

**(c) No effect on other laws**

Nothing in this section shall be construed to modify, expand, or diminish any authority under other Federal law.

(Pub. L. 103-433, title VIII, § 802, Oct. 31, 1994, 108 Stat. 4501.)

## REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (b), is defined in section 410aaa-81 of this title.

The Wilderness Act, referred to in subsecs. (a) and (b), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

## SHORT TITLE AND FINDINGS

Section 801 of title VIII of Pub. L. 103-433 provided that:

“(a) SHORT TITLE.—This title [enacting this section] may be cited as the ‘California Military Lands Withdrawal and Overflights Act of 1994’.

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

“(1) military aircraft testing and training activities as well as demilitarization activities in California are an important part of the national defense system of the United States, and are essential in order to secure for the American people of this and future generations an enduring and viable national defense system;

“(2) the National Park System units and wilderness areas designated by this Act [see section 410aaa-81 of this title] lie within a region critical to providing training, research, and development for the Armed Forces of the United States and its allies;

“(3) there is a lack of alternative sites available for these military training, testing, and research activities;

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

“(5) continuation of these military activities, under appropriate terms and conditions, is not incompatible with the protection and proper management of the natural, environmental, cultural, and other resources and values of the Federal lands in the California desert area.”

**§ 410aaa-83. Authorization of appropriations**

There is authorized to be appropriated to the National Park Service and to the Bureau of Land Management to carry out this Act an amount not to exceed \$36,000,000 over and above that provided in fiscal year 1994 for additional administrative and construction costs over the fiscal year 1995-1999 period, and \$300,000,000 for all land acquisition costs. No funds in excess of these amounts may be used for construction, administration, or land acquisition authorized under this Act without a specific authorization in an Act of Congress enacted after October 31, 1994.

(Pub. L. 103-433, title IX, § 901, Oct. 31, 1994, 108 Stat. 4508.)

## REFERENCES IN TEXT

This Act, referred to in text, is defined in section 410aaa-1 of this title.

## SUBCHAPTER LIX-Z—NEW ORLEANS JAZZ NATIONAL HISTORICAL PARK

**§ 410bbb. Findings and purpose****(a) Findings**

The Congress finds that:

(1) Jazz is the United States’ most widely recognized indigenous music and art form. Congress previously recognized jazz in 1987 through Senate Concurrent Resolution 57 as a rare and valuable national treasure of international importance.

(2) The city of New Orleans is widely recognized as the birthplace of jazz. In and around this city, cultural and musical elements blended to form the unique American music that is known as New Orleans jazz, which is an expression of the cultural diversity of the lower Mississippi Delta Region.

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

**(b) Purpose**

In furtherance of the need to recognize the value and importance of jazz, it is the purpose of this subchapter to establish a New Orleans Jazz National Historical Park to preserve the origins, early history, development and progression of jazz; provide visitors with opportunities to experience the sights, sounds, and places where jazz evolved; and implement innovative ways of establishing jazz educational partnerships that will help to ensure that jazz continues as a vital element of the culture of New Orleans and our Nation.

(Pub. L. 103-433, title XII, § 1202, Oct. 31, 1994, 108 Stat. 4519.)

## REFERENCES IN TEXT

Senate Concurrent Resolution 57, referred to in subsec. (a)(1), probably means H. Con. Res. 57, Dec. 4, 1987, 101 Stat. 2013, which is not classified to the Code.

## SHORT TITLE

Section 1201 of title XII of Pub. L. 103-433 provided that: “This title [enacting this subchapter] may be cited as the ‘New Orleans Jazz National Historical Park Act of 1994’.”

**§ 410bbb-1. Establishment****(a) In general**

In order to assist in the preservation, education, and interpretation of jazz as it has evolved in New Orleans, and to provide technical assistance to a broad range of organizations involved with jazz music and its history, there is hereby established the New Orleans Jazz National Historical Park (hereinafter referred to as the “historical park”). The historical park shall be administered in conjunction with the Jean Lafitte National Historical Park and Preserve, which was established to preserve and interpret the cultural and natural resources of the lower Mississippi Delta Region.

