

Union Calendar No. 100

103D CONGRESS
1ST SESSION

H. R. 1305

[Report No. 103-178]

A BILL

To make boundary adjustments and other miscellaneous changes to authorities and programs of the National Park Service.

JULY 15, 1993

Reported with amendments, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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To make boundary adjustments and other miscellaneous changes to authorities and programs of the National Park Service.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1993

Mr. VENTO (for himself and Mr. HANSEN) introduced the following bill; which was referred to the Committee on Natural Resources

JULY 15, 1993

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[Omit the part struck through and insert the part printed in italic]

A BILL

To make boundary adjustments and other miscellaneous changes to authorities and programs of the National Park Service.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Minor Boundary Ad-
3 justments and Miscellaneous Park Amendments Act of
4 1993”.

5 **TITLE I—MINOR BOUNDARY**
6 **ADJUSTMENTS**

7 **SEC. 101. YUCCA HOUSE NATIONAL MONUMENT BOUNDARY**
8 **ADJUSTMENT.**

9 (a) **IN GENERAL.**—The boundaries of Yucca House
10 National Monument are revised to include the approxi-
11 mately 24.27 acres of land generally depicted on the map
12 entitled “Boundary—Yucca House National Monument,
13 Colorado”, numbered 318/80,001–B, and dated February
14 1990.

15 (b) **MAP.**—The map referred to in subsection (a)
16 shall be on file and available for public inspection in
17 appropriate offices of the National Park Service of the
18 Department of the Interior.

19 (c) **ACQUISITION BY DONATION.**—(1) Within the
20 lands described in subsection (a), the Secretary of the
21 Interior may acquire lands and interests in lands by
22 donation.

23 (2) The Secretary of the Interior may pay adminis-
24 trative costs arising out of any donation described in para-
25 graph (1) with appropriated funds.

1 **SEC. 102. ZION NATIONAL PARK BOUNDARY ADJUSTMENT.**

2 (a) ACQUISITION AND BOUNDARY CHANGE.—The
3 Secretary of the Interior is authorized to acquire by ex-
4 change approximately 5.48 acres located in the SW¹/₄ of
5 Section 28, Township 41 South, Range 10 West, Salt
6 Lake Base and Meridian. In exchange therefor the Sec-
7 retary is authorized to convey all right, title, and interest
8 of the United States in and to approximately 5.51 acres
9 in Lot 2 of Section 5, Township 41 South, Range 11 West,
10 both parcels of land being in Washington County, Utah.
11 Upon completion of such exchange, the Secretary is au-
12 thorized to revise the boundary of Zion National Park to
13 add the 5.48 acres in Section 28 to the park and to ex-
14 clude the 5.51 acres in Section 5 from the park. Land
15 added to the park shall be administered as part of the
16 park in accordance with the laws and regulations applica-
17 ble thereto.

18 (b) EXPIRATION.—The authority granted by this sec-
19 tion shall expire two years after the date of the enactment
20 of this Act.

21 **SEC. 103. PICTURED ROCKS NATIONAL LAKESHORE**
22 **BOUNDARY ADJUSTMENT.**

23 The boundary of Pictured Rocks National Lakeshore
24 is hereby modified as depicted on a map entitled “Area
25 Proposed for Addition to Pictured Rocks National Lake-
26 shore,” numbered 625–80, 043A and dated July 1992.

1 **SEC. 104. INDEPENDENCE NATIONAL HISTORICAL PARK**
2 **BOUNDARY ADJUSTMENT.**

3 The administrative boundary between Independence
4 National Historical Park and the United States Customs
5 House along the Moravian Street Walkway in Philadel-
6 phia, Pennsylvania, is hereby modified as generally de-
7 picted on the drawing entitled “Exhibit 1, Independence
8 National Historical Park, Boundary Adjustment”, and
9 dated May 1987, which shall be on file and available for
10 public inspection in the Office of the National Park Serv-
11 ice, Department of the Interior. The Secretary of the Inte-
12 rior is authorized to accept and transfer jurisdiction over
13 property in accord with such administrative boundary, as
14 modified by this section.

