 expertise in African American studies, Southern studies,
2 archeology, anthropology, history and other relevant fields.

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

9 (e)(1) In furtherance of the purposes of this section,
10 the Secretary is authorized to make planning grants to
11 State Humanities Councils in the Delta Region to assist
12 small, emerging, minority and rural museums selected on
13 a financial needs basis in the development of a comprehen-
14 sive long term plan for these institutions. The Secretary
15 is also authorized to make implementation grants to State
16 Humanities Councils in the Delta Region who, in consulta-
17 tions with State Museum Associations, shall make grants
18 to small, emerging, minority or rural museums for the
19 purpose of carrying out an approved plan for training per-
20 sonnel, improving exhibits or other steps necessary to as-
21 sure the integrity of collections in their facilities, for edu-
22 cational outreach programs, or for other activities the Sec-
23 retary deems appropriate including the promotion of tour-
24 ism in the region. Such institutions shall be selected com-
25 petitively and on the basis of demonstrated financial need.

1 The Secretary is also authorized to make grants to State
2 Humanities Councils to update, simplify and coordinate
3 the respective State Works Progress Administration
4 guides and to develop a single comprehensive guide for the
5 Delta Region.

6 (2) The Secretary is authorized to provide grants and
7 other appropriate technical assistance to State Human-
8 ities Councils, State museum Associations, and State Arts
9 Councils in the Delta Region for the purpose of assessing
10 the needs of such institutions. Such grants may be used
11 by these institutions to undertake such an assessment and
12 to provide other technical, administrative and planning as-
13 sistance to small, emerging, minority or rural institutions
14 seeking to preserve the Delta Region's literary, artistic,
15 and musical heritage.

16 (f) MUSIC HERITAGE PROGRAM.—(1) The plan re-
17 ferred to in subsection (b) of this section shall include rec-
18 ommendations for establishing a Music Heritage Program,
19 with specific emphasis on the Mississippi Delta Blues. The
20 plan shall include specific recommendations for developing
21 a network of heritage sites, structures, small museums,
22 and festivals in the Delta Region.

23 (2) The plan shall include an economic strategy for
24 the promotion of the Delta Region's music, through the
25 participation of musicians, festival developers, museum

1 operators, universities, and other relevant individuals and
2 organizations.

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

6 **SEC. 907. HISTORIC AND PREHISTORIC STRUCTURES AND**
7 **SITES SURVEY.**

8 (a) ASSISTANCE.—The Secretary is authorized to
9 provide technical and financial assistance to Historically
10 Black Colleges and Universities to undertake a com-
11 prehensive survey of historic and prehistoric structures
12 and sites located on their campuses, including rec-
13 ommendations as to the inclusion of appropriate struc-
14 tures and sites on the National Register of Historic
15 Places, designation as National Historic Landmarks, or
16 other appropriate designation as determined by the Sec-
17 retary. The Secretary shall also make specific proposals
18 and recommendations, together with estimates of nec-
19 essary funding levels, for a comprehensive plan to be car-
20 ried out by the Department to assist Historically Black
21 Colleges and Universities in the preservation and interpre-
22 tation of such sites and structures.

23 (b) GRANTS.—In furtherance of the purposes of this
24 section, the Secretary is authorized to provide technical
25 and financial assistance to Historically Black Colleges and

1 Universities for stabilization, preservation and interpreta-
2 tion of such sites and structures.

3 **SEC. 908. DELTA ANTIQUITIES SURVEY.**

4 (a) GENERAL.—(1) The Secretary is directed to pre-
5 pare and transmit to the Congress, in cooperation with
6 the States of the Delta Region, State Archaeological Sur-
7 veys and Regional Archeological Centers, a study of the
8 feasibility of establishing a Delta Antiquities Trail or
9 Delta Antiquities Heritage Corridor in the Delta Region.

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

14 (3) In undertaking this study, the Secretary is di-
15 rected to enter into cooperative agreements with the
16 States of the Delta Region, the State Archeological Sur-
17 veys, and Regional Archeological Centers located in Delta
18 Region institutions of higher education for on-site activi-
19 ties including surveys, inventories, and stabilization and
20 other activities which the Secretary deems appropriate.

