

103^D CONGRESS
1ST SESSION

H. R. 2435

To authorize the establishment of the Wounded Knee National Memorial Park and the Wounded Knee National Memorial in the State of South Dakota, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1993

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the establishment of the Wounded Knee National Memorial Park and the Wounded Knee National Memorial in the State of South Dakota, 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 “Wounded Knee Na-
5 tional Memorial Park and Memorial Establishment Act of
6 1993”.

7 **SEC. 2. FINDINGS AND PURPOSES.**

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

1 (1) in December 1890, approximately 350–75
2 Sioux men, women and children under the leadership
3 of Chief Big Foot journeyed from the Cheyenne
4 River Indian Reservation to the Pine Ridge Indian
5 Reservation on the invitation of Chief Red Cloud to
6 help make peace between Indians and non-Indians;

7 (2) the journey of Chief Big Foot and his band
8 of Minneconjou Sioux occurred during the Ghost
9 Dance period when extreme hostility existed between
10 Sioux Indians and non-Indians residing near the
11 Sioux reservations, and the United States Army as-
12 sumed control of the Sioux reservations;

13 (3) Chief Big Foot and his band were inter-
14 cepted on the Pine Ridge Indian Reservation at Por-
15 cupine Butte by Major Whitside, and surrendered
16 unconditionally under a white flag of truce and were
17 escorted to Wounded Knee Creek where Colonel
18 Forsyth assumed command;

19 (4) on December 29, 1890, an incident occurred
20 in which soldiers under Colonel Forsyth's command
21 killed and wounded over 300 members of Chief Big
22 Foot's band, almost all of whom were unarmed and
23 entitled to protection of their rights to property, per-
24 son and life under Federal law (see 19 Stat. 254,
25 Art. 8);

1 (5) the 1890 Wounded Knee Massacre is a his-
2 torically significant event in that it marks the last
3 military encounter of the Indian wars period;

4 (6) the Congress apologized to the Sioux people
5 for the 1890 Massacre in Senate Concurrent Resolu-
6 tion No. 153 of the 101st Congress and stated
7 therein that Congress:

8 (A) “expresses its support for the estab-
9 lishment of a suitable and appropriate Memo-
10 rial to those who were so tragically slain at
11 Wounded Knee which could inform the Amer-
12 ican public of the historic significance of the
13 events at Wounded Knee and accurately portray
14 the heroic and courageous campaign waged by
15 the Sioux people to preserve and protect their
16 lands and their way of life during this period”;
17 and

18 (B) “hereby expresses its commitment to
19 acknowledge and learn from our history, includ-
20 ing the Wounded Knee Massacre, in order to
21 provide a proper foundation for building an ever
22 more humane, enlightened, and just society for
23 the future”;

24 (7) the Wounded Knee Massacre site and sites
25 relating to the 1890 Wounded Knee Massacre on the

1 Cheyenne River Indian Reservation and Pine Ridge
2 Indian Reservation are nationally, significant cul-
3 tural and historic sites that must be protected
4 through the designation of the sites as a national
5 memorial park; and

6 (8) the Wounded Knee Massacre is a nationally
7 significant event that must be memorialized through
8 the erection of a suitable and appropriate memorial
9 to the Indian victims.

10 (b) PURPOSES.—The Congress declares that the pur-
11 poses of this Act are to—

12 (1) establish the Chief Big Foot National Me-
13 morial Park consisting of—

14 (A) the 1890 Wounded Knee Massacre
15 site, and sites relating to the massacre located
16 on the Pine Ridge Indian Reservation, which
17 shall be referred to as the “south unit”; and

18 (B) sites relating to the 1890 Wounded
19 Knee Massacre located on the Cheyenne River
20 Indian Reservation, which shall be referred to
21 as the “north unit”;

22 (2) erect suitable and appropriate structures
23 within the national memorial park to memorialize
24 the Indian victims of the 1890 Wounded Knee Mas-
25 sacre; and

1 (3) authorize feasibility studies to—

2 (A) establish Chief Big Foot’s route from
3 the Cheyenne River Indian Reservation to
4 Wounded Knee as a national historic trail;

5 (B) establish visitor centers on Interstate
6 90 at Cactus Flats and on the Cheyenne River
7 Indian Reservation; and

8 (C) establish a scenic two-lane highway
9 called the “Crazy Horse Memorial Highway”
10 from Interstate 90 to Wounded Knee, and west-
11 ward from Wounded Knee to Highway 79.