15 **SEC. 105. CRATERS OF THE MOON NATIONAL MONUMENT**
16 **BOUNDARY ADJUSTMENT.**

17 (a) BOUNDARY REVISION.—The boundary of Craters
18 of the Moon National Monument, Idaho, is revised to add
19 approximately 210 acres and to delete approximately 315
20 acres as generally depicted on the map entitled “Craters
21 of the Moon National Monument, Idaho, Proposed 1987
22 Boundary Adjustment”, numbered 131–80,008, and dated
23 October 1987, which map shall be on file and available
24 for public inspection in the Office of the National Park
25 Service, Department of the Interior.

1 (b) ADMINISTRATION; ACQUISITION.—Federal lands,
2 waters, and interests therein deleted from the boundary
3 of the national monument by this section shall be adminis-
4 tered by the Secretary of the Interior through the Bureau
5 of Land Management in accordance with the Federal
6 Land Policy and Management Act of 1976 (43 U.S.C.
7 1701 et seq.), and Federal lands, waters, and interests
8 therein added to the national monument by this section
9 shall be administered by the Secretary as part of the na-
10 tional monument, subject to the laws and regulations ap-
11 plicable thereto. The Secretary is authorized to acquire
12 private lands, waters, and interests therein within the
13 boundary of the national monument by donation, purchase
14 with donated or appropriated funds, or exchange, and
15 when acquired they shall be administered by the Secretary
16 as part of the national monument, subject to the laws and
17 regulations applicable thereto.

18 **SEC. 106. HAGERMAN FOSSIL BEDS NATIONAL MONUMENT**

19 **BOUNDARY ADJUSTMENT.**

20 Section 302 of the Arizona-Idaho Conservation Act
21 of 1988 (102 Stat. 4576) is amended by adding the follow-
22 ing new subsection:

23 “(d) To further the purposes of the monument, the
24 Secretary is also authorized to acquire from willing sellers
25 only, by donation, purchase with donated or appropriated

1 funds, or exchange not to exceed 65 acres outside the
2 boundary depicted on the map referred to in section 301
3 and develop and operate thereon research, information, in-
4 terpretive, and administrative facilities. Lands acquired
5 and facilities developed pursuant to this subsection shall
6 be administered by the Secretary as part of the monu-
7 ment. The boundary of the monument shall be modified
8 to include the lands added under this subsection as a non-
9 contiguous parcel.”.

10 **SEC. 107. WUPATKI NATIONAL MONUMENT BOUNDARY AD-**
11 **JUSTMENT.**

12 The boundary of the Wupatki National Monument,
13 Arizona, is hereby revised to include the lands and inter-
14 ests in lands within the area generally depicted as “Pro-
15 posed Addition 168.89 Acres” on the map entitled
16 “Boundary—Wupatki and Sunset Crater National Monu-
17 ments, Arizona”, numbered 322–80,021, and dated April
18 1989. The map shall be on file and available for public
19 inspection in the Office of the National Park Service, De-
20 partment of the Interior. Subject to valid existing rights,
21 Federal lands, and interests therein within the area added
22 to the monument by this section are hereby transferred
23 without monetary consideration or reimbursement to the
24 administrative jurisdiction of the National Park Service,

1 “(2) *The Secretary of the Interior is authorized to*
2 *enter into a cooperative agreement with the Boston Public*
3 *Library to provide for the distribution of informational and*
4 *interpretive materials relating to the park and to the Free-*
5 *dom Trail.”.*

6 **TITLE III—GENERAL AUTHOR-**
7 **IZATIONS AND REPEALERS**

8 **SEC. 301. LIMITATION ON PARK BUILDINGS.**

9 The 10th undesignated paragraph (relating to a limi-
10 tation on the expenditure of funds for park buildings)
11 under the heading “MISCELLANEOUS OBJECTS, DEPART-
12 MENT OF THE INTERIOR”, which appears under the head-
13 ing “UNDER THE DEPARTMENT OF THE INTE-
14 RIOR”, as contained in the first section of the Act of Au-
15 gust 24, 1912 (37 Stat. 460), as amended (16 U.S.C.
16 451), is hereby repealed.

17 **SEC. 302. APPROPRIATIONS FOR TRANSPORTATION OF**
18 **CHILDREN.**

19 The first section of the Act of August 7, 1946 (16
20 U.S.C. 17j-2), is amended by adding at the end the follow-
21 ing:

22 “(j) Provide transportation for children in nearby
23 communities to and from any unit of the National Park
24 System used in connection with organized recreation and
25 interpretive programs of the National Park Service.”.