21 (4) In addition to the over 100 known ancient archeo-
22 logical sites located in the Delta Region including Wat-
23 son's Brake, Frenchman's Bend, Hedgepeth, Monte Sano,
24 Banana Bayou, Hornsby, Parkin, Toltec, Menard-Hodges,
25 Eaker, Blytheville Mound, Nodena, Taylor Mounds,

1 DeSoto Mound and others, such study shall also employ
2 every practical means possible, including assistance from
3 the National Aeronautics and Space Administration, the
4 Forest Service and Soil Conservation Service of the De-
5 partment of Agriculture, the Army Corps of Engineers of
6 the Department of Defense, and other appropriate Federal
7 agencies, to locate and confirm the existence of a site
8 known as Balbansha in southern Louisiana and a site
9 known as Autiamque in Arkansas. The heads of these
10 Federal agencies shall cooperate with the Secretary as the
11 Secretary requires on a non-reimbursable basis.

12 (b) In furtherance of the purposes of this section, the
13 Secretary is authorized to provide technical assistance and
14 grants to private landowners for necessary stabilization
15 activities of identified sites and for preparing rec-
16 ommendations for designating such sites as National
17 Landmarks or other appropriate designations as the Sec-
18 retary, with the concurrence of the landowners, determines
19 to be appropriate.

20 (c) The Secretary is authorized to enter into coopera-
21 tive agreements with the States, State Archeological Sur-
22 veys, and Regional Archeological Centers of the Delta Re-
23 gion to develop a ten-year plan for the stabilization, pres-
24 ervation and interpretation of those sites and structures
25 as may be identified by the Secretary.

1 **SEC. 909. HISTORIC AND ARCHEOLOGICAL RESOURCES**
2 **PROGRAM.**

3 (a) PROGRAM.—The Secretary shall conduct a com-
4 prehensive program for the research, interpretation, and
5 preservation of significant historic and archeological re-
6 sources in the Delta Region.

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

9 (1) identification of research projects related to
10 historic and archeological resources in the Delta Re-
11 gion and a proposal for the regular publication of re-
12 lated research materials and publications;

13 (2) the development of a survey program to in-
14 vestigate, inventory and further evaluate known his-
15 toric and archeological sites and structures and iden-
16 tify those sites and structures that require additional
17 study;

18 (3) identification of a core system of interpre-
19 tive sites and structures that would provide a com-
20 prehensive overview of historic and archeological re-
21 sources of the Delta Region;

22 (4) preparation of educational materials to in-
23 terpret the historical and archeological resources of
24 the Delta Region;

25 (5) preparation of surveys and archeological
26 and historical investigations of sites, structures, and

1 artifacts relating to the Delta Region, including the
2 preparation of reports, maps, and other related ac-
3 tivities.

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

9 (2) The Secretary is further authorized to award
10 grants and provide other types of technical and financial
11 assistance to such entities and individuals to conserve and
12 protect historic and archeological sites and structures in
13 the Delta Region identified in the program prepared pur-
14 suant to this section.

15 (d) The Secretary shall establish a national dem-
16 onstration project for the conservation and curation of the
17 archeological records and collections of Federal and State
18 management agencies in the Delta Region.

19 **TITLE X—AUTHORIZATION OF**
20 **APPROPRIATIONS**

21 **SEC. 1001. AUTHORIZATION OF APPROPRIATIONS.**

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

1 **TITLE XI—NEW ORLEANS JAZZ NATIONAL**
2 **HISTORICAL PARK**

3 **SEC. 1101. SHORT TITLE.**

4 This title may be cited as the “New Orleans Jazz Na-
5 tional Historical Park Act of 1994”.

6 **SEC. 1102. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds that:

8 (1) Jazz is the United States’ most widely rec-
9 ognized indigenous music and art form. Congress
10 previously recognized jazz in 1987 through Senate
11 Concurrent Resolution 57 as a rare and valuable na-
12 tional treasure of international importance.