12 **SEC. 3. ESTABLISHMENT OF WOUNDED KNEE NATIONAL**
13 **MEMORIAL PARK.**

14 (a) ESTABLISHMENT.—There is established a na-
15 tional memorial park to be known as the “Wounded Knee
16 National Memorial Park”. The park shall consist of all
17 tribal lands acquired by the Secretary for that purpose
18 pursuant to sections 4 and 5.

19 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
20 fect on the date of publication by the Secretary, pursuant
21 to section 4, of a notice that the Secretary has accepted
22 the leasehold interests that meet the requirements of this
23 Act.

1 **SEC. 4. ACQUISITION OF LANDS FOR WOUNDED KNEE NA-**
2 **TIONAL MEMORIAL PARK.**

3 (a) **AUTHORITY OF SECRETARY.**—(1) If not later
4 than 36 months after the date of enactment of this Act,
5 the Oglala Sioux Tribe, after consultation with the Bureau
6 of Indian Affairs, offers to the Secretary a leasehold inter-
7 est in tribal trust lands located on the Pine Ridge Indian
8 Reservation meeting the requirements of this Act, the Sec-
9 retary shall accept such leasehold on behalf of the Na-
10 tional Park Service and publish in the Federal Register
11 a notice of such acceptance.

12 (2) Within 12 months after the date the Secretary
13 first accepts a leasehold interest in trust lands on the Pine
14 Ridge Indian Reservation under paragraph (1), the Chey-
15 enne River Sioux Tribe, after consultation with the Sec-
16 retary, may offer to the Secretary a leasehold interest in
17 tribal trust lands located on the Cheyenne River Indian
18 Reservation meeting the requirements of this Act. The
19 Secretary shall accept such leasehold on behalf of the Na-
20 tional Park Service and publish in the Federal Register
21 a notice of such acceptance.

22 (b) **REQUIREMENTS FOR ACCEPTANCE OF LEASE-**
23 **HOLD INTERESTS.**—The Secretary shall accept a leasehold
24 of any tribally owned lands under subsection (a) of this
25 section if such leasehold—

1 (1) would continue for a period of at least 99
2 years;

3 (2) would require no rentals or other payments
4 by the United States to the Cheyenne River Sioux
5 Tribe, the Oglala Sioux Tribe, or any other party,
6 except for the allocation of fees as provided in sec-
7 tion 5(d)(2)(A); and

8 (3) would be applicable to—

9 (A) no less than 40 acres located within
10 the Pine Ridge Indian Reservation, including
11 but not limited to the Wounded Knee Massacre
12 grave site and other lands identified in the
13 1990 boundaries studies authorized by the Na-
14 tional Park Service, as the Director of the Na-
15 tional Park Service, in consultation with the
16 Oglala Sioux Tribal Council, would deem nec-
17 essary to include in the park; and

18 (B) no less than 40 acres located within
19 the Cheyenne River Indian Reservation, includ-
20 ing but not limited to sites related to the 1890
21 Wounded Knee Massacre, as the Director of the
22 National Park Service, in consultation with the
23 Cheyenne River Tribal Council, would deem
24 necessary to include in the park.

1 (c) BUFFER ZONE.—The Secretary shall establish, in
2 consultation with the Cheyenne River Sioux Tribal Council
3 or the Oglala Sioux Tribal Council, a buffer zone around
4 the tribal lands leased to the Secretary under subsection
5 (b).