**(b) Area included**

The historical park shall consist of lands and interests therein as follows:

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

(2) Sites that are the subject of cooperative agreements with the National Park Service

for the purposes of interpretive demonstrations and programs associated with the purposes of this subchapter.

(3)(A) Sites designated by the Secretary as provided in subparagraph (B).

(B)(i) No later than 18 months after October 31, 1994, the Secretary is directed to complete a national historic landmark evaluation of sites associated with jazz in and around New Orleans as identified in the document entitled "New Orleans Jazz Special Resource Study", prepared by the National Park Service pursuant to Public Law 101-499. In undertaking the evaluation, the Secretary shall, to the extent practicable, utilize existing information relating to such sites.

(ii) If any of the sites evaluated are found to meet the standards of the National Historic Landmark program and National Park Service tests of suitability and feasibility, and offer outstanding opportunities to further the purposes of this subchapter, the Secretary may designate such sites as part of the historical park, following consultation with the owners of such sites, the city of New Orleans, the Smithsonian Institution, and the New Orleans Jazz Commission, and notification to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives.

(Pub. L. 103-433, title XII, §1203, Oct. 31, 1994, 108 Stat. 4520.)

#### REFERENCES IN TEXT

Public Law 101-499, referred to in subsec. (b)(3)(B)(i), is Pub. L. 101-499, Nov. 2, 1990, 104 Stat. 1209, which is not classified to the Code.

### § 410bbb-2. Administration

#### (a) In general

(1) The Secretary shall administer the historical park in accordance with this subchapter and with provisions of law generally applicable to units of the National Park System, including sections 1, 2, 3, and 4 of this title and sections 461 to 467 of this title. The Secretary shall manage the historical park in such a manner as will preserve and perpetuate knowledge and understanding of the history of jazz and its continued evolution as a true American art form.

(2) To minimize operational costs associated with the management and administration of the historical park and to avoid duplication of effort, the Secretary shall, to the maximum extent practicable, utilize the facilities, administrative staff and other services of the Jean Lafitte National Historical Park and Preserve.

#### (b) Donations

The Secretary may accept and retain donations of funds, property, or services from individuals, foundations, corporations, or other public entities for the purposes of providing services, programs, and facilities that further the purposes of this subchapter.

#### (c) Interpretive center

The Secretary is authorized to construct, operate, and maintain an interpretive center in the historical park on lands identified by the

Secretary pursuant to section 410bbb-1(b)(1) of this title. Programs at the center shall include, but need not be limited to, live jazz interpretive and educational programs, and shall provide visitors with information about jazz-related programs, performances, and opportunities.

#### (d) Jazz heritage districts

The Secretary may provide technical assistance to the city of New Orleans and other appropriate entities for the designation of certain areas in and around New Orleans as jazz heritage districts. Such districts shall include those areas with an exceptional concentration of jazz historical sites and established community traditions of jazz street parades.

#### (e) Cooperative agreements, grants and technical assistance

In furtherance of the purposes of this subchapter—

(1) the Secretary, after consultation with the New Orleans Jazz Commission established pursuant to section 410bbb-5 of this title, is authorized to enter into cooperative agreements with owners of properties that are designated pursuant to section 410bbb-1(b)(3) of this title which provide outstanding educational and interpretive opportunities relating to the evolution of jazz in New Orleans. The Secretary may assist in rehabilitating, restoring, marking, and interpreting and may provide technical assistance for the preservation and interpretation of such properties. Such agreements shall contain, but need not be limited to, provisions that the National Park Service will have reasonable rights of access for operational and visitor use needs, that rehabilitation and restoration will meet the Secretary's standards for rehabilitation of historic buildings, and that specify the roles and responsibilities of the Secretary for each site or structure;