13 (2) The city of New Orleans is widely recog-
14 nized as the birthplace of jazz. In and around this
15 city, cultural and musical elements blended to form
16 the unique American music that is known as New
17 Orleans jazz, which is an expression of the cultural
18 diversity of the lower Mississippi Delta Region.

19 (3) Jean Lafitte National Historical Park and
20 Preserve was established to commemorate the cul-
21 tural diversity of the lower Mississippi Delta Region
22 including a range of cultural expressions like jazz.

23 (b) PURPOSE.—In furtherance of the need to recog-
24 nize the value and importance of jazz, it is the purpose
25 of this title to establish a New Orleans Jazz National His-

1 torical Park to preserve the origins, early history, develop-
2 ment and progression of jazz; provide visitors with oppor-
3 tunities to experience the sights, sounds, and places where
4 jazz evolved; and implement innovative ways of establish-
5 ing jazz educational partnerships that will help to ensure
6 that jazz continues as a vital element of the culture of
7 New Orleans and our Nation.

8 **SEC. 1103. ESTABLISHMENT.**

9 (a) IN GENERAL.—In order to assist in the preserva-
10 tion, education, and interpretation of jazz as it has evolved
11 in New Orleans, and to provide technical assistance to a
12 broad range of organizations involved with jazz music and
13 its history, there is hereby established the New Orleans
14 Jazz National Historical Park (hereinafter referred to as
15 the “historical park”). The historical park shall be admin-
16 istered in conjunction with the Jean Lafitte National His-
17 torical Park and Preserve, which was established to pre-
18 serve and interpret the cultural and natural resources of
19 the lower Mississippi Delta Region.

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

22 (1) Lands which the Secretary of the Interior
23 (hereinafter referred to as “the Secretary”) may
24 designate for an interpretive visitor center complex.

1 (2) Sites that are the subject of cooperative
2 agreements with the National Park Service for the
3 purposes of interpretive demonstrations and pro-
4 grams associated with the purposes of this title.

5 (3)(A) Sites designated by the Secretary as pro-
6 vided in subparagraph (B).

7 (B)(i) No later than 18 months after the date
8 of enactment of this title, the Secretary is directed
9 to complete a national historic landmark evaluation
10 of sites associated with jazz in and around New Or-
11 leans as identified in the document entitled “New
12 Orleans Jazz Special Resource Study”, prepared by
13 the National Park Service pursuant to Public Law
14 101–499. In undertaking the evaluation, the Sec-
15 retary shall, to the extent practicable, utilize existing
16 information relating to such sites.

17 (ii) If any of the sites evaluated are found to
18 meet the standards of the National Historic Land-
19 mark program and National Park Service tests of
20 suitability and feasibility, and offer outstanding op-
21 portunities to further the purposes of this title, the
22 Secretary may designate such sites as part of the
23 historical park, following consultation with the own-
24 ers of such sites, the city of New Orleans, the
25 Smithsonian Institution, and the New Orleans Jazz

1 Commission, and notification to the Committee on
2 Energy and Natural Resources of the United States
3 Senate and the Committee on Natural Resources of
4 the United States House of Representatives.

5 **SEC. 1104. ADMINISTRATION.**

6 (a)(1) IN GENERAL.—The Secretary shall administer
7 the historical park in accordance with this title and with
8 provisions of law generally applicable to units of the Na-
9 tional Park System, including the Act entitled “An Act
10 to establish a National Park Service, and for other pur-
11 poses”, approved August 25, 1916 (39 Stat. 535; 16
12 U.S.C. 1, 2–4); and the Act of August 21, 1935 (49 Stat.
13 666; 16 U.S.C. 461–467). The Secretary shall manage the
14 historical park in such a manner as will preserve and per-
15 petuate knowledge and understanding of the history of
16 jazz and its continued evolution as a true American art
17 form.