6 (d) ACQUISITION OF PRIVATELY HELD LANDS.—(1)
7 The Secretary may acquire by purchase, donation, con-
8 demnation, or otherwise, all surface and subsurface rights
9 to any tract of fee patented land which the Director of
10 the National Park Service, in consultation with the Oglala
11 Sioux Tribal Council, shall deem necessary to include in
12 the park located within the Pine Ridge Indian Reserva-
13 tion. All lands acquired by the Secretary under this sub-
14 section shall be taken in the name of the United States
15 in trust for the Oglala Sioux Tribe and shall be subject
16 to lease under subsections (a)(1) and (b).

17 (2) The Secretary shall provide all assistance nec-
18 essary, including financial assistance, to the Oglala Sioux
19 Tribe in acquiring lands within the Wounded Knee Mas-
20 sacre site as defined in the 1990 boundaries studies au-
21 thorized by the National Park Service. Financial assist-
22 ance shall include all costs associated with the relocation
23 of businesses, homes and other structures of persons who
24 may wish to sell or exchange their lands with the tribe.
25 All lands acquired by the tribe pursuant to this section

1 shall be taken in the name of the United States in trust
2 for the Oglala Sioux Tribe. The period of trust on all lands
3 acquired by the tribe shall continue until otherwise pro-
4 vided by Congress.

5 (e) MAP.—As soon as possible after the publication
6 of the first notice of acceptance pursuant to subsection
7 (a), the Secretary shall prepare a map of the park and
8 shall provide copies of such map to the Committee on Nat-
9 ural Resources of the House of Representatives, the Com-
10 mittee on Energy and Natural Resources and the Commit-
11 tee on Indian Affairs of the Senate, the Cheyenne River
12 Sioux Tribe, and the Oglala Sioux Tribe.

13 (f) BOUNDARY ADJUSTMENTS.—The Secretary, after
14 consultation with the Advisory Commission and with the
15 agreement of the Cheyenne River Sioux Tribal Council
16 and the Oglala Sioux Tribal Council, may make minor re-
17 visions in the boundary of the park. Prior to making any
18 such revision, the Secretary shall provide notice of the pro-
19 posed changes in the boundary to the Committee on Natu-
20 ral Resources of the House of Representatives, the Com-
21 mittee on Energy and Natural Resources and the Commit-
22 tee on Indian Affairs of the Senate, the Cheyenne River
23 Sioux Tribe, and the Oglala Sioux Tribe. No such revision
24 shall take effect until after the expiration of 60 days fol-
25 lowing the date on which such notice was provided to such

1 committees and tribes. After the effective date of any such
2 revision, the Secretary shall prepare a revised map of the
3 park, copies of which shall be provided to such committees,
4 the Cheyenne River Sioux Tribe, and the Oglala Sioux
5 Tribe.

6 **SEC. 5. MANAGEMENT.**

7 (a) PURPOSES.—(1) The Secretary, acting through
8 the Director of the National Park Service, and in consulta-
9 tion with the Advisory Commission, shall manage the
10 lands covered by any leasehold accepted by the Secretary
11 pursuant to section 3 as a unit of the National Park Sys-
12 tem consistent with the provisions of this Act, and the Act
13 of August 25, 1916 (16 U.S.C. 1 et seq.) and the Act
14 of August 21, 1935 (16 U.S.C. 461).

15 (2) The Secretary shall protect, manage and admin-
16 ister the park for all the purposes contained in this Act,
17 and particularly for the purpose of protecting the histori-
18 cal significance of the 1890 Wounded Knee Massacre site,
19 and protecting and promoting Sioux history and culture.

20 (3) In implementing this Act, the Secretary shall fully
21 cooperate with the Cheyenne River Sioux Tribe and Oglala
22 Sioux Tribe.

23 (b) JURISDICTION.—(1) The Secretary may enter
24 into agreements, including cross deputization agreements,

1 with the Cheyenne River Sioux Tribe and the Oglala Sioux
2 Tribe for the purpose of law enforcement within the park.