(2) the Secretary is authorized to enter into cooperative agreements with the city of New Orleans, the State of Louisiana, and other appropriate public and private organizations under which the other parties to the agreement may contribute to the acquisition, construction, operation, and maintenance of the interpretive center and to the operation of educational and interpretive programs to further the purposes of this subchapter; and

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

#### (f) Jazz educational programs

The Secretary shall, in the administration of the historical park, promote a broad range of educational activities relating to jazz and its history. The Secretary shall cooperate with schools, universities, and organizations supporting jazz education to develop educational programs that provide expanded public understanding of jazz and enhanced opportunities for public appreciation. The Secretary may assist appropriate entities in the development of an information base including archival material, audiovisual records, and objects that relate to the history of jazz.

(Pub. L. 103-433, title XII, §1204, Oct. 31, 1994, 108 Stat. 4520.)

### § 410bbb-3. Acquisition of property

#### (a) General authority

The Secretary may acquire lands and interests therein within the sites designated pursuant to section 410bbb-1(b)(1) and (3) of this title by donation or purchase with donated or appropriated funds or long term lease: *Provided*, That sites designated pursuant to section 410bbb-1(b)(3) of this title shall only be acquired with the consent of the owner thereof.

#### (b) State and local properties

Lands and interests in lands which are owned by the State of Louisiana, or any political subdivision thereof, may be acquired only by donation.

(Pub. L. 103-433, title XII, §1205, Oct. 31, 1994, 108 Stat. 4522.)

### § 410bbb-4. General management plan

Within three years after the date funds are made available therefor and concurrent with the national landmark study referenced in section 410bbb-1(b)(3) of this title, the Secretary, in consultation with the New Orleans Jazz Commission, shall prepare a general management plan for the historical park. The plan shall include, but need not be limited to—

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

(2) preservation and use plans for any structures and sites that are identified through the historic landmark study for inclusion within the historical park;

(3) the location and associated cost of public facilities that are proposed for inclusion within the historical park, including a visitor center;

(4) identification of programs that the Secretary will implement or be associated with through cooperative agreements with other groups and organizations;

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

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

(7) guidelines for the application of cooperative agreements that will be used to assist in the management of historical park facilities and programs.

(Pub. L. 103-433, title XII, §1206, Oct. 31, 1994, 108 Stat. 4522.)

### § 410bbb-5. New Orleans Jazz Commission

#### (a) Establishment

To assist in implementing the purposes of this subchapter and the document entitled “New Orleans Jazz Special Resource Study”, there is established the New Orleans Jazz Commission (hereinafter referred to as the “Commission”).

#### (b) Membership

The Commission shall consist of 17 members to be appointed no later than six months after

October 31, 1994. The Commission shall be appointed by the Secretary as follows:

(1) One member from recommendations submitted by the Mayor of New Orleans.

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

(3) One member, with experience in and knowledge of tourism in the greater New Orleans area, from recommendations submitted by local businesses.

(4) One member from recommendations submitted by the Board of the New Orleans Jazz and Heritage Foundation.

(5) One member, with experience in and knowledge of historic preservation within the New Orleans area.

(6) Two members, one from recommendations submitted by the Secretary of the Smithsonian Institution and one member from recommendations submitted by the Chairman of the National Endowment of the Arts, who are recognized musicians with knowledge and experience in the development of jazz in New Orleans.

(7) Two members, one from recommendations submitted by the Secretary of the Smithsonian Institution and one member from recommendations submitted by the Director of the Louisiana State Museum with recognized expertise in the interpretation of jazz history or traditions related to jazz in New Orleans.

(8) Two members who represent local neighborhood groups or other local associations; from recommendations submitted by the Mayor of New Orleans.

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

(10) One member from recommendations submitted by the Governor of the State of Louisiana, who shall be a member of the Louisiana State Music Commission.

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

(12) One member who is a recognized local expert on the history, development and progression of jazz in New Orleans and is familiar with existing archival materials from recommendations submitted by the Librarian of Congress.