1 **SEC. 303. FERAL BURROS AND HORSES.**

2 Section 9 of the Act of December 15, 1971 (16
3 U.S.C. 1338a), is amended by adding at the end thereof
4 the following: “Nothing in this Act shall be deemed to
5 limit the authority of the Secretary in the management
6 of units of the National Park System, and the Secretary
7 may, without regard either to the provisions of this Act,
8 or section 47(a) of title 18, United States Code, use motor
9 vehicles, fixed-wing aircraft and helicopters, or contract
10 for such use, in furtherance of the management of the Na-
11 tional Park System, and the provisions of section 47(a)
12 of title 18, United States Code, shall not be applicable to
13 such use.”.

14 **SEC. 304. AUTHORITIES OF THE SECRETARY OF THE INTE-**
15 **RIOR RELATING TO MUSEUMS.**

16 ~~(a) FUNCTIONS.—~~The Act entitled “An Act to in-
17 crease the public benefits from the National Park System
18 by facilitating the management of museum properties re-
19 lating thereto, and for other purposes” approved July 1,
20 1955 (16 U.S.C. 18f), is amended—

21 (1) in paragraph (b) of the first section, by
22 striking out “from such donations and bequests of
23 money”; and

24 (2) by adding at the end thereof the following:

1 **“SEC. 2. ADDITIONAL FUNCTIONS.**

2 “(a) In addition to the functions specified in the first
3 section of this Act, the Secretary of the Interior may per-
4 form the following functions in such manner as he shall
5 consider to be in the public interest:

6 “(1) Transfer museum objects, museum collec-
7 tions, and other personal property that the Secretary
8 determines is no longer needed for museum purposes
9 to qualified Federal agencies that have programs to
10 preserve and interpret cultural or natural heritage
11 and accept the transfer of personal property for the
12 purposes of this Act from any other Federal agency.
13 Notwithstanding any other provision of law, the
14 head of any other Federal agency may transfer per-
15 sonal property directly to the administrative jurisdic-
16 tion of the Secretary of the Interior for the purposes
17 of this Act.

18 “(2) Convey museum objects, museum collec-
19 tions, and other personal property that the Secretary
20 determines is no longer needed for museum pur-
21 poses, without monetary consideration but subject to
22 such terms and conditions as the Secretary deems
23 necessary, to private institutions exempt from Fed-
24 eral taxation under section 501(c)(3) of the Internal
25 Revenue Code of 1986 and to non-Federal govern-
26 mental entities if the Secretary determines that the

1 recipient is dedicated to the preservation and inter-
2 pretation of natural or cultural heritage and is quali-
3 fied to manage the property, prior to any conveyance
4 under this subsection.

5 ~~“(3) Sell by negotiated sale or to the highest~~
6 ~~bidder those museum objects, museum collections,~~
7 ~~and other personal property that the Secretary de-~~
8 ~~termines—~~

9 ~~“(A) are no longer needed for museum~~
10 ~~purposes or no longer have scientific value; and~~

11 ~~“(B) cannot reasonably be disposed of by~~
12 ~~exchange, loan, gift, or transfer under para-~~
13 ~~graph (c) or (e) of the first section of this Act~~
14 ~~and paragraphs (1) and (2) of this Act, subject~~
15 ~~to such terms and conditions as the Secretary~~
16 ~~deems necessary to protect the public interest.~~

17 ~~“The proceeds of any sale under this subsection~~
18 ~~shall, notwithstanding any other provision of law, be~~
19 ~~retained by the Secretary and used solely to defray~~
20 ~~the costs of administration, acquisition, mainte-~~
21 ~~nance, repair, and related expenses with respect to~~
22 ~~museum objects, museum collections, and other per-~~
23 ~~sonal property under the jurisdiction of the Sec-~~
24 ~~retary of the Interior and used for purposes of the~~
25 ~~National Park System.~~

1 ~~“(4) Destroy or cause to be destroyed museum~~
2 ~~objects, museum collections, and other personal~~
3 ~~property that the Secretary determines to have no~~
4 ~~scientific, cultural, historic, educational, esthetic, or~~
5 ~~monetary value.~~

6 ~~“(b) The Secretary shall ensure that museum prop-~~
7 ~~erty is treated in a careful and deliberate manner that pro-~~
8 ~~tects the public interest. Prior to taking any action under~~
9 ~~subsection (a), the Secretary shall establish a systematic~~
10 ~~review and approval process, including consultation with~~
11 ~~appropriate experts, that meets the highest standards of~~
12 ~~the museum profession for all actions taken under this~~
13 ~~section.”.~~