3 (2) Nothing contained in this Act is intended to in-
4 crease the criminal and civil jurisdiction of the State of
5 South Dakota on the Cheyenne River Indian Reservation
6 or the Pine Ridge Indian Reservation.

7 (3) Nothing contained in this Act is intended to in-
8 crease the criminal or civil jurisdiction of the Cheyenne
9 River Sioux Tribe over the Pine Ridge Indian Reservation
10 or the criminal or civil jurisdiction of the Oglala Sioux
11 Tribe over the Cheyenne River Indian Reservation.

12 (c) CONSULTATION.—The Secretary, acting through
13 the Director of the National Park Service, shall consult
14 not less than 4 times each year with the Advisory Commis-
15 sion. The Advisory Commission shall advise the Secretary
16 on the management, operation and maintenance of the
17 park.

18 (d) FEES.—(1) All enrolled members of the—

19 (A) Cheyenne River Sioux Tribe;

20 (B) Crow Creek Sioux Tribe;

21 (C) Devils Lake Sioux Tribe;

22 (D) Flandreau Santee Sioux Tribe;

23 (E) Lower Brule Sioux Tribe;

24 (F) Lower Sioux Tribe of Minnesota;

25 (G) Oglala Sioux Tribe;

1 (H) Prairie Island Sioux Tribe of Minnesota;

2 (I) Rosebud Sioux Tribe;

3 (J) Shakopee-Mdewakanton Sioux Tribe of
4 Minnesota;

5 (K) Sisseton-Wahpeton Sioux Tribe;

6 (L) Standing Rock Sioux Tribe;

7 (M) Santee Sioux Tribe of Nebraska;

8 (N) Sioux Tribe of the Fort Peck Reservation;

9 (O) Upper Sioux Tribe of Minnesota;

10 (P) Yankton Sioux Tribe; and

11 (Q) Sioux Tribes of Canada

12 shall be exempt from the payment of any fees for admis-
13 sion into the park.

14 (2) The Secretary shall collect the admission fee from
15 all other persons entering the park. All fees collected shall
16 be disbursed yearly to the Cheyenne River Sioux Tribe and
17 Oglala Sioux Tribe on a proportional basis as follows:

18 (A) An equivalent yearly lease payment shall be
19 paid to each tribe for tribal lands leased to the Sec-
20 retary under section 4.

21 (B) The remainder of each tribe's respective
22 share shall be paid to the Cheyenne River Sioux
23 Tribal College and the Oglala Lakota College to be
24 used for scholarships for tribal members attending
25 such colleges.

1 (e) TRAINING.—In furtherance of the purposes stated
2 in section 2(b), and after consultation with the Advisory
3 Commission, the Secretary is authorized to enter into co-
4 operative agreements with the Cheyenne River Sioux Tribe
5 and the Oglala Sioux Tribe for the purpose of providing
6 training to tribal members on the interpretation, manage-
7 ment, protection and preservation of historical properties
8 and in the provision of public services on the Cheyenne
9 River Indian Reservation and the Pine Ridge Indian Res-
10 ervation needed for the fulfillment of the purposes of this
11 Act.

12 (f) PREFERENCE.—To the extent feasible and per-
13 missible under existing law, the Secretary shall give pref-
14 erence to employing qualified members of the Cheyenne
15 River Sioux Tribe and the Oglala Sioux Tribe in the devel-
16 opment, interpretation and management of the park, and
17 in carrying out other activities related to the park.

18 **SEC. 6. ESTABLISHMENT OF WOUNDED KNEE NATIONAL**
19 **MEMORIAL; FEASIBILITY STUDIES.**

20 (a) ESTABLISHMENT OF WOUNDED KNEE NATIONAL
21 MEMORIAL.—The Secretary, after consultation with the
22 Wounded Knee Survivors Associations of the Cheyenne
23 River Indian Reservation and the Pine Ridge Indian Res-
24 ervation, shall plan, design, and construct a suitable and
25 appropriate memorial dedicated to the Indian victims of

1 the 1890 Wounded Knee Massacre. The memorial shall
2 be known as the “Wounded Knee National Memorial” and
3 shall consist of—

4 (1) a structure located within the boundaries of
5 the south unit of the park; and

6 (2) a related structure located within the
7 boundaries of the north unit of the park.