18 (2) To minimize operational costs associated with the
19 management and administration of the historical park and
20 to avoid duplication of effort, the Secretary shall, to the
21 maximum extent practicable, utilize the facilities, adminis-
22 trative staff and other services of the Jean Lafitte Na-
23 tional Historical Park and Preserve.

24 (b) DONATIONS.—The Secretary may accept and re-
25 tain donations of funds, property, or services from individ-

1 uals, foundations, corporations, or other public entities for
2 the purposes of providing services, programs, and facilities
3 that further the purposes of this title.

4 (c) INTERPRETIVE CENTER.—The Secretary is au-
5 thorized to construct, operate, and maintain an interpre-
6 tive center in the historical park on lands identified by
7 the Secretary pursuant to section 1103(b)(1). Programs
8 at the center shall include, but need not be limited to, live
9 jazz interpretive and educational programs, and shall pro-
10 vide visitors with information about jazz-related programs,
11 performances, and opportunities.

12 (d) JAZZ HERITAGE DISTRICTS.—The Secretary may
13 provide technical assistance to the city of New Orleans and
14 other appropriate entities for the designation of certain
15 areas in and around New Orleans as jazz heritage dis-
16 tricts. Such districts shall include those areas with an ex-
17 ceptional concentration of jazz historical sites and estab-
18 lished community traditions of jazz street parades.

19 (e) COOPERATIVE AGREEMENTS, GRANTS AND
20 TECHNICAL ASSISTANCE.—In furtherance of the purposes
21 of this title—

22 (1) the Secretary, after consultation with the
23 New Orleans Jazz Commission established pursuant
24 to section 1107, is authorized to enter into coopera-
25 tive agreements with owners of properties that are

1 designated pursuant to section 1103(b)(3) which
2 provide outstanding educational and interpretive op-
3 portunities relating to the evolution of jazz in New
4 Orleans. The Secretary may assist in rehabilitating,
5 restoring, marking, and interpreting and may pro-
6 vide technical assistance for the preservation and in-
7 terpretation of such properties. Such agreements
8 shall contain, but need not be limited to, provisions
9 that the National Park Service will have reasonable
10 rights of access for operational and visitor use
11 needs, that rehabilitation and restoration will meet
12 the Secretary's standards for rehabilitation of his-
13 toric buildings, and that specify the roles and re-
14 sponsibilities of the Secretary for each site or struc-
15 ture;

16 (2) the Secretary is authorized to enter into co-
17 operative agreements with the city of New Orleans,
18 the State of Louisiana, and other appropriate public
19 and private organizations under which the other par-
20 ties to the agreement may contribute to the acquisi-
21 tion, construction, operation, and maintenance of the
22 interpretive center and to the operation of edu-
23 cational and interpretive programs to further the
24 purposes of this title; and

1 (3) the Secretary, in consultation with the New
2 Orleans Jazz Commission, is authorized to provide
3 grants or technical assistance to public and private
4 organizations.

5 (f) JAZZ EDUCATIONAL PROGRAMS.—The Secretary
6 shall, in the administration of the historical park, promote
7 a broad range of educational activities relating to jazz and
8 its history. The Secretary shall cooperate with schools,
9 universities, and organizations supporting jazz education
10 to develop educational programs that provide expanded
11 public understanding of jazz and enhanced opportunities
12 for public appreciation. The Secretary may assist appro-
13 priate entities in the development of an information base
14 including archival material, audiovisual records, and ob-
15 jects that relate to the history of jazz.

16 **SEC. 1105. ACQUISITION OF PROPERTY.**

17 (a) GENERAL AUTHORITY.—The Secretary may ac-
18 quire lands and interests therein within the sites des-
19 ignated pursuant to section 1103(b)(1) and (3) by dona-
20 tion or purchase with donated or appropriated funds or
21 long term lease: *Provided*, That sites designated pursuant
22 to section 1103(b)(3) shall only be acquired with the con-
23 sent of the owner thereof.

24 (b) STATE AND LOCAL PROPERTIES.—Lands and in-
25 terests in lands which are owned by the State of Louisi-

1 ana, or any political subdivision thereof, may be acquired
2 only by donation.