14 ~~(b) APPLICATION AND DEFINITIONS.—The Act enti-~~
15 ~~led “An Act to increase the public benefits from the Na-~~
16 ~~tional Park System by facilitating the management of mu-~~
17 ~~seum properties relating thereto, and for other purposes”~~
18 ~~approved July 1, 1955 (16 U.S.C. 18f), as amended by~~
19 ~~subsection (a), is further amended by adding the following:~~
20 ~~**“SEC. 3. APPLICATION AND DEFINITIONS.**~~

21 ~~“(a) APPLICATION.—Authorities in this Act shall be~~
22 ~~available to the Secretary of the Interior with regard to~~
23 ~~museum objects, museum collections, and other personal~~
24 ~~property that was under the administrative jurisdiction of~~
25 ~~the Secretary for purposes of the National Park System~~

1 before the date of enactment of this section as well as
2 those properties that may be acquired on or after such
3 date.

4 “(b) DEFINITIONS.—For the purposes of this Act,
5 the terms ‘museum object, museum property and other
6 personal property’ mean objects that are made part of a
7 museum, library, or archive collection through a formal
8 procedure, such as accessioning. Such objects are usually
9 movable and include but are not limited to prehistoric and
10 historic artifacts, works of art, books, documents, photo-
11 graphs, and natural history specimens.

12 “(c) PRIORITY OF ACT.—To the extent that the man-
13 agement of museum objects, museum property and other
14 personal property differs from management of personal
15 property as described in the Federal Property and Admin-
16 istrative Services Act of 1949, as amended, the provisions
17 of this Act shall control and the Secretary is authorized
18 to promulgate regulations to govern the acquisition, man-
19 agement, and disposition of such museum property.”

20 **SEC. 304. AUTHORITIES OF THE SECRETARY OF THE INTE-**
21 **RIOR RELATING TO MUSEUMS.**

22 (a) *FUNCTIONS.*—*The Act entitled “An Act to increase*
23 *the public benefits from the National Park System by facili-*
24 *tating the management of museum properties relating*

1 *thereto, and for other purposes*” approved July 1, 1955 (16
2 *U.S.C. 18f*), is amended—

3 (1) in paragraph (b) of the first section, by strik-
4 ing out “from such donations and bequests of money”;
5 and

6 (2) by adding at the end thereof the following:

7 **“SEC. 2. ADDITIONAL FUNCTIONS.**

8 “(a) In addition to the functions specified in the first
9 section of this Act, the Secretary of the Interior may per-
10 form the following functions in such manner as he shall
11 consider to be in the public interest:

12 “(1) Transfer museum objects and museum col-
13 lections that the Secretary determines are no longer
14 needed for museum purposes to qualified Federal
15 agencies that have programs to preserve and interpret
16 cultural or natural heritage and accept the transfer of
17 museum objects and museum collections for the pur-
18 poses of this Act from any other Federal agency. Not-
19 withstanding any other provision of law, the head of
20 any other Federal agency may transfer museum ob-
21 jects and museum collections directly to the adminis-
22 trative jurisdiction of the Secretary of the Interior for
23 the purposes of this Act.

24 “(2) Convey museum objects and museum collec-
25 tions that the Secretary determines are no longer

1 *needed for museum purposes, without monetary con-*
2 *sideration but subject to such terms and conditions as*
3 *the Secretary deems necessary, to private institutions*
4 *exempt from Federal taxation under section 501(c)(3)*
5 *of the Internal Revenue Code of 1986 and to non-Fed-*
6 *eral governmental entities if the Secretary determines*
7 *that the recipient is dedicated to the preservation and*
8 *interpretation of natural or cultural heritage and is*
9 *qualified to manage the property, prior to any con-*
10 *veyance under this subsection.*

11 *“(3) Sell by negotiated sale or to the highest bid-*
12 *der those museum objects and museum collections that*
13 *the Secretary determines—*

14 *“(A) are no longer needed for museum pur-*
15 *poses or no longer have scientific value; and*

16 *“(B) cannot reasonably be disposed of by*
17 *exchange, loan, gift, or transfer under paragraph*
18 *(c) or (e) of the first section of this Act and*
19 *paragraphs (1) and (2) of this Act, subject to*
20 *such terms and conditions as the Secretary*
21 *deems necessary to protect the public interest.*