8 (b) UPKEEP AND REPAIR OF MEMORIAL AND RELAT-
9 ED STRUCTURE.—The Secretary, acting through the Di-
10 rector of the National Park Service, and in consultation
11 with the Advisory Commission, shall be responsible for the
12 operation, maintenance, upkeep, and repair of the memo-
13 rial, and the related structure located on the Cheyenne
14 River Reservation.

15 (c) FEASIBILITY STUDIES FOR CHIEF BIG FOOT NA-
16 TIONAL HISTORICAL TRAIL, CACTUS FLATS/CHEYENNE
17 RIVER INDIAN RESERVATION VISITOR CENTERS, AND
18 CRAZY HORSE MEMORIAL HIGHWAY.—(1) The Secretary,
19 after consultation with the Advisory Commission, shall
20 complete feasibility studies to—

21 (A) establish and mark the route taken by
22 Chief Big Foot and his band from the Cheyenne
23 River Reservation to Wounded Knee as a national
24 historic trail;

1 (B) establish an information/orientation center
2 on Interstate 90 at Cactus Flats and a visitor center
3 on the Cheyenne River Indian Reservation; and

4 (C) build a scenic two lane highway called the
5 “Crazy Horse Memorial Highway” from Interstate
6 90 to Wounded Knee, and westward from Wounded
7 Knee to Highway 79.

8 (2) The feasibility studies required under paragraph
9 (1) shall be completed and submitted to Congress within
10 365 days following the date of enactment of this Act.

11 **SEC. 7. FEDERAL CONSISTENCY.**

12 (a) FEDERAL ACTIONS.—The head of any Federal
13 agency conducting or supporting activities directly or indi-
14 rectly affecting the park shall—

15 (1) consult with, cooperate with, and, to the
16 maximum extent practicable, coordinate its activities
17 with, the Secretary and the Advisory Commission;
18 and

19 (2) conduct or support such activities in a man-
20 ner which—

21 (A) to the maximum extent practicable is
22 consistent with the standards and criteria es-
23 tablished pursuant to the park plan required by
24 section 9; and

1 (B) will not have a significant adverse ef-
2 fect on the resources or values of the park, as
3 determined by the Secretary.

4 (b) PERMITS.—No Federal agency may issue any li-
5 cense or permit to any persons to conduct any activity
6 within the park which could affect the resources or values
7 of the park unless the Secretary determines that any such
8 proposed activity within the park will be conducted in a
9 manner consistent with the standards and criteria estab-
10 lished pursuant to the park plan, and wherever occurring
11 will not have a significant adverse effect on the resources
12 or values of the park.

13 (c) LIMITATION.—The provisions of this section shall
14 apply only with respect to activities commencing and li-
15 censes or permits issued after the date of enactment of
16 this Act.

17 **SEC. 8. ESTABLISHMENT OF WOUNDED KNEE NATIONAL**
18 **MEMORIAL PARK ADVISORY COMMISSION.**

19 (a) ESTABLISHMENT.—(1) There is established with-
20 in the Department of the Interior a commission to be
21 known as the “Wounded Knee National Memorial Park
22 Advisory Commission” which shall advise regularly the Di-
23 rector of the National Park Service on the planning, man-
24 agement, and administration of the park. The Advisory
25 Commission shall consist of the President of the Cheyenne

1 River Sioux Tribe; the President of the Oglala Sioux
2 Tribe; the Governor of the State of South Dakota; the
3 President of the Wounded Knee District Council; the
4 President of the Wounded Knee Sub-community; the
5 President of the Cheyenne River Wounded Knee Survivors
6 Association; the President of the Pine Ridge Wounded
7 Knee Survivors Association; the Director of the National
8 Park Service; the Secretary of the Smithsonian Institu-
9 tion; the State Historic Preservation Officers of the States
10 of Nebraska and South Dakota (or their designees); and
11 two members appointed by the Secretary from rec-
12 ommendations made by the Cheyenne River Sioux Tribal
13 Council and the Oglala Sioux Tribal Council.

14 (2) The Advisory Commission may employ an admin-
15 istrative director who shall be appointed by the Advisory
16 Commission and paid at a rate not to exceed the rate of
17 pay payable for grade GS-12 of the General Schedule.

18 (3) The administrative director of the Advisory Com-
19 mission may be appointed without regard to the provisions
20 of title 5, United States Code, governing appointments in
21 the competitive service, and may be paid without regard
22 to the provisions of chapter 1, and subchapter III of chap-
23 ter 52 of such title relating to classification and General
24 Schedule pay rates, except that the individual so appointed

1 may not receive pay in excess of the annual rate of basic
2 pay payable for grade GS-12 of the General Schedule.

3 (4) The Administrator of General Services shall pro-
4 vide to the Advisory Commission on a reimbursable basis
5 such administrative support services as the Advisory Com-
6 mission may request.

7 (b) TERMS.—The terms of members of the Advisory
8 Commission appointed by the Secretary from rec-
9 ommendations made by the Cheyenne River Sioux Tribal
10 Council and the Oglala Sioux Tribal Council shall be four
11 years, except that a member may continue to serve until
12 a successor is appointed. A vacancy in the Advisory Com-
13 mission shall be filled in the manner in which the original
14 appointment was made. The Advisory Commission shall
15 exist for the duration of the leasehold accepted by the Sec-
16 retary pursuant to section 3, and any extension or renew-
17 als thereof.

18 (c) EXPENSES.—The non-Federal members of the
19 Advisory Commission appointed pursuant to subsection
20 (a) while away from their homes or regular places of busi-
21 ness in the performance of services for the Advisory Com-
22 mission, shall be allowed travel and all other related
23 expenses, including per diem in lieu of subsistence, in the
24 same manner as persons employed intermittently in Gov-

1 ernment service are allowed expenses under section 5703
2 of title 5, United States Code.

3 (d) CHAIR.—The offices of Chair and Vice Chair of
4 the Advisory Commission shall be rotated between the
5 Presidents of the Cheyenne River Sioux Tribe and the Og-
6 lala Sioux Tribe on a year-to-year basis.

7 (e) MEETINGS.—The Advisory Commission shall
8 meet at the call of the Chair or a majority of its members.
9 Consistent with the public meeting requirements of the
10 Federal Advisory Committee Act, the Advisory Commis-
11 sion shall from time to time meet with persons concerned
12 with park issues relating to the Cheyenne River Sioux
13 Tribe and the Oglala Sioux Tribe. The nontribal members
14 of the Advisory Commission shall not participate in the
15 selection of the administrative director employed under
16 paragraph (2) of subsection (a), or in such other matters
17 as the Secretary determines should be restricted to tribal
18 members.

19 (f) APPLICATION OF FEDERAL ADVISORY COMMIT-
20 TEE ACT.—Except with respect to any requirement for
21 reissuance of a charter and except as otherwise provided
22 in this Act, the provisions of the Federal Advisory Com-
23 mittee Act shall apply to the Advisory Commission.

1 **SEC. 9. PARK PLAN.**

2 (a) DEADLINE.—No later than 2 years after the date
3 of the publication of a notice pursuant to section 4(a), the
4 Secretary, acting through the Director of the National
5 Park Service, and in consultation with the Advisory Com-
6 mission, shall develop and transmit to the Committee on
7 Natural Resources of the House of Representatives and
8 the Committee on Energy and Natural Resources and the
9 Committee on Indian Affairs of the Senate, a general
10 management plan for the park which shall describe the
11 appropriate uses and development of the park consistent
12 with the purposes of this Act.

13 (b) ELEMENTS.—The park plan shall include (but
14 not be limited to) the following:

15 (1) Plans to restore the 1890 Wounded Knee
16 Massacre site to its original condition at the time of
17 the massacre, including the removal of all buildings
18 and structures that have no historical significance.

19 (2) Plans to restore sites associated with the
20 1890 Wounded Knee Massacre on the Cheyenne
21 River Indian Reservation to their original condition,
22 including the removal of all buildings and structures
23 that have no historical significance.

24 (3) Plans for implementation of a continuing
25 program of public involvement, interpretation, and

1 visitor education about the resources and value of
2 the park.

3 (4) Proposals for visitor use facilities to be de-
4 veloped for the park.

5 (5) Plans for management of the natural and
6 cultural resources of the park, giving high priority to
7 the enforcement of the provisions of the National
8 Historic Preservation Act (16 U.S.C. 470 et seq.)
9 within the park. The natural and cultural resources
10 management plans shall be prepared in close con-
11 sultation with the South Dakota and Nebraska State
12 Historic Preservation Offices, the Cheyenne River
13 Sioux Tribe, and the Oglala Sioux Tribe.

14 (6) Proposals for training members of the
15 Cheyenne River Sioux Tribe and the Oglala Sioux
16 Tribe in such fields as interpretation, management,
17 and artifact curation.

18 (7) A plan to protect the religious sanctity of
19 the Wounded Knee Massacre site.

20 (8) Proposals for cooperation, research and in-
21 terpretation programs within the national memorial
22 park to be carried out by the Cheyenne River Sioux
23 Tribe and the Oglala Sioux Tribe through their re-
24 spective tribal colleges, with technical and financial
25 assistance from the National Park Service.

1 (9) Proposals for implementing the provisions
2 of this Act relating to the operation and supply of
3 park concessions by qualified Sioux-owned busi-
4 nesses operating outside of, but adjacent to the
5 boundaries of the park as provided in this Act.

6 **SEC. 10. COOPERATIVE AGREEMENTS.**

7 (a) IN GENERAL.—The Secretary may enter into co-
8 operative agreements with tribal organizations or non-
9 profit corporations to raise funds from private sources to
10 supplement Federal funds authorized under this Act.

11 (b) NEW PROJECTS.—The Secretary may enter into
12 a cooperative agreement with the Tribe or its designated
13 agency or authority or, with the Tribe’s approval, a non-
14 profit corporation, to raise private funds to plan, design,
15 construct, operate and maintain the following projects:

16 (1) An amphitheater dedicated to the indige-
17 nous peoples of the Americas to be located at the
18 Wounded Knee Massacre site within the park, which
19 shall become the permanent home of the Francis
20 Jansen sculpture.

21 (2) A replica of Chief Big Foot’s encampment
22 to be located at the Wounded Knee Massacre site
23 within the park.

24 (3) A museum and cultural center to be located
25 on the Cheyenne River Reservation within the park.

1 (4) A museum and cultural center to be located
2 at the Wounded Knee Massacre site within the park.

3 (5) Meditation gardens and related structures
4 to be located within the park.

5 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated such sums
7 as may be necessary to carry out the provisions of this
8 Act.

9 **SEC. 12. DEFINITIONS.**

10 As used in this Act—

11 (1) the term “Advisory Commission” means the
12 Wounded Knee National Memorial Park Advisory
13 Commission established under section 8;

14 (2) the term “buffer zone” means an area of
15 not less than 220 yards around each tract of land
16 leased to the Secretary under section 4 of this Act
17 in which no commercial development or high-rise
18 structures shall be allowed;

19 (3) the term “memorial” means the Wounded
20 Knee National Memorial established under section 6;

21 (4) the term “park” means lands constituting
22 the Wounded Knee National Memorial Park estab-
23 lished under section 3;

24 (5) the term “park plan” means the general
25 management plan developed under section 9; and

1 (6) the term “Secretary” means the Secretary
2 of the Interior.

○

HR 2435 IH—2