3 **SEC. 1106. GENERAL MANAGEMENT PLAN.**

4 Within 3 years after the date funds are made avail-
5 able therefor and concurrent with the national landmark
6 study referenced in section 1103(b)(3), the Secretary, in
7 consultation with the New Orleans Jazz Commission, shall
8 prepare a general management plan for the historical
9 park. The plan shall include, but need not be limited to—

10 (1) a visitor use plan indicating programs and
11 facilities associated with park programs that will be
12 made available to the public;

13 (2) preservation and use plans for any struc-
14 tures and sites that are identified through the his-
15 toric landmark study for inclusion within the histori-
16 cal park;

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

20 (4) identification of programs that the Sec-
21 retary will implement or be associated with through
22 cooperative agreements with other groups and orga-
23 nizations;

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

4 (6) plans for the implementation of an archival
5 system for materials, objects, and items of impor-
6 tance relating to the history of jazz; and

7 (7) guidelines for the application of cooperative
8 agreements that will be used to assist in the man-
9 agement of historical park facilities and programs.

10 **SEC. 1107. ESTABLISHMENT OF THE NEW ORLEANS JAZZ**
11 **COMMISSION.**

12 (a) ESTABLISHMENT.—To assist in implementing the
13 purposes of this title and the document entitled “New Or-
14 leans Jazz Special Resource Study”, there is established
15 the New Orleans Jazz Commission (hereinafter referred
16 to as the “Commission”).

17 (b) MEMBERSHIP.—The Commission shall consist of
18 17 members to be appointed no later than 6 months after
19 the date of enactment of this Act. The Commission shall
20 be appointed by the Secretary as follows:

21 (1) One member from recommendations submit-
22 ted by the Mayor of New Orleans.

23 (2) Two members who have recognized exper-
24 tise in music education programs that emphasize
25 jazz.

1 (3) One member, with experience in and knowl-
2 edge of tourism in the greater New Orleans area,
3 from recommendations submitted by local busi-
4 nesses.

5 (4) One member from recommendations submit-
6 ted by the Board of the New Orleans Jazz and Her-
7 itage Foundation.

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

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

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

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 sub-
11 mitted by the Governor of the State of Louisiana,
12 who 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
2 the general management plan for the historical park;
3 assist in public discussions of planning proposals;
4 and assist the National Park Service in working
5 with individuals, groups, and organizations including
6 economic 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
12 furtherance 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, so-
17 cial and pleasure clubs and other traditional groups
18 in encouraging the continuation of and enhancement
19 of 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
9 services from individuals, foundations, corporations,
10 or other public or private entities and expend and
11 use the same for the purposes of providing services,
12 programs, and facilities for jazz education, or assist-
13 ing in the rehabilitation and restoration of struc-
14 tures identified in the national historic landmark
15 study referenced in section 1103(b)(3) as having
16 outstanding significance to the history of jazz in
17 New Orleans.

18 (d) APPOINTMENT.—Members of the Commission
19 shall be appointed for staggered terms of 3 years, as des-
20 ignated by the Secretary at the time of the initial appoint-
21 ment.

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

1 (f) TERMS.—Any member of the Commission ap-
2 pointed by the Secretary for a 3-year term may serve after
3 the expiration of his or her term until a successor is ap-
4 pointed. Any vacancy shall be filled in the same manner
5 in which the original appointment was made. Any member
6 appointed to fill a vacancy shall serve for the remainder
7 of the term for which the predecessor was appointed.

8 (g) PER DIEM EXPENSES.—Members of the Commis-
9 sion shall serve without compensation. Members shall be
10 entitled to travel expenses under section 5703, title 5,
11 United States Code, when engaged in Commission busi-
12 ness, including per diem in lieu of subsistence in the same
13 manner as persons employed intermittently.

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

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

1 **SEC. 1108. AUTHORIZATION OF APPROPRIATIONS.**

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

 Passed the Senate April 13 (legislative day, April
11), 1994.

Attest:

Secretary.

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