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

#### (c) Duties

The Commission shall—

(1) advise the Secretary in the preparation of the general management plan for the historical park; assist in public discussions of planning proposals; and assist the National Park Service in working with individuals, groups, and organizations including economic and business interests in determining programs in which the Secretary should participate through cooperative agreement;

(2) in consultation and cooperation with the Secretary, develop partnerships with edu-

cational groups, schools, universities, and other groups to furtherance of the purposes of this subchapter;

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

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

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

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

(7) notwithstanding any other provision of law, seek and accept donations of funds, property, or services from individuals, foundations, corporations, or other public or private entities and expend and use the same for the purposes of providing services, programs, and facilities for jazz education, or assisting in the rehabilitation and restoration of structures identified in the national historic landmark study referenced in section 410bbb-1(b)(3) of this title as having outstanding significance to the history of jazz in New Orleans.

**(d) Appointment**

Members of the Commission shall be appointed for staggered terms of 3 years, as designated by the Secretary at the time of the initial appointment.

**(e) Chairman**

The Commission shall elect a chairman from among its members. The term of the chairman shall be for 3 years.

**(f) Terms**

Any member of the Commission appointed by the Secretary for a 3-year term may serve after the expiration of his or her term until a successor is appointed. Any vacancy shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor was appointed.

**(g) Per diem expenses**

Members of the Commission shall serve without compensation. Members shall be entitled to travel expenses under section 5703, title 5, when engaged in Commission business, including per diem in lieu of subsistence in the same manner as persons employed intermittently.

**(h) Administrative support**

The Secretary shall provide the Commission with assistance in obtaining such personnel, equipment, and facilities as may be needed by the Commission to carry out its duties.

**(i) Annual report**

The Commission shall submit an annual report to the Secretary identifying its expenses

and income and the entities to which any grants or technical assistance were made during the year for which the report is made.

(Pub. L. 103-433, title XII, § 1207, Oct. 31, 1994, 108 Stat. 4522.)

**§ 410bbb-6. Authorization of appropriations**

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

(Pub. L. 103-433, title XII, § 1208, Oct. 31, 1994, 108 Stat. 4525.)

SUBCHAPTER LIX-AA—CANE RIVER CREOLE NATIONAL HISTORICAL PARK AND NATIONAL HERITAGE AREA

PART A—CANE RIVER CREOLE NATIONAL HISTORICAL PARK

**§ 410ccc. Findings and purposes**

**(a) Findings**

The Congress finds that—

(1) the Natchitoches area along Cane River, established in 1714, is the oldest permanent settlement in the Louisiana Purchase territory;

(2) the Cane River area is the locale of the development of Creole culture, from French-Spanish interactions of the early 18th century of today's living communities;

(3) the Cane River, historically a segment of the Red River, provided the focal point for early settlement, serving as a transportation route upon which commerce and communication reached all parts of the colony;

(4) although a number of Creole structures, sites, and landscapes exist in Louisiana and elsewhere, unlike the Cane River area, most are isolated examples, and lack original outbuilding complexes or integrity;

(5) the Cane River area includes a great variety of historical features with original elements in both rural and urban settings and a cultural landscape that represents various aspects of Creole culture, providing the base for a holistic approach to understanding the broad continuum of history within the region;

(6) the Cane River region includes the Natchitoches National Historic Landmark District, composed of approximately 300 publicly and privately owned properties, four other national historic landmarks, and other structures and sites that may meet criteria for landmark significance following further study;

(7) historic preservation within the Cane River area has greatly benefitted from individuals and organizations that have strived to protect their heritage and educate others about their rich history; and

(8) because of the complexity and magnitude of preservation needs in the Cane River area, and the vital need for a culturally sensitive approach, a partnership approach is desirable for addressing the many preservation and educational needs.

**(b) Purposes**

The purposes of this subchapter are to—

(1) recognize the importance of the Cane River Creole culture as a nationally signifi-