22 *The proceeds of any sale under this subsection shall,*
23 *notwithstanding any other provision of law, be re-*
24 *tained by the Secretary and, subject to appropriation,*
25 *used solely to defray the costs of administration, ac-*

1 *quisition, maintenance, repair, and related expenses*
2 *with respect to museum objects and museum collec-*
3 *tions under the jurisdiction of the Secretary of the In-*
4 *terior and used for purposes of the National Park*
5 *System.*

6 *“(4) Destroy or cause to be destroyed museum*
7 *objects and museum collections that the Secretary de-*
8 *termines to have no scientific, cultural, historic, edu-*
9 *cational, esthetic, or monetary value.*

10 *“(b) The Secretary shall ensure that museum objects*
11 *and museum collections are treated in a careful and delib-*
12 *erate manner that protects the public interest. Prior to tak-*
13 *ing any action under subsection (a), the Secretary shall es-*
14 *tablish a systematic review and approval process, including*
15 *consultation with appropriate experts, that meets the high-*
16 *est standards of the museum profession for all actions taken*
17 *under this section.”.*

18 *(b) APPLICATION AND DEFINITIONS.—The Act entitled*
19 *“An Act to increase the public benefits from the National*
20 *Park System by facilitating the management of museum*
21 *properties relating thereto, and for other purposes” ap-*
22 *proved July 1, 1955 (16 U.S.C. 18f), as amended by sub-*
23 *section (a), is further amended by adding the following:*

1 **“SEC. 3. APPLICATION AND DEFINITIONS.**

2 “(a) *APPLICATION.*—Authorities in this Act shall be
3 available to the Secretary of the Interior with regard to mu-
4 seum objects and museum collections that were under the
5 administrative jurisdiction of the Secretary for purposes of
6 the National Park System before the date of enactment of
7 this section as well as those museum objects and museum
8 collections that may be acquired on or after such date.

9 “(b) *DEFINITIONS.*—For the purposes of this Act, the
10 terms ‘museum objects’ and ‘museum collections’ mean ob-
11 jects that are eligible to be or are made part of a museum,
12 library, or archive collection through a formal procedure,
13 such as accessioning. Such objects are usually movable and
14 include but are not limited to prehistoric and historic arti-
15 facts, works of art, books, documents, photographs, and nat-
16 ural history specimens.

17 “(c) *PRIORITY OF ACT.*—To the extent that the man-
18 agement of museum objects and museum collections differs
19 from management of personal property as described in the
20 Federal Property and Administrative Services Act of 1949,
21 as amended, the provisions of this Act shall control and the
22 Secretary is authorized to promulgate regulations to govern
23 the acquisition, management, and disposition of such mu-
24 seum objects and museum collections.”.

1 **SEC. 305. VOLUNTEERS IN THE PARKS INCREASE.**

2 Section 4 of the Volunteers in the Parks Act of 1969
3 (16 U.S.C. 18j) is amended by striking out “\$1,000,000”
4 and inserting in lieu thereof “\$1,750,000”.

5 **SEC. 306. COOPERATIVE AGREEMENTS FOR RESEARCH**
6 **PURPOSES.**

7 Section 3 of the Act entitled “An Act to improve the
8 administration of the national park system by the Sec-
9 retary of the Interior, and to clarify the authorities appli-
10 cable to the system, and for other purposes” approved Au-
11 gust 18, 1970 (16 U.S.C. 1a-2), is amended—

12 (1) in paragraph (i), by striking out the period
13 at the end thereof and inserting in lieu thereof “;
14 and”; and

15 (2) by adding at the end thereof the following:

16 “(j) enter into cooperative agreements with
17 public or private educational institutions, States,
18 and their political subdivisions, or private conserva-
19 tion organizations for the purpose of developing ade-
20 quate, coordinated, cooperative research and training
21 programs concerning the resources of the National
22 Park System, and, pursuant to such agreements, to
23 accept from and make available to the cooperator
24 such technical and support staff, financial assistance
25 for mutually agreed upon research projects, supplies
26 and equipment, facilities, and administrative services

1 relating to cooperative research units as the Sec-
2 retary deems appropriate; except that this paragraph
3 shall not waive any requirements for research
4 projects that are subject to the Federal procurement
5 regulations.”.

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