

In the House of Representatives, U. S.,

October 24, 2000.

Resolved, That the bill from the Senate (S. 2749) entitled “An Act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***TITLE I—CALIFORNIA TRAIL***
2 ***INTERPRETIVE CENTER***

3 ***SEC. 101. SHORT TITLE.***

4 *This title may be cited as the “California Trail Inter-*
5 *pretive Act”.*

6 ***SEC. 102. FINDINGS AND PURPOSES.***

7 *(a) FINDINGS.—Congress finds that—*

8 *(1) the nineteenth-century westward movement*
9 *in the United States over the California National*
10 *Historic Trail, which occurred from 1840 until the*
11 *completion of the transcontinental railroad in 1869,*
12 *was an important cultural and historical event in—*

1 (A) *the development of the western land of*
2 *the United States; and*

3 (B) *the prevention of colonization of the*
4 *west coast by Russia and the British Empire;*

5 (2) *the movement over the California Trail was*
6 *completed by over 300,000 settlers, many of whom left*
7 *records or stories of their journeys; and*

8 (3) *additional recognition and interpretation of*
9 *the movement over the California Trail is appropriate*
10 *in light of—*

11 (A) *the national scope of nineteenth-century*
12 *westward movement in the United States; and*

13 (B) *the strong interest expressed by people*
14 *of the United States in understanding their his-*
15 *tory and heritage.*

16 (b) *PURPOSES.—The purposes of this title are—*

17 (1) *to recognize the California Trail, including*
18 *the Hastings Cutoff and the trail of the ill-fated*
19 *Donner-Reed Party, for its national, historical, and*
20 *cultural significance; and*

21 (2) *to provide the public with an interpretive fa-*
22 *cility devoted to the vital role of trails in the West in*
23 *the development of the United States.*

24 **SEC. 103. DEFINITIONS.**

25 *In this title:*

1 (1) *CALIFORNIA TRAIL.*—*The term “California*
 2 *Trail” means the California National Historic Trail,*
 3 *established under section 5(a)(18) of the National*
 4 *Trails System Act (16 U.S.C. 1244(a)(18)).*

5 (2) *CENTER.*—*The term “Center” means the*
 6 *California Trail Interpretive Center established under*
 7 *section 104(a).*

8 (3) *SECRETARY.*—*The term “Secretary” means*
 9 *the Secretary of the Interior, acting through the Di-*
 10 *rector of the Bureau of Land Management.*

11 (4) *STATE.*—*The term “State” means the State*
 12 *of Nevada.*

13 **SEC. 104. CALIFORNIA TRAIL INTERPRETIVE CENTER.**

14 (a) *ESTABLISHMENT.*—

15 (1) *IN GENERAL.*—*In furtherance of the purposes*
 16 *of section 7(c) of the National Trails System Act (16*
 17 *U.S.C. 1246(c)), the Secretary may establish an inter-*
 18 *pretation center to be known as the “California Trail*
 19 *Interpretive Center”, near the city of Elko, Nevada.*

20 (2) *PURPOSE.*—*The Center shall be established*
 21 *for the purpose of interpreting the history of develop-*
 22 *ment and use of the California Trail in the settling*
 23 *of the West.*

24 (b) *MASTER PLAN STUDY.*—*To carry out subsection*

25 (a), *the Secretary shall—*

1 (1) *consider the findings of the master plan*
2 *study for the California Trail Interpretive Center in*
3 *Elko, Nevada, as authorized by page 15 of Senate Re-*
4 *port 106–99; and*

5 (2) *initiate a plan for the development of the*
6 *Center that includes—*

7 (A) *a detailed description of the design of*
8 *the Center;*

9 (B) *a description of the site on which the*
10 *Center is to be located;*

11 (C) *a description of the method and esti-*
12 *mated cost of acquisition of the site on which the*
13 *Center is to be located;*

14 (D) *the estimated cost of construction of the*
15 *Center;*

16 (E) *the cost of operation and maintenance*
17 *of the Center; and*

18 (F) *a description of the manner and extent*
19 *to which non-Federal entities shall participate in*
20 *the acquisition and construction of the Center.*

21 (c) *IMPLEMENTATION.—To carry out subsection (a),*
22 *the Secretary may—*

23 (1) *acquire land and interests in land for the*
24 *construction of the Center by—*

25 (A) *donation;*

1 (B) purchase with donated or appropriated
2 funds; or

3 (C) exchange;

4 (2) provide for local review of and input con-
5 cerning the development and operation of the Center
6 by the Advisory Board for the National Historic Cali-
7 fornia Emigrant Trails Interpretive Center of the city
8 of Elko, Nevada;

9 (3) periodically prepare a budget and funding
10 request that allows a Federal agency to carry out the
11 maintenance and operation of the Center;

12 (4) enter into a cooperative agreement with—

13 (A) the State, to provide assistance in—

14 (i) removal of snow from roads;

15 (ii) rescue, firefighting, and law en-
16 forcement services; and

17 (iii) coordination of activities of near-
18 by law enforcement and firefighting depart-
19 ments or agencies; and

20 (B) a Federal, State, or local agency to de-
21 velop or operate facilities and services to carry
22 out this title; and

23 (5) notwithstanding any other provision of law,
24 accept donations of funds, property, or services from
25 an individual, foundation, corporation, or public en-

1 *tity to provide a service or facility that is consistent*
 2 *with this title, as determined by the Secretary, in-*
 3 *cluding 1-time contributions for the Center (to be*
 4 *payable during construction funding periods for the*
 5 *Center after the date of enactment of this Act) from—*

6 *(A) the State, in the amount of \$3,000,000;*

7 *(B) Elko County, Nevada, in the amount of*
 8 *\$1,000,000; and*

9 *(C) the city of Elko, Nevada, in the amount*
 10 *of \$2,000,000.*

11 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

12 *There is authorized to be appropriated to carry out*
 13 *this title \$12,000,000.*

14 **TITLE II—CONVEYANCE OF NA-**
 15 **TIONAL FOREST SYSTEM**
 16 **LANDS FOR EDUCATIONAL**
 17 **PURPOSES**

18 **SEC. 201. SHORT TITLE.**

19 *This title may be cited as the “Education Land Grant*
 20 *Act”.*

21 **SEC. 202. CONVEYANCE OF NATIONAL FOREST SYSTEM**
 22 **LANDS FOR EDUCATIONAL PURPOSES.**

23 *(a) AUTHORITY TO CONVEY.—Upon written applica-*
 24 *tion, the Secretary of Agriculture may convey National For-*

1 *est System lands to a public school district for use for edu-*
2 *cational purposes if the Secretary determines that—*

3 (1) *the public school district seeking the convey-*
4 *ance will use the conveyed land for a public or pub-*
5 *licly funded elementary or secondary school, to pro-*
6 *vide grounds or facilities related to such a school, or*
7 *for both purposes;*

8 (2) *the conveyance will serve the public interest;*

9 (3) *the land to be conveyed is not otherwise need-*
10 *ed for the purposes of the National Forest System;*

11 (4) *the total acreage to be conveyed does not ex-*
12 *ceed the amount reasonably necessary for the proposed*
13 *use;*

14 (5) *the land is to be used for an established or*
15 *proposed project that is described in detail in the ap-*
16 *plication to the Secretary, and the conveyance would*
17 *serve public objectives (either locally or at large) that*
18 *outweigh the objectives and values which would be*
19 *served by maintaining such land in Federal owner-*
20 *ship;*

21 (6) *the applicant is financially and otherwise*
22 *capable of implementing the proposed project;*

23 (7) *the land to be conveyed has been identified*
24 *for disposal in an applicable land and resource man-*
25 *agement plan under the Forest and Rangeland Re-*

1 *newable Resources Planning Act of 1974 (16 U.S.C.*
2 *1600 et seq.); and*

3 *(8) an opportunity for public participation in a*
4 *disposal under this section has been provided, includ-*
5 *ing at least one public hearing or meeting, to provide*
6 *for public comments.*

7 *(b) ACREAGE LIMITATION.—A conveyance under this*
8 *section may not exceed 80 acres. However, this limitation*
9 *shall not be construed to preclude an entity from submitting*
10 *a subsequent application under this section for an addi-*
11 *tional land conveyance if the entity can demonstrate to the*
12 *Secretary a need for additional land.*

13 *(c) COSTS AND MINERAL RIGHTS.—(1) A conveyance*
14 *under this section shall be for a nominal cost. The convey-*
15 *ance may not include the transfer of mineral or water*
16 *rights.*

17 *(2) If necessary, the exact acreage and legal description*
18 *of the real property conveyed under this title shall be deter-*
19 *mined by a survey satisfactory to the Secretary and the*
20 *applicant. The cost of the survey shall be borne by the appli-*
21 *cant.*

22 *(d) REVIEW OF APPLICATIONS.—When the Secretary*
23 *receives an application under this section, the Secretary*
24 *shall—*

1 (1) *before the end of the 14-day period beginning*
2 *on the date of the receipt of the application, provide*
3 *notice of that receipt to the applicant; and*

4 (2) *before the end of the 120-day period begin-*
5 *ning on that date—*

6 (A) *make a final determination whether or*
7 *not to convey land pursuant to the application,*
8 *and notify the applicant of that determination;*
9 *or*

10 (B) *submit written notice to the applicant*
11 *containing the reasons why a final determina-*
12 *tion has not been made.*

13 (e) *REVERSIONARY INTEREST.—If, at any time after*
14 *lands are conveyed pursuant to this section, the entity to*
15 *whom the lands were conveyed attempts to transfer title to*
16 *or control over the lands to another or the lands are devoted*
17 *to a use other than the use for which the lands were con-*
18 *veyed, title to the lands shall revert to the United States.*

1 **TITLE III—GOLDEN SPIKE/
2 CROSSROADS OF THE WEST
3 NATIONAL HERITAGE AREA
4 STUDY AREA AND THE CROSS-
5 ROADS OF THE WEST HIS-
6 TORIC DISTRICT**

7 **SEC. 301. AUTHORIZATION OF STUDY.**

8 (a) *DEFINITIONS.*—For the purposes of this section:

9 (1) *GOLDEN SPIKE RAIL STUDY.*—The term
10 “Golden Spike Rail Study” means the Golden Spike
11 Rail Feasibility Study, Reconnaissance Survey,
12 Ogden, Utah to Golden Spike National Historic
13 Site”, National Park Service, 1993.

14 (2) *SECRETARY.*—The term “Secretary” means
15 the Secretary of the Interior.

16 (3) *STUDY AREA.*—The term “Study Area”
17 means the Golden Spike/Crossroads of the West Na-
18 tional Heritage Area Study Area, the boundaries of
19 which are described in subsection (d).

20 (b) *IN GENERAL.*—The Secretary shall conduct a study
21 of the Study Area which includes analysis and documenta-
22 tion necessary to determine whether the Study Area—

23 (1) has an assemblage of natural, historic, and
24 cultural resources that together represent distinctive
25 aspects of American heritage worthy of recognition,

1 *conservation, interpretation, and continuing use, and*
2 *are best managed through partnerships among public*
3 *and private entities;*

4 *(2) reflects traditions, customs, beliefs, and folk-*
5 *life that are a valuable part of the national story;*

6 *(3) provides outstanding opportunities to con-*
7 *serve natural, historic, cultural, or scenic features;*

8 *(4) provides outstanding recreational and edu-*
9 *cational opportunities;*

10 *(5) contains resources important to the identified*
11 *theme or themes of the Study Area that retain a de-*
12 *gree of integrity capable of supporting interpretation;*

13 *(6) includes residents, business interests, non-*
14 *profit organizations, and local and State governments*
15 *who have demonstrated support for the concept of a*
16 *National Heritage Area; and*

17 *(7) has a potential management entity to work*
18 *in partnership with residents, business interests, non-*
19 *profit organizations, and local and State governments*
20 *to develop a National Heritage Area consistent with*
21 *continued local and State economic activity.*

22 *(c) CONSULTATION.—In conducting the study, the Sec-*
23 *retary shall—*

1 (1) *consult with the State Historic Preservation*
 2 *Officer, State Historical Society, and other appro-*
 3 *priate organizations; and*

4 (2) *use previously completed materials, including*
 5 *the Golden Spike Rail Study.*

6 (d) *BOUNDARIES OF STUDY AREA.—The Study Area*
 7 *shall be comprised of sites relating to completion of the first*
 8 *transcontinental railroad in the State of Utah, concen-*
 9 *trating on those areas identified on the map included in*
 10 *the Golden Spike Rail Study.*

11 (e) *REPORT.—Not later than 3 fiscal years after funds*
 12 *are first made available to carry out this section, the Sec-*
 13 *retary shall submit to the Committee on Resources of the*
 14 *House of Representatives and the Committee on Energy and*
 15 *Natural Resources of the Senate a report on the findings*
 16 *and conclusions of the study and recommendations based*
 17 *upon those findings and conclusions.*

18 (f) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 19 *authorized to be appropriated to the Secretary such sums*
 20 *as may be necessary to carry out the provisions of this sec-*
 21 *tion.*

22 **SEC. 302. CROSSROADS OF THE WEST HISTORIC DISTRICT.**

23 (a) *PURPOSES.—The purposes of this section are—*

24 (1) *to preserve and interpret, for the educational*
 25 *and inspirational benefit of the public, the contribu-*

1 *tion to our national heritage of certain historic and*
 2 *cultural lands and edifices of the Crossroads of the*
 3 *West Historic District; and*

4 *(2) to enhance cultural and compatible economic*
 5 *redevelopment within the District.*

6 *(b) DEFINITIONS.—For the purposes of this section:*

7 *(1) DISTRICT.—The term “District” means the*
 8 *Crossroads of the West Historic District established by*
 9 *subsection (c).*

10 *(2) SECRETARY.—The term “Secretary” means*
 11 *the Secretary of the Interior.*

12 *(3) HISTORIC INFRASTRUCTURE.—The term*
 13 *“historic infrastructure” means the District’s historic*
 14 *buildings and any other structure that the Secretary*
 15 *determines to be eligible for listing on the National*
 16 *Register of Historic Places.*

17 *(c) CROSSROADS OF THE WEST HISTORIC DIS-*
 18 *TRICT.—*

19 *(1) ESTABLISHMENT.—There is established the*
 20 *Crossroads of the West Historic District in the city of*
 21 *Ogden, Utah.*

22 *(2) BOUNDARIES.—The boundaries of the Dis-*
 23 *trict shall be the boundaries depicted on the map enti-*
 24 *tled “Crossroads of the West Historic District”, num-*
 25 *bered OGGO-20,000, and dated March 22, 2000. The*

1 *map shall be on file and available for public inspec-*
2 *tion in the appropriate offices of the Department of*
3 *the Interior.*

4 *(d) DEVELOPMENT PLAN.—The Secretary may make*
5 *grants and enter into cooperative agreements with the State*
6 *of Utah, local governments, and nonprofit entities under*
7 *which the Secretary agrees to pay not more than 50 percent*
8 *of the costs of—*

9 *(1) preparation of a plan for the development of*
10 *historic, architectural, natural, cultural, and inter-*
11 *pretive resources within the District;*

12 *(2) implementation of projects approved by the*
13 *Secretary under the development plan described in*
14 *paragraph (1); and*

15 *(3) an analysis assessing measures that could be*
16 *taken to encourage economic development and revital-*
17 *ization within the District in a manner consistent*
18 *with the District's historic character.*

19 *(e) RESTORATION, PRESERVATION, AND INTERPRETA-*
20 *TION OF PROPERTIES.—*

21 *(1) COOPERATIVE AGREEMENTS.—The Secretary*
22 *may enter into cooperative agreements with the State*
23 *of Utah, local governments, and nonprofit entities*
24 *owning property within the District under which the*
25 *Secretary may—*

1 (A) pay not more than 50 percent of the
2 cost of restoring, repairing, rehabilitating, and
3 improving historic infrastructure within the Dis-
4 trict;

5 (B) provide technical assistance with re-
6 spect to the preservation and interpretation of
7 properties within the District; and

8 (C) mark and provide interpretation of
9 properties within the District.

10 (2) *NON-FEDERAL CONTRIBUTIONS.*—When de-
11 termining the cost of restoring, repairing, rehabili-
12 tating, and improving historic infrastructure within
13 the District for the purposes of paragraph (1)(A), the
14 Secretary may consider any donation of property,
15 services, or goods from a non-Federal source as a con-
16 tribution of funds from a non-Federal source.

17 (3) *PROVISIONS.*—A cooperative agreement
18 under paragraph (1) shall provide that—

19 (A) the Secretary shall have the right of ac-
20 cess at reasonable times to public portions of the
21 property for interpretive and other purposes;

22 (B) no change or alteration may be made in
23 the property except with the agreement of the
24 property owner, the Secretary, and any Federal

1 *agency that may have regulatory jurisdiction*
2 *over the property; and*

3 *(C) any construction grant made under this*
4 *section shall be subject to an agreement that*
5 *provides—*

6 *(I) that conversion, use, or disposal of*
7 *the project so assisted for purposes contrary*
8 *to the purposes of this section shall result in*
9 *a right of the United States to compensa-*
10 *tion from the beneficiary of the grant; and*

11 *(II) for a schedule for such compensa-*
12 *tion based on the level of Federal investment*
13 *and the anticipated useful life of the project.*

14 *(4) APPLICATIONS.—*

15 *(A) IN GENERAL.—A property owner that*
16 *desires to enter into a cooperative agreement*
17 *under paragraph (1) shall submit to the Sec-*
18 *retary an application describing how the project*
19 *proposed to be funded will further the purposes*
20 *of the management plan developed for the Dis-*
21 *trict.*

22 *(B) CONSIDERATION.—In making such*
23 *funds available under this subsection, the Sec-*
24 *retary shall give consideration to projects that*
25 *provide a greater leverage of Federal funds.*

1 (f) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
2 *authorized to be appropriated to the Secretary to carry out*
3 *this section not more than \$1,000,000 for any fiscal year*
4 *and not more than \$5,000,000 total.*

Amend the title so as to read “An Act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.”.

Attest:

Clerk.

106TH CONGRESS
2D SESSION

S. 2749

AMENDMENTS