

Calendar No. 424

110TH CONGRESS
1ST SESSION

S. 2179

To authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2007

Mr. BINGAMAN introduced the following bill; which was read the first time

OCTOBER 18, 2007

Read the second time and placed on the calendar

A BILL

To authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Forests, Parks, Public Land, and Reclamation
6 Projects Authorization Act of 2007”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FOREST SERVICE AUTHORIZATIONS

Sec. 101. Wild Sky Wilderness.

Sec. 102. Designation of national recreational trail, Willamette National Forest, Oregon, in honor of Jim Weaver, a former Member of the House of Representatives.

TITLE II—BUREAU OF LAND MANAGEMENT AUTHORIZATIONS

Sec. 201. Piedras Blancas Historic Light Station.

TITLE III—NATIONAL PARK SERVICE AUTHORIZATIONS

Subtitle A—Cooperative Agreements

Sec. 301. Cooperative agreements for national park natural resource protection.

Subtitle B—Carl Sandburg Home National Historic Site

Sec. 311. Carl Sandburg Home National Historic Site boundary adjustment.

Subtitle C—Studies

Sec. 321. National Park System special resource study, Newtonia Civil War Battlefields, Missouri.

Sec. 322. National Park Service study regarding the Soldiers' Memorial Military Museum.

Sec. 323. Columbia-Pacific National Heritage Area study.

Subtitle D—Memorials, Commissions, and Museums

Sec. 331. Commemorative work to honor Brigadier General Francis Marion and his family.

Sec. 332. Extension of authority for establishing disabled veterans memorial.

Sec. 333. Commission to Study the Potential Creation of a National Museum of the American Latino.

Sec. 334. Hudson-Fulton-Champlain Quadricentennial Commemoration Commission.

Sec. 335. Sense of Congress regarding the designation of the National Museum of Wildlife Art of the United States.

Subtitle E—Trails and Rivers

Sec. 341. Authorization and administration of Star-Spangled Banner National Historic Trail.

Sec. 342. Land conveyance, Lewis and Clark National Historic Trail, Nebraska.

Sec. 343. Wild and Scenic River designation, Eightmile River, Connecticut.

TITLE IV—BUREAU OF RECLAMATION AND UNITED STATES
 GEOLOGICAL SURVEY AUTHORIZATIONS

Sec. 401. Alaska water resources study.

- Sec. 402. Renegotiation of payment schedule, Redwood Valley County Water District.
- Sec. 403. American River Pump Station Project transfer.
- Sec. 404. Arthur V. Watkins Dam enlargement.
- Sec. 405. New Mexico water planning assistance.
- Sec. 406. Conveyance of certain buildings and lands of the Yakima Project, Washington.
- Sec. 407. Conjunctive use of surface and groundwater in Juab County, Utah.
- Sec. 408. Early repayment of A & B Irrigation District construction costs.

TITLE V—DEPARTMENT OF ENERGY AUTHORIZATIONS

- Sec. 501. Energy technology transfer.
- Sec. 502. Amendments to the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988.

1 **TITLE I—FOREST SERVICE**
 2 **AUTHORIZATIONS**

3 **SEC. 101. WILD SKY WILDERNESS.**

4 (a) ADDITIONS TO THE NATIONAL WILDERNESS
 5 PRESERVATION SYSTEM.—

6 (1) ADDITIONS.—The following Federal lands
 7 in the State of Washington are hereby designated as
 8 wilderness and, therefore, as components of the Na-
 9 tional Wilderness Preservation System: certain lands
 10 which comprise approximately 106,000 acres, as
 11 generally depicted on a map entitled “Wild Sky Wil-
 12 derness Proposal” and dated February 6, 2007,
 13 which shall be known as the “Wild Sky Wilderness”.

14 (2) MAP AND LEGAL DESCRIPTIONS.—As soon
 15 as practicable after the date of enactment of this
 16 Act, the Secretary of Agriculture shall file a map
 17 and a legal description for the wilderness area des-
 18 ignated under this section with the Committee on

1 Energy and Natural Resources of the Senate and
2 the Committee on Natural Resources of the House
3 of Representatives. The map and description shall
4 have the same force and effect as if included in this
5 section, except that the Secretary of Agriculture may
6 correct clerical and typographical errors in the legal
7 description and map. The map and legal description
8 shall be on file and available for public inspection in
9 the office of the Chief of the Forest Service, Depart-
10 ment of Agriculture.

11 (b) ADMINISTRATION PROVISIONS.—

12 (1) IN GENERAL.—

13 (A) Subject to valid existing rights, lands
14 designated as wilderness by this section shall be
15 managed by the Secretary of Agriculture in ac-
16 cordance with the Wilderness Act (16 U.S.C.
17 1131 et seq.) and this section, except that, with
18 respect to any wilderness areas designated by
19 this section, any reference in the Wilderness
20 Act to the effective date of the Wilderness Act
21 shall be deemed to be a reference to the date
22 of enactment of this Act.

23 (B) To fulfill the purposes of this section
24 and the Wilderness Act and to achieve adminis-
25 trative efficiencies, the Secretary of Agriculture

1 may manage the area designated by this section
2 as a comprehensive part of the larger complex
3 of adjacent and nearby wilderness areas.

4 (2) NEW TRAILS.—

5 (A) The Secretary of Agriculture shall con-
6 sult with interested parties and shall establish
7 a trail plan for Forest Service lands in order to
8 develop—

9 (i) a system of hiking and equestrian
10 trails within the wilderness designated by
11 this section in a manner consistent with
12 the Wilderness Act (16 U.S.C. 1131 et
13 seq.); and

14 (ii) a system of trails adjacent to or to
15 provide access to the wilderness designated
16 by this section.

17 (B) Within 2 years after the date of enact-
18 ment of this Act, the Secretary of Agriculture
19 shall complete a report on the implementation
20 of the trail plan required under this section.
21 This report shall include the identification of
22 priority trails for development.

23 (3) REPEATER SITE.—Within the Wild Sky
24 Wilderness, the Secretary of Agriculture is author-
25 ized to use helicopter access to construct and main-

1 tain a joint Forest Service and Snohomish County
2 telecommunications repeater site, in compliance with
3 a Forest Service approved communications site plan,
4 for the purposes of improving communications for
5 safety, health, and emergency services.

6 (4) FLOAT PLANE ACCESS.—As provided by
7 section 4(d)(1) of the Wilderness Act (16 U.S.C.
8 1133(d)(1)), the use of floatplanes on Lake Isabel,
9 where such use has already become established, shall
10 be permitted to continue subject to such reasonable
11 restrictions as the Secretary of Agriculture deter-
12 mines to be desirable.

13 (5) EVERGREEN MOUNTAIN LOOKOUT.—The
14 designation under this section shall not preclude the
15 operation and maintenance of the existing Evergreen
16 Mountain Lookout in the same manner and degree
17 in which the operation and maintenance of such
18 lookout was occurring as of the date of enactment
19 of this Act.

20 (c) AUTHORIZATION FOR LAND ACQUISITION.—

21 (1) IN GENERAL.—The Secretary of Agriculture
22 is authorized to acquire lands and interests therein,
23 by purchase, donation, or exchange, and shall give
24 priority consideration to those lands identified as
25 “Priority Acquisition Lands” on the map described

1 in subsection (a)(1). The boundaries of the Mt.
2 Baker-Snoqualmie National Forest and the Wild
3 Sky Wilderness shall be adjusted to encompass any
4 lands acquired pursuant to this section.

5 (2) ACCESS.—Consistent with section 5(a) of
6 the Wilderness Act (16 U.S.C. 1134(a)), the Sec-
7 retary of Agriculture shall ensure adequate access to
8 private inholdings within the Wild Sky Wilderness.

9 (3) APPRAISAL.—Valuation of private lands
10 shall be determined without reference to any restric-
11 tions on access or use which arise out of designation
12 as a wilderness area as a result of this section.

13 (d) LAND EXCHANGES.—The Secretary of Agri-
14 culture shall exchange lands and interests in lands, as gen-
15 erally depicted on a map entitled “Chelan County Public
16 Utility District Exchange” and dated May 22, 2002, with
17 the Chelan County Public Utility District in accordance
18 with the following provisions:

19 (1) If the Chelan County Public Utility District,
20 within 90 days after the date of enactment of this
21 Act, offers to the Secretary of Agriculture approxi-
22 mately 371.8 acres within the Mt. Baker-Snoqualmie
23 National Forest in the State of Washington, the
24 Secretary shall accept such lands.

1 (2) Upon acceptance of title by the Secretary of
2 Agriculture to such lands and interests therein, the
3 Secretary of Agriculture shall convey to the Chelan
4 County Public Utility District a permanent ease-
5 ment, including helicopter access, consistent with
6 such levels as used as of the date of enactment of
7 this Act, to maintain an existing telemetry site to
8 monitor snow pack on 1.82 acres on the Wenatchee
9 National Forest in the State of Washington.

10 (3) The exchange directed by this section shall
11 be consummated if Chelan County Public Utility
12 District conveys title acceptable to the Secretary and
13 provided there is no hazardous material on the site,
14 which is objectionable to the Secretary.

15 (4) In the event Chelan County Public Utility
16 District determines there is no longer a need to
17 maintain a telemetry site to monitor the snow pack
18 for calculating expected runoff into the Lake Chelan
19 hydroelectric project and the hydroelectric projects
20 in the Columbia River Basin, the Secretary shall be
21 notified in writing and the easement shall be extin-
22 guished and all rights conveyed by this exchange
23 shall revert to the United States.

1 **SEC. 102. DESIGNATION OF NATIONAL RECREATIONAL**
 2 **TRAIL, WILLAMETTE NATIONAL FOREST, OR-**
 3 **EGON, IN HONOR OF JIM WEAVER, A FORMER**
 4 **MEMBER OF THE HOUSE OF REPRESENTA-**
 5 **TIVES.**

6 (a) DESIGNATION.—Forest Service trail number
 7 3590 in the Willamette National Forest in Lane County,
 8 Oregon, which is a 19.6 mile trail that begins and ends
 9 at North Waldo Campground and circumnavigates Waldo
 10 Lake, is hereby designated as a national recreation trail
 11 under section 4 of the National Trails System Act (16
 12 U.S.C. 1243) and shall be known as the “Jim Weaver
 13 Loop Trail”.

14 (b) INTERPRETIVE SIGN.—Using funds available for
 15 the Forest Service, the Secretary of Agriculture shall pre-
 16 pare, install, and maintain an appropriate sign at the
 17 trailhead of the Jim Weaver Loop Trail to indicate the
 18 name of the trail and to provide information regarding the
 19 life and career of Congressman Jim Weaver.

20 **TITLE II—BUREAU OF LAND**
 21 **MANAGEMENT AUTHORIZA-**
 22 **TIONS**

23 **SEC. 201. PIEDRAS BLANCAS HISTORIC LIGHT STATION.**

24 (a) DEFINITIONS.—In this section:

25 (1) LIGHT STATION.—The term “Light Sta-
 26 tion” means Piedras Blancas Light Station.

1 (2) OUTSTANDING NATURAL AREA.—The term
2 “Outstanding Natural Area” means the Piedras
3 Blancas Historic Light Station Outstanding Natural
4 Area established pursuant to subsection (c).

5 (3) PUBLIC LANDS.—The term “public lands”
6 has the meaning stated in section 103(e) of the Fed-
7 eral Land Policy and Management Act of 1976 (43
8 U.S.C. 1703(e)).

9 (4) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (b) FINDINGS.—Congress finds as follows:

12 (1) The publicly owned Piedras Blancas Light
13 Station has nationally recognized historical struc-
14 tures that should be preserved for present and fu-
15 ture generations.

16 (2) The coastline adjacent to the Light Station
17 is internationally recognized as having significant
18 wildlife and marine habitat that provides critical in-
19 formation to research institutions throughout the
20 world.

21 (3) The Light Station tells an important story
22 about California’s coastal prehistory and history in
23 the context of the surrounding region and commu-
24 nities.

1 (4) The coastal area surrounding the Light Sta-
2 tion was traditionally used by Indian people, includ-
3 ing the Chumash and Salinan Indian tribes.

4 (5) The Light Station is historically associated
5 with the nearby world-famous Hearst Castle (Hearst
6 San Simeon State Historical Monument), now ad-
7 ministered by the State of California.

8 (6) The Light Station represents a model part-
9 nership where future management can be success-
10 fully accomplished among the Federal Government,
11 the State of California, San Luis Obispo County,
12 local communities, and private groups.

13 (7) Piedras Blancas Historic Light Station
14 Outstanding Natural Area would make a significant
15 addition to the National Landscape Conservation
16 System administered by the Department of the Inte-
17 rior's Bureau of Land Management.

18 (8) Statutory protection is needed for the Light
19 Station and its surrounding Federal lands to ensure
20 that it remains a part of our historic, cultural, and
21 natural heritage and to be a source of inspiration for
22 the people of the United States.

23 (c) DESIGNATION OF THE PIEDRAS BLANCAS HIS-
24 TORIC LIGHT STATION OUTSTANDING NATURAL AREA.—

1 (1) IN GENERAL.—In order to protect, con-
2 serve, and enhance for the benefit and enjoyment of
3 present and future generations the unique and na-
4 tionally important historical, natural, cultural, sci-
5 entific, educational, scenic, and recreational values
6 of certain lands in and around the Piedras Blancas
7 Light Station, in San Luis Obispo County, Cali-
8 fornia, while allowing certain recreational and re-
9 search activities to continue, there is established,
10 subject to valid existing rights, the Piedras Blancas
11 Historic Light Station Outstanding Natural Area.

12 (2) MAPS AND LEGAL DESCRIPTIONS.—The
13 boundaries of the Outstanding Natural Area as
14 those shown on the map entitled “Piedras Blancas
15 Historic Light Station: Outstanding Natural Area”,
16 dated May 5, 2004, which shall be on file and avail-
17 able for public inspection in the Office of the Direc-
18 tor, Bureau of Land Management, United States
19 Department of the Interior, and the State office of
20 the Bureau of Land Management in the State of
21 California.

22 (3) BASIS OF MANAGEMENT.—The Secretary
23 shall manage the Outstanding Natural Area as part
24 of the National Landscape Conservation System to
25 protect the resources of the area, and shall allow

1 only those uses that further the purposes for the es-
2 tablishment of the Outstanding Natural Area, the
3 Federal Land Policy and Management Act of 1976
4 (43 U.S.C. 1701 et seq.), and other applicable laws.

5 (4) WITHDRAWAL.—Subject to valid existing
6 rights, and in accordance with the existing with-
7 drawal as set forth in Public Land Order 7501 (Oct.
8 12, 2001, Vol. 66, No. 198, Federal Register
9 52149), the Federal lands and interests in lands in-
10 cluded within the Outstanding Natural Area are
11 hereby withdrawn from—

12 (A) all forms of entry, appropriation, or
13 disposal under the public land laws;

14 (B) location, entry, and patent under the
15 public land mining laws; and

16 (C) operation of the mineral leasing and
17 geothermal leasing laws and the mineral mate-
18 rials laws.

19 (d) MANAGEMENT OF THE PIEDRAS BLANCAS HIS-
20 TORIC LIGHT STATION OUTSTANDING NATURAL AREA.—

21 (1) IN GENERAL.—The Secretary shall manage
22 the Outstanding Natural Area in a manner that con-
23 serves, protects, and enhances the unique and na-
24 tionally important historical, natural, cultural, sci-
25 entific, educational, scenic, and recreational values

1 of that area, including an emphasis on preserving
2 and restoring the Light Station facilities, consistent
3 with the requirements of subsection (c)(3).

4 (2) USES.—Subject to valid existing rights, the
5 Secretary shall only allow such uses of the Out-
6 standing Natural Area as the Secretary finds are
7 likely to further the purposes for which the Out-
8 standing Natural Area is established as set forth in
9 subsection (c)(1).

10 (3) MANAGEMENT PLAN.—Not later than 3
11 years after of the date of enactment of this Act, the
12 Secretary shall complete a comprehensive manage-
13 ment plan consistent with the requirements of sec-
14 tion 202 of the Federal Land Policy and Manage-
15 ment Act of 1976 (43 U.S.C. 1712) to provide long-
16 term management guidance for the public lands
17 within the Outstanding Natural Area and fulfill the
18 purposes for which it is established, as set forth in
19 subsection (c)(1). The management plan shall be de-
20 veloped in consultation with appropriate Federal,
21 State, and local government agencies, with full pub-
22 lic participation, and the contents shall include—

23 (A) provisions designed to ensure the pro-
24 tection of the resources and values described in
25 subsection (c)(1);

1 (B) objectives to restore the historic Light
2 Station and ancillary buildings;

3 (C) an implementation plan for a con-
4 tinuing program of interpretation and public
5 education about the Light Station and its im-
6 portance to the surrounding community;

7 (D) a proposal for minimal administrative
8 and public facilities to be developed or improved
9 at a level compatible with achieving the re-
10 sources objectives for the Outstanding Natural
11 Area as described in paragraph (1) and with
12 other proposed management activities to accom-
13 modate visitors and researchers to the Out-
14 standing Natural Area; and

15 (E) cultural resources management strate-
16 gies for the Outstanding Natural Area, pre-
17 pared in consultation with appropriate depart-
18 ments of the State of California, with emphasis
19 on the preservation of the resources of the Out-
20 standing Natural Area and the interpretive,
21 education, and long-term scientific uses of the
22 resources, giving priority to the enforcement of
23 the Archaeological Resources Protection Act of
24 1979 (16 U.S.C. 470aa et seq.) and the Na-

1 tional Historic Preservation Act (16 U.S.C. 470
2 et seq.) within the Outstanding Natural Area.

3 (4) COOPERATIVE AGREEMENTS.—In order to
4 better implement the management plan and to con-
5 tinue the successful partnerships with the local com-
6 munities and the Hearst San Simeon State Histor-
7 ical Monument, administered by the California De-
8 partment of Parks and Recreation, the Secretary
9 may enter into cooperative agreements with the ap-
10 appropriate Federal, State, and local agencies pursu-
11 ant to section 307(b) of the Federal Land Manage-
12 ment Policy and Management Act of 1976 (43
13 U.S.C. 1737(b)).

14 (5) RESEARCH ACTIVITIES.—In order to con-
15 tinue the successful partnership with research orga-
16 nizations and agencies and to assist in the develop-
17 ment and implementation of the management plan,
18 the Secretary may authorize within the Outstanding
19 Natural Area appropriate research activities for the
20 purposes identified in subsection (c)(1) and pursuant
21 to section 307(a) of the Federal Land Policy and
22 Management Act of 1976 (43 U.S.C. 1737(a)).

23 (6) ACQUISITION.—State and privately held
24 lands or interests in lands adjacent to the Out-
25 standing Natural Area and identified as appropriate

1 for acquisition in the management plan may be ac-
2 quired by the Secretary as part of the Outstanding
3 Natural Area only by—

4 (A) donation;

5 (B) exchange with a willing party; or

6 (C) purchase from a willing seller.

7 (7) ADDITIONS TO THE OUTSTANDING NAT-
8 URAL AREA.—Any lands or interest in lands adja-
9 cent to the Outstanding Natural Area acquired by
10 the United States after the date of enactment of this
11 Act shall be added to and administered as part of
12 the Outstanding Natural Area.

13 (8) OVERFLIGHTS.—Nothing in this section or
14 the management plan shall be construed to—

15 (A) restrict or preclude overflights, includ-
16 ing low level overflights, military, commercial,
17 and general aviation overflights that can be
18 seen or heard within the Outstanding Natural
19 Area;

20 (B) restrict or preclude the designation or
21 creation of new units of special use airspace or
22 the establishment of military flight training
23 routes over the Outstanding Natural Area; or

1 (C) modify regulations governing low-level
2 overflights above the adjacent Monterey Bay
3 National Marine Sanctuary.

4 (9) LAW ENFORCEMENT ACTIVITIES.—Nothing
5 in this section shall be construed to preclude or oth-
6 erwise affect coastal border security operations or
7 other law enforcement activities by the Coast Guard
8 or other agencies within the Department of Home-
9 land Security, the Department of Justice, or any
10 other Federal, State, and local law enforcement
11 agencies within the Outstanding Natural Area.

12 (10) NATIVE AMERICAN USES AND INTER-
13 ESTS.—In recognition of the past use of the Out-
14 standing Natural Area by Indians and Indian tribes
15 for traditional cultural and religious purposes, the
16 Secretary shall ensure access to the Outstanding
17 Natural Area by Indians and Indian tribes for such
18 traditional cultural and religious purposes. In imple-
19 menting this subsection, the Secretary, upon the re-
20 quest of an Indian tribe or Indian religious commu-
21 nity, shall temporarily close to the general public use
22 of one or more specific portions of the Outstanding
23 Natural Area in order to protect the privacy of tra-
24 ditional cultural and religious activities in such areas
25 by the Indian tribe or Indian religious community.

1 Any such closure shall be made to affect the smallest
2 practicable area for the minimum period necessary
3 for such purposes. Such access shall be consistent
4 with the purpose and intent of Public Law 95–341
5 (42 U.S.C. 1996 et seq.; commonly referred to as
6 the “American Indian Religious Freedom Act”).

7 (11) NO BUFFER ZONES.—The designation of
8 the Outstanding Natural Area is not intended to
9 lead to the creation of protective perimeters or buff-
10 er zones around area. The fact that activities outside
11 the Outstanding Natural Area and not consistent
12 with the purposes of this section can be seen or
13 heard within the Outstanding Natural Area shall
14 not, of itself, preclude such activities or uses up to
15 the boundary of the Outstanding Natural Area.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated such sums as are nec-
18 essary to carry out this section.

1 **TITLE III—NATIONAL PARK**
2 **SERVICE AUTHORIZATIONS**
3 **Subtitle A—Cooperative**
4 **Agreements**

5 **SEC. 301. COOPERATIVE AGREEMENTS FOR NATIONAL**
6 **PARK NATURAL RESOURCE PROTECTION.**

7 (a) **IN GENERAL.**—The Secretary of the Interior (re-
8 ferred to in this section as the “Secretary”) may enter
9 into cooperative agreements with State, local, or tribal
10 governments, other Federal agencies, other public entities,
11 educational institutions, private nonprofit organizations,
12 or participating private landowners for the purpose of pro-
13 tecting natural resources of units of the National Park
14 System through collaborative efforts on land inside and
15 outside of National Park System units.

16 (b) **TERMS AND CONDITIONS.**—A cooperative agree-
17 ment entered into under subsection (a) shall provide clear
18 and direct benefits to park natural resources and—

19 (1) provide for—

20 (A) the preservation, conservation, and res-
21 toration of coastal and riparian systems, water-
22 sheds, and wetlands;

23 (B) preventing, controlling, or eradicating
24 invasive exotic species that are within a unit of

1 the National Park System or adjacent to a unit
2 of the National Park System; or

3 (C) restoration of natural resources, in-
4 cluding native wildlife habitat or ecosystems;

5 (2) include a statement of purpose dem-
6 onstrating how the agreement will—

7 (A) enhance science-based natural resource
8 stewardship at the unit of the National Park
9 System; and

10 (B) benefit the parties to the agreement;

11 (3) specify any staff required and technical as-
12 sistance to be provided by the Secretary or other
13 parties to the agreement in support of activities in-
14 side and outside the unit of the National Park Sys-
15 tem that will—

16 (A) protect natural resources of the unit of
17 the National Park System; and

18 (B) benefit the parties to the agreement;

19 (4) identify any materials, supplies, or equip-
20 ment and any other resources that will be contrib-
21 uted by the parties to the agreement or by other
22 Federal agencies;

23 (5) describe any financial assistance to be pro-
24 vided by the Secretary or the partners to implement
25 the agreement;

1 (6) ensure that any expenditure by the Sec-
2 retary pursuant to the agreement is determined by
3 the Secretary to support the purposes of natural re-
4 source stewardship at a unit of the National Park
5 System; and

6 (7) include such other terms and conditions as
7 are agreed to by the Secretary and the other parties
8 to the agreement.

9 (c) LIMITATIONS.—The Secretary shall not use any
10 funds associated with an agreement entered into under
11 subsection (a) for the purposes of land acquisition, regu-
12 latory activity, or the development, maintenance, or oper-
13 ation of infrastructure, except for ancillary support facili-
14 ties that the Secretary determines to be necessary for the
15 completion of projects or activities identified in the agree-
16 ment.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated such sums as are nec-
19 essary to carry out this section.

20 **Subtitle B—Carl Sandburg Home**
21 **National Historic Site**

22 **SEC. 311. CARL SANDBURG HOME NATIONAL HISTORIC**
23 **SITE BOUNDARY ADJUSTMENT.**

24 (a) DEFINITIONS.—In this section:

1 (1) HISTORIC SITE.—The term “Historic Site”
2 means Carl Sandburg Home National Historic Site.

3 (2) MAP.—The term “map” means the map en-
4 titled “Sandburg Center Alternative” numbered 445/
5 80,017 and dated April 2007.

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 (b) ACQUISITION AUTHORITY.—The Secretary may
9 acquire from willing sellers by donation, purchase with do-
10 nated or appropriated funds, or exchange not more than
11 110 acres of land, water, or interests in land and water,
12 within the area depicted on the map, to be added to the
13 Historic Site.

14 (c) VISITOR CENTER.—To preserve the historic char-
15 acter and landscape of the site, the Secretary may also
16 acquire up to five acres for the development of a visitor
17 center and visitor parking area adjacent to or in the gen-
18 eral vicinity of the Historic Site.

19 (d) BOUNDARY REVISION.—Upon acquisition of any
20 land or interest in land under this section, the Secretary
21 shall revise the boundary of the Historic Site to reflect
22 the acquisition.

23 (e) AVAILABILITY OF MAP.—The map shall be on file
24 and available for public inspection in the appropriate of-
25 fices of the National Park Service.

1 (f) ADMINISTRATION.—Land added to the Historic
2 Site by this section shall be administered as part of the
3 Historic Site in accordance with applicable laws and regu-
4 lations.

5 **Subtitle C—Studies**

6 **SEC. 321. NATIONAL PARK SYSTEM SPECIAL RESOURCE** 7 **STUDY, NEWTONIA CIVIL WAR BATTLE-** 8 **FIELDS, MISSOURI.**

9 (a) SPECIAL RESOURCE STUDY.—The Secretary of
10 the Interior shall conduct a special resource study relating
11 to the First Battle of Newtonia in Newton County, Mis-
12 souri, which occurred on September 30, 1862, and the
13 Second Battle of Newtonia, which occurred on October 28,
14 1864, during the Missouri Expedition of Confederate Gen-
15 eral Sterling Price in September and October 1864.

16 (b) CONTENTS.—In conducting the study under sub-
17 section (a), the Secretary shall—

18 (1) evaluate the national significance of the
19 Newtonia battlefields and their related sites;

20 (2) consider the findings and recommendations
21 contained in the document entitled “Vision Plan for
22 Newtonia Battlefield Preservation” and dated June
23 2004, which was prepared by the Newtonia Battle-
24 fields Protection Association;

1 (3) evaluate the suitability and feasibility of
2 adding the battlefields and related sites as part of
3 Wilson's Creek National Battlefield or designating
4 the battlefields and related sites as a unit of the Na-
5 tional Park System;

6 (4) analyze the potential impact that the inclu-
7 sion of the battlefields and related sites as part of
8 Wilson's Creek National Battlefield or their designa-
9 tion as a unit of the National Park System is likely
10 to have on land within or bordering the battlefields
11 and related sites that is privately owned at the time
12 of the study is conducted;

13 (5) consider alternatives for preservation, pro-
14 tection, and interpretation of the battlefields and re-
15 lated sites by the National Park Service, other Fed-
16 eral, State, or local governmental entities, or private
17 and nonprofit organizations; and

18 (6) identify cost estimates for any necessary ac-
19 quisition, development, interpretation, operation, and
20 maintenance associated with the alternatives re-
21 ferred to in paragraph (5).

22 (c) CRITERIA.—The criteria for the study of areas
23 for potential inclusion in the National Park System con-
24 tained in section 8 of Public Law 91-383 (16 U.S.C. 1a-
25 5) shall apply to the study under subsection (a).

1 (d) TRANSMISSION TO CONGRESS.—Not later than
2 three years after the date on which funds are first made
3 available for the study under subsection (a), the Secretary
4 shall submit to the Committee on Natural Resources of
5 the House of Representatives and the Committee on En-
6 ergy and Natural Resources of the Senate a report con-
7 taining—

8 (1) the results of the study; and

9 (2) any conclusions and recommendations of the
10 Secretary.

11 **SEC. 322. NATIONAL PARK SERVICE STUDY REGARDING**
12 **THE SOLDIERS' MEMORIAL MILITARY MU-**
13 **SEUM.**

14 (a) FINDINGS.—Congress finds as follows:

15 (1) The Soldiers' Memorial is a tribute to all
16 veterans located in the greater St. Louis area, in-
17 cluding Southern Illinois.

18 (2) The current annual budget for the memorial
19 is \$185,000 and is paid for exclusively by the City
20 of St. Louis.

21 (3) In 1923, the City of St. Louis voted to
22 spend \$6,000,000 to purchase a memorial plaza and
23 building dedicated to citizens of St. Louis who lost
24 their lives in World War I.

1 (4) The purchase of the 7 block site exhausted
2 the funds and no money remained to construct a
3 monument.

4 (5) In 1933, Mayor Bernard F. Dickmann ap-
5 pealed to citizens and the city government to raise
6 \$1,000,000 to construct a memorial building and
7 general improvement of the plaza area and the con-
8 struction of Soldiers' Memorial began on October
9 21, 1935.

10 (6) On October 14, 1936, President Franklin
11 D. Roosevelt officially dedicated the site.

12 (7) On Memorial Day in 1938, Mayor
13 Dickmann opened the building to the public.

14 (b) STUDY.—The Secretary of the Interior shall carry
15 out a study to determine the suitability and feasibility of
16 designating the Soldiers' Memorial Military Museum, lo-
17 cated at 1315 Chestnut, St. Louis, Missouri, as a unit
18 of the National Park System.

19 (c) STUDY PROCESS AND COMPLETION.—Section
20 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall
21 apply to the conduct and completion of the study required
22 by this section.

23 (d) REPORT.—The Secretary shall submit a report
24 describing the results the study required by this section
25 to the Committee on Natural Resources of the House of

1 Representatives and the Committee on Energy and Nat-
 2 ural Resources of the Senate.

3 **SEC. 323. COLUMBIA-PACIFIC NATIONAL HERITAGE AREA**
 4 **STUDY.**

5 (a) DEFINITIONS.—In this section:

6 (1) SECRETARY.—The term “Secretary” means
 7 the Secretary of the Interior.

8 (2) STUDY AREA.—The term “study area”
 9 means—

10 (A) the coastal areas of Clatsop and Pa-
 11 cific Counties (also known as the North Beach
 12 Peninsula); and

13 (B) areas relating to Native American his-
 14 tory, local history, Euro-American settlement
 15 culture, and related economic activities of the
 16 Columbia River within a corridor along the Co-
 17 lumbia River eastward in Clatsop, Pacific, Co-
 18 lumbia, and Wahkiakum Counties.

19 (b) COLUMBIA-PACIFIC NATIONAL HERITAGE AREA
 20 STUDY.—

21 (1) IN GENERAL.—The Secretary, in consulta-
 22 tion with the managers of any Federal land within
 23 the study area, appropriate State and local govern-
 24 mental agencies, tribal governments, and any inter-
 25 ested organizations, shall conduct a study to deter-

1 mine the feasibility of designating the study area as
2 the Columbia-Pacific National Heritage Area.

3 (2) REQUIREMENTS.—The study shall include
4 analysis, documentation, and determinations on
5 whether the study area—

6 (A) has an assemblage of natural, historic,
7 and cultural resources that together represent
8 distinctive aspects of American heritage worthy
9 of recognition, conservation, interpretation, and
10 continuing use, and are best managed through
11 partnerships among public and private entities
12 and by combining diverse and sometimes non-
13 contiguous resources and active communities;

14 (B) reflects traditions, customs, beliefs,
15 and folklife that are a valuable part of the na-
16 tional story;

17 (C) provides outstanding opportunities to
18 conserve natural, historic, cultural, or scenic
19 features;

20 (D) provides outstanding recreational and
21 educational opportunities;

22 (E) contains resources important to the
23 identified theme or themes of the study area
24 that retain a degree of integrity capable of sup-
25 porting interpretation;

1 (F) includes residents, business interests,
2 nonprofit organizations, and local and State
3 governments that are involved in the planning,
4 have developed a conceptual financial plan that
5 outlines the roles for all participants, including
6 the Federal Government, and have dem-
7 onstrated support for the concept of a national
8 heritage area;

9 (G) has a potential local coordinating enti-
10 ty to work in partnership with residents, busi-
11 ness interests, nonprofit organizations, and
12 local and State governments to develop a na-
13 tional heritage area consistent with continued
14 local and State economic activity; and

15 (H) has a conceptual boundary map that is
16 supported by the public.

17 (3) PRIVATE PROPERTY.—In conducting the
18 study required by this subsection, the Secretary shall
19 analyze the potential impact that designation of the
20 area as a national heritage area is likely to have on
21 land within the proposed area or bordering the pro-
22 posed area that is privately owned at the time that
23 the study is conducted.

24 (c) REPORT.—Not later than 3 fiscal years after the
25 date on which funds are made available to carry out the

1 study, the Secretary shall submit to the Committee on En-
 2 ergy and Natural Resources of the Senate and the Com-
 3 mittee on Natural Resources of the House of Representa-
 4 tives a report that describes the findings, conclusions, and
 5 recommendations of the Secretary with respect to the
 6 study.

7 **Subtitle D—Memorials,**
 8 **Commissions, and Museums**

9 **SEC. 331. COMMEMORATIVE WORK TO HONOR BRIGADIER**

10 **GENERAL FRANCIS MARION AND HIS FAMILY.**

11 (a) FINDINGS.—The Congress finds the following:

12 (1) Francis Marion was born in 1732 in St.
 13 John’s Parish, Berkeley County, South Carolina. He
 14 married Mary Esther Videau on April 20th, 1786.
 15 Francis and Mary Esther Marion had no children,
 16 but raised a son of a relative as their own, and gave
 17 the child Francis Marion’s name.

18 (2) Brigadier General Marion commanded the
 19 Williamsburg Militia Revolutionary force in South
 20 Carolina and was instrumental in delaying the ad-
 21 vance of British forces by leading his troops in dis-
 22 rupting supply lines.

23 (3) Brigadier General Marion’s tactics, which
 24 were unheard of in rules of warfare at the time, in-
 25 cluded lightning raids on British convoys, after

1 which he and his forces would retreat into the
2 swamps to avoid capture. British Lieutenant Colonel
3 Tarleton stated that “as for this damned old swamp
4 fox, the devil himself could not catch him”. Thus,
5 the legend of the “Swamp Fox” was born.

6 (4) His victory at the Battle of Eutaw Springs
7 in September of 1781 was officially recognized by
8 Congress.

9 (5) Brigadier General Marion’s troops are be-
10 lieved to be the first racially integrated force fight-
11 ing for the United States, as his band was a mix of
12 Whites, Blacks, both free and slave, and Native
13 Americans.

14 (6) As a statesman, he represented his parish
15 in the South Carolina senate as well as his State at
16 the Constitutional Convention.

17 (7) Although the Congress has authorized the
18 establishment of commemorative works on Federal
19 lands in the District of Columbia honoring such cele-
20 brated Americans as George Washington, Thomas
21 Jefferson, and Abraham Lincoln, the National Cap-
22 ital has no comparable memorial to Brigadier Gen-
23 eral Francis Marion for his bravery and leadership
24 during the Revolutionary War, without which the
25 United States would not exist.

1 (8) Brigadier General Marion’s legacy must live
2 on. Since 1878, United States Reservation 18 has
3 been officially referred to as Marion Park. Located
4 between 4th and 6th Streets, S.E., at the intersec-
5 tion of E Street and South Carolina Avenue, S.E.,
6 in Washington, DC, the park lacks a formal com-
7 memoration to this South Carolina hero who was im-
8 portant to the initiation of the Nation’s heritage.

9 (9) The time has come to correct this oversight
10 so that future generations of Americans will know
11 and understand the preeminent historical and last-
12 ing significance to the Nation of Brigadier General
13 Marion’s contributions. Such a South Carolina hero
14 deserves to be given the proper recognition.

15 (b) AUTHORITY TO ESTABLISH COMMEMORATIVE
16 WORK.—The Marion Park Project, a committee of the
17 Palmetto Conservation Foundation, may establish a com-
18 memorative work on Federal land in the District of Co-
19 lumbia and its environs to honor Brigadier General
20 Francis Marion and his service.

21 (c) COMPLIANCE WITH STANDARDS FOR COMMEMO-
22 RATIVE WORKS.—The commemorative work authorized by
23 subsection (b) shall be established in accordance with
24 chapter 89 of title 40, United States Code (commonly
25 known as the “Commemorative Works Act”).

1 (d) USE OF FEDERAL FUNDS PROHIBITED.—Fed-
2 eral funds may not be used to pay any expense of the es-
3 tablishment of the commemorative work authorized by
4 subsection (b). The Marion Park Project, a committee of
5 the Palmetto Conservation Foundation, shall be solely re-
6 sponsible for acceptance of contributions for, and payment
7 of the expenses of, the establishment of that commemora-
8 tive work.

9 (e) DEPOSIT OF EXCESS FUNDS.—If, upon payment
10 of all expenses of the establishment of the commemorative
11 work authorized by subsection (b) (including the mainte-
12 nance and preservation amount provided for in section
13 8906(b) of title 40, United States Code), or upon expira-
14 tion of the authority for the commemorative work under
15 chapter 89 of title 40, United States Code, there remains
16 a balance of funds received for the establishment of that
17 commemorative work, the Marion Park Project, a com-
18 mittee of the Palmetto Conservation Foundation, shall
19 transmit the amount of the balance to the Secretary of
20 the Treasury for deposit in the account provided for in
21 section 8906(b)(1) of such title.

22 (f) DEFINITIONS.—For the purposes of this section,
23 the terms “commemorative work” and “the District of Co-
24 lumbia and its environs” have the meanings given to such
25 terms in section 8902(a) of title 40, United States Code.

1 **SEC. 332. EXTENSION OF AUTHORITY FOR ESTABLISHING**
2 **DISABLED VETERANS MEMORIAL.**

3 Public Law 106–348 is amended—

4 (1) in subsection (b)—

5 (A) by striking “The establishment” and
6 inserting “Except as provided in subsection (e),
7 the establishment”; and

8 (B) by striking “the Commemorative
9 Works Act (40 U.S.C. 1001 et seq.)” and in-
10 serting “chapter 89 of title 40, United States
11 Code”;

12 (2) in subsection (d)—

13 (A) by striking “section 8(b) of the Com-
14 memorative Works Act (40 U.S.C. 1008(b))”
15 and inserting “section 8906 of title 40, United
16 States Code”;

17 (B) by striking “or upon expiration of the
18 authority for the memorial under section 10(b)
19 of such Act (40 U.S.C. 1010(b)),”; and

20 (C) by striking “section 8(b)(1) of such
21 Act (40 U.S.C. 1008(b)(1))” and inserting
22 “8906(b)(2) or (3) of such title”; and

23 (3) by adding at the end the following new sub-
24 section:

25 “(e) **TERMINATION OF AUTHORITY.**—Notwith-
26 standing section 8903(e) of title 40, United States Code,

1 the authority to establish a memorial under this section
2 shall expire on October 24, 2015.”.

3 **SEC. 333. COMMISSION TO STUDY THE POTENTIAL CRE-**
4 **ATION OF A NATIONAL MUSEUM OF THE**
5 **AMERICAN LATINO.**

6