CONGRESSIONAL RECORD—SENATE

OMNIBUS PARKS TECHNICAL CORRECTIONS ACT OF 1999

The Senate proceeded to consider the bill (H.R. 149) to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands, which had been reported from the Committee on Energy and Natural Resources, with amendments; all to be inserted. (The parts of the bill intended to be inserted are shown in italic.)

H.R. 149

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

SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.

(a) SHORT TITLE.—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 1999.”

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 1201).

TITLE I—TECHNICAL CORRECTIONS TO DIVISION I

SEC. 101. PRESIDIO OF SAN FRANCISCO.

Title I of division I of the Omnibus Parks Act (16 U.S.C. 460bb note) is amended as follows:

(1) In section 101(2) (110 Stat. 4097), by striking “the Presidio” and inserting “the Presidio of San Francisco”.

(2) In section 103(b)(1) (110 Stat. 4099), by striking “other lands administered by the Secretary,” in the last sentence and inserting “other lands administered by the Secretary.”

(3) In section 105(a)(2) (110 Stat. 4104), by striking “in accordance with section 104(h) of this title,” and inserting “in accordance with section 104(i) of this title.”

(4) In section 104(b) (110 Stat. 4101), by—

(A) adding the following after the end of the first sentence: “The National Park Service or any other Federal agency is authorized to enter into agreements, leases, contracts and other arrangements with the Presidio Trust which are necessary and appropriate to carry out the purposes of this title.”;

(B) inserting after “June 30, 1932 (40 U.S.C. 303b).” “The Trust may use alternative means of dispute resolution authorized under subchapter IV of chapter 5 of title 5, United States Code, 5 U.S.C. 371 et seq.”;

and

(C) by inserting at the end of the paragraph “The Trust is authorized to use funds available to the Trust to purchase insurance and for reasonable reception and representation expenses, including membership dues, business cards and business related meal expenditures.”.

(5) Section 104(g) (110 Stat. 4103) is amended to read as follows:

SEC. 5. DISPOSITION OF FUNDS.

(a) DEPOSIT OF PROCEEDS.—The Secretary shall deposit the proceeds of a sale or exchange under this Act in the fund established under Public Law 90-171 (16 U.S.C. 484k) (commonly known as the “Sisk Act”).

(b) USE OF PROCEEDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further Act of appropriation, for—

(1) the acquisition, construction, or improvement of administrative facilities for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest;

(2) the acquisition of land and or an interest in land in the State of Arizona.
maturities suitable to the needs of the Trust and bearing interest at rates determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity and risk.

(6) In section 104(i)(110 Stat. 4103), by striking "exercised." and inserting "exercised, includable obligations of the United States of comparable maturity and risk.

In section 104 (110 Stat. 4101, 4104), by adding after subsection (o) the following:

"(p) Amendments as follows:

(1) In subsection (d)(2)(B)(ii), by striking "and inserting "to be known'' and inserting "to be known'' and inserting "that the Wild and Scenic Rivers Act''.

SEC. 107. VANCOUVER NATIONAL HISTORIC RE-

The first sentence of section 205(g) of the National Historic Preservation Act (16 U.S.C. 470m(g)), as amended by section 509(c) of division I of the Omnibus Parks Act (110 Stat. 4157, 4104), is amended by striking "the Act" and inserting "this section''.

SEC. 109. ADVISORY COUNCIL ON HISTORIC PRE-

Section 603(d)(2) of division I of the Omnibus Parks Act (110 Stat. 4181; 16 U.S.C. 461 note) is amended—

(2) In subsection (f)(1), by striking "this Act" and inserting "this section''.

SEC. 105. KENAI NATIVES ASSOCIATION LAND EX-

Section 502(a) of division I of the Omnibus Parks Act (110 Stat. 4154; 16 U.S.C. 461 note) is amended by strike "the Secretary of the Interior'' and inserting "the Secretary of the Interior''.

Section 502(c) of division I of the Omnibus Parks Act (110 Stat. 4154; 16 U.S.C. 461 note) is amended by striking "to be known'' and inserting "that the Wild and Scenic Rivers Act''.

SEC. 104. BIG THICKET NATIONAL PRESERVE.

The area included within the New Bedford Historic District (a National Historic Landmark District, known as the"

SEC. 112. NICODEMUS NATIONAL HISTORIC SITE.

(Letters "K" and "O" in the second to last sentence of section 510(a) of division I of the Omnibus Parks Act (110 Stat. 4157; 16 U.S.C. 461 note) are amended by strike "the Act" and inserting "this section''.

Section 510(a)(1) of division I of the Omnibus Parks Act (110 Stat. 4158; 16 U.S.C. 461 note) is amended by striking "the contribution of our national heritage" and inserting "the contribution to our national heritage".

SEC. 111. NEW BEDFORD WHALING NATIONAL HISTORICAL PARK.

(a) Section 511 of division I of the Omnibus Parks Act (110 Stat. 4159; 16 U.S.C. 410ddd) is amended as follows:

(1) In subsection (a), by striking "and inserting "that the contribution of our national heritage" and inserting "the contribution to our national heritage".

SEC. 114. REVOLUTIONARY WAR AND WAR OF 1812 HISTORIC PRESERVATION STUDY.

Section 609 of division I of the Omnibus Parks Act (110 Stat. 4175; 16 U.S.C. 461 note) is amended by strike "shall be comprised" and inserting "shall be comprised''.

SEC. 115. SHENANDOAH VALLEY BATTLEFIELDS.

Section 606 of division I of the Omnibus Parks Act (110 Stat. 4175; 16 U.S.C. 461 note) is amended by strike "shall be comprised" and inserting "shall be comprised''.

SEC. 117. SKI AREA PERMIT RENTAL CHARGE.

Section 701 of division I of the Omnibus Parks Act (110 Stat. 4182; 16 U.S.C. 497c) is amended as follows:

(1) In subsection (b)(3), by striking "legis-

lating by this Act" and inserting "required by this section''.

(2) In subsection (d)—

(A) In the matter preceding paragraph (1), by striking "formula of this Act" and inserting "formula of this Act";

(B) In paragraphs (1) and (2) and in the sentence below paragraph (3), by striking "this Act" each place it appears and inserting "purposes of this Act"; and

(C) In the sentence below paragraph (3), by inserting "adjusted gross revenue for the" before "1994–1995 base year".

In subclause (II), by striking "the Act" and inserting "this Act".

In subsection (i), by inserting the parenthesis "offered for commercial or other promotional purposes after complimentary lift tickets''.

In subsection (i), by striking "this Act" and inserting "this section''.

SEC. 118. GLACIER BAY NATIONAL PARK.

Section 3 of Public Law 91–383 (16 U.S.C. 1a–2), as amended by section 703 of division I of the Omnibus Parks Act (110 Stat. 4186), is amended as follows:

(1) In subsection (g), by striking "bearings" and inserting "beings".

(2) By capitalizing the first letter of each word in the following:

"(C) by striking "bearing the cost of this Act" and inserting "the bearing the cost of this Act".

SEC. 119. UNALASKA.

Section 513(c) of division I of the Omnibus Parks Act (110 Stat. 4165; 16 U.S.C. 461 note) is amended by striking "shall be comprised" and inserting "shall be comprised''.

SEC. 120. LAND AND SCENIC RIVER.

(a) Technical Corrections. Section 3(a)(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by section 405(a) of division I of the Omnibus Parks Act (110 Stat. 4140) is amended by striking "shall be comprised" and inserting "shall be comprised''.

SEC. 121. LAND AND SCENIC RIVER.
SEC. 123. RECREATIONAL LAKES.
(a) TECHNICAL CORRECTIONS.—Section 1021(a) of division I of the Omnibus Parks Act (110 Stat. 4210; 16 U.S.C. 460–10e note) is amended as follows:
(1) By striking “manmade lakes” both places it appears and inserting “manmade lakes”.
(2) By striking “for recreational opportunities at federally-managed” and inserting “for recreational opportunities at federally managed”.
(b) ADVISORY COMMISSION.—Section 13 of the Land and Water Conservation Fund Act (16 U.S.C. 460l–10e), as added by section 1021(b) of the Omnibus Parks Act (110 Stat. 4210), is amended as follows:
In subsection (b)(5) and inserting “subsection (a)”.
(2) By striking “manmade lakes” both places it appears and inserting “manmade lakes”.

SEC. 124. FOSSIL FOREST PROTECTION.
(1) In section 903(b)(2)(A) of the Omnibus Parks Act (110 Stat. 4213), is amended as follows:
By striking “water related recreation” and inserting “water related recreation”.

SEC. 125. OPAL CREEK WILDERNESS AND SCENIC RECREATION AREA.
(1) In section 803(c)(1)(A) of division I of the Omnibus Parks Act (110 Stat. 4213), is amended as follows:
By striking “before ‘Except’;”.

SEC. 126. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.
(1) In section 804(a) of division I of the Omnibus Parks Act (110 Stat. 4213), is amended as follows:
(2) By striking “and visitors’ center” and inserting “a visitor center”.

SEC. 127. NATCHEZ NATIONAL HISTORICAL PARK.
(a) TECHNICAL AMENDMENT.—Section 501(a) of the Omnibus Parks Act (110 Stat. 4213; 16 U.S.C. 460–10e note), as added by section 1021(b) of the Omnibus Parks Act (110 Stat. 4210), is amended as follows:
(1) By striking “(1) in subsection (i)(3)(A), by striking “profit sector roles” and inserting “private sector roles”.
(2) In subsection (f)(2)(A), by striking “ration” and inserting “rationing”.

SEC. 128. REGULATION OF FISHING IN CERTAIN WATERS OF ALASKA.
Section 1035 of division I of the Omnibus Parks Act (110 Stat. 2240) is amended as follows:
(1) By inserting “REGULATIONS’; and inserting “REGULATION’;
(2) In subsection (c), by striking “this Act” and inserting “this section’;”.

SEC. 129. BOUNDARY REVISIONS.
Section 814(b)(2)(G) of Public Law 104–333 is amended by striking “are adjacent to” and inserting “in lieu thereof ‘abut’.

TITLE II—TECHNICAL CORRECTIONS TO DIVISION II.

SEC. 201. NATIONAL COAL HERITAGE AREA.
Title I of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:
(1) In section 104(4) (110 Stat. 4244), by striking “historic preservation” and inserting “historic preservation’;”.
(2) In section 105 (110 Stat. 4244), by striking “paragraphs (3) and (5) of section 104” and inserting “paragraph (2) of section 104”.
(3) In section 106(a)(3) (110 Stat. 4244), by striking “or Secretary” and inserting “or the Secretary”.

SEC. 202. TENNESSEE CIVIL WAR HERITAGE AREA.
Title II of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:
(1) In section 201(b)(4) (110 Stat. 4245), by striking “and associated sites associated” and inserting “and sites associated”;.
(2) In section 207(a) (110 Stat. 4248), by striking “as provide for” and inserting “as provided for”.

SEC. 203. AUGUSTA CANAL NATIONAL HERITAGE AREA.

SEC. 204. ESSEX NATIONAL HERITAGE AREA.
Section 501(a)(8) of division II of the Omnibus Parks Act (110 Stat. 4257; 16 U.S.C. 461 note) is amended by striking “a visitor center” and inserting “a visitor center’;”.

SEC. 205. OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR.
Title VIII of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:
(1) In section 805(b)(2) (110 Stat. 4269), by striking “One individuals,” and inserting “One individual”.
(2) In section 805(a)(3)(A) (110 Stat. 4279), by striking “from the Committee,” and inserting “from the Committee.

SEC. 206. HUDSON RIVER VALLEY NATIONAL HERITAGE AREA.

TITLE III—TECHNICAL CORRECTIONS TO OTHER PUBLIC LAWS.

SEC. 301. REAUTHORIZATION OF DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY COMMISSION.

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Section 8 of Public Law 92–155 (16 U.S.C. 272q), as added by section 2(o)(2) of the Archives National Park Expansion Act of 1998 (Public Law 105–329; 112 Stat. 3062), is amended as follows:

(1) In subsection (b)(2), by striking "as described at lots 1 through 12 located in the S½N½ and the N½S½ of section 1, Township 25 South, Range 18 East, Salt Lake base and meridian," and inserting "as described in lots 1 through 12 located in the S½N½ and the N½S½ of section 1, Township 25 South, Range 18 East, Salt Lake base and meridian, and more specifically described as follows: 

(A) Lots 1 through 12.
(B) The S½N½ of such section.
(C) The N½S½ of such section; and

(2) By striking subsection (d).


(a) TRANSFER OF JURISDICTION.—Section 6(b) of the Dutch John Federal Property Disposition Act of 1998 (Public Law 105–326; 112 Stat. 3044) is amended as follows:

(1) By striking the subsection heading and inserting in its place the following: "ADDITIONAL TRANSFERS OF ADMINISTRATIVE JURISDICTION—"

(2) By striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) TRANSFER FROM SECRETARY OF THE INTERIOR.—The Secretary of the Interior shall transfer to the Secretary of Agriculture administrative jurisdiction over approximately 3,167 acres of lands and interests in land located in Duchesne and Wasatch Counties, Utah, that were acquired by the Secretary of the Interior for the Central Utah Project, as depicted on maps entitled: 


(B) 'The Dutch John Townsite, Ashley National Forest, Red Hollow (Diamond Properties),' dated February 1997; and

(C) 'The Dutch John Townsite, Ashley National Forest, Current Creek Reservoir,' dated February 1997.

"(2) TRANSFER FROM SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall transfer to the Secretary of the Interior administrative jurisdiction over approximately 2,450 acres of lands and interests in land located in the Ashley National Forest, as depicted on the map entitled 'Ashley National Forest, Lands to be Transferred to the Bureau of Reclamation (BOR) from the Forest Service', dated February 1997.

"(A) The 'Dutch John Townsite, Ashley National Forest, Lower Stillwater,' dated February 1997;

"(B) The 'Dutch John Townsite, Ashley National Forest, Red Hollow (Diamond Properties),' dated February 1997; and


SEC. 304. OREGON PUBLIC LANDS TRANSFER AND PROTECTION ACT OF 1998.

Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022) is amended as follows:

(1) In subsection (a), by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(2) By striking subsection (b) and inserting the following new subsection:

"(b) POLICY OF NO NET LOSS OF O & C LAND AND CBWR LAND.—In carrying out sales, purchases, long-term leases, exchanges, or transfers of O & C land and CBWR land in the geographic area, the Secretary shall ensure that on October 30, 2008, and on the expiration of each 10-year period thereafter, the number of acres of O & C land and CBWR land in the geographic area is not less than the number of acres of such land on October 30, 1998.

SEC. 305. NATIONAL PARK FOUNDATION.

Section 4 of Public Law 90–209 is amended—

(1) by inserting "with or" between "practicable" and "without" in the final sentence thereof; and

(2) by adding at the end thereof a new sentence as follows: "Funds reimbursed to either Department shall be retained by the Department making the reimbursement, without limitation, to be expended, in accordance with the Historic Preservation Act, as amended.


Section 603(c)(1) of Public Law 105–391 is amended by striking "10" and inserting in lieu thereof "15".

SEC. 307. GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT.

Section 201(d) of Public Law 105–335 is amended by inserting "and/or Tropic Utah," after the "Utah" in paragraph (1), and by striking "Public Purposes Act," and the remainder of the sentence and inserting in lieu thereof "Public Purposes Act.

SEC. 308. SPIRIT MOUND.

Section 112(a) of division C of Public Law 105–277 (112 Stat. 2681–592) is amended—

(1) by striking "is authorized to acquire" and inserting in lieu thereof "is authorized: (1) to acquire;"

(2) by striking "South Dakota," and inserting in lieu thereof "South Dakota;" and

(3) by adding at the end thereof the following new paragraph:

"(3) The Secretary of the Interior shall be retained by the State to provide for the acquisition and establishment of a repayment schedule, in accordance with the Historic Preservation Act, as amended;".

SEC. 309. AMERICAN AGRICULTURAL HERITAGE PARTNERSHIP ACT AMENDMENT.

Section 702(b) of division I of the Public Law 104–333 (110 Stat. 4265), is amended by striking "Secretary of Agriculture" and inserting in lieu thereof "Secretary of the Interior.

SEC. 310. NATIONAL PARK SERVICE ENTRANCE AND RECREATIONAL USE FEES.

(a) The Secretary of the Interior is authorized to retain and expend revenues from entrance and recreation use fees at units of the National Park System where such fees are collected under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–6a), notwithstanding the provisions of section 4(i) of such Act. Fees shall be retained and expended in the same manner and for the same purposes as provided under the Recreational Fee Demonstration Program.

(b) Nothing in this section shall affect the collection of fees at units of the National Park System designated pursuant to the Recreational Fee Demonstration Program.

(c) The authorities in this chapter shall expire upon the termination of the Recreational Fee Demonstration Program.

SEC. 311. NATIONAL PARKS OMNIBUS MANAGEMENT ACT OF 1998.

Section 904 of the National Parks Omnibus Management Act of 1998 (Public Law 105–339; 112 Stat. 3508; 16 U.S.C. 5953) is amended by striking "contract terms and conditions," and inserting "contract terms and conditions".

AMENDMENT NO. 2803

(Purpose: To make further amendments to H.R. 149, as reported by the Committee on Energy and Natural Resources)

On page 5, strike lines 4 through 11 and renumber the subsequent paragraphs accordingly.

On page 7 at the end of section 101 add the following new paragraphs:

(11) Section 103(c)(2) (110 Stat. 4099) is amended by striking "contract terms and conditions," and inserting "contract terms, except that the expiration of the contract of an appointed member may continue to serve until his or her successor has been appointed." (12) Section 103(c)(3) (110 Stat. 4099) is amended by striking "properties administered by the Trust" and inserting in lieu thereof "properties administered by the Trust and all interests created under leases, concessions, permits and other agreements associated with the properties.

(13) Section 104(d) (110 Stat. 4102) is amended as follows:

(1) by inserting "(1) after 'Financial Authorities—';

(2) by striking "(1) the authority" and inserting in lieu thereof "(A) The authority;"

(3) by striking "(A) the terms and" and inserting in lieu thereof "(1) the terms;"

(4) by amending subsection (b) by striking "(B) adequate and inserting in lieu thereof "(ii) adequate;"

(5) by striking "(C) such guarantees" and inserting in lieu thereof "(iii) such guarantees;"

(6) by striking "(2) the authority" and inserting in lieu thereof "(B) the authority;"

(7) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively;

(8) in paragraph (2) (as redesignated by the effect of paragraph (1) above), by striking "The authority" and inserting in lieu thereof "The Trust shall also have the authority;"

(9) by amending paragraph (7) (as redesignated by section 101 of this Act) and establishing the repayment schedule.

On page 26, strike lines 19 through 13 and insert in lieu thereof the following: "as follows: 'Monies reimbursed to either Department shall be retained by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which such account is authorized.'"

On page 28, line 20, strike "contract" and insert "contract.

The amendment (No. 2804) was agreed to.

The bill (H.R. 149), as amended, was passed.

COMMUNITY FOREST RESTORATION ACT

The Senate proceeded to consider the bill (S. 1288) to provide incentives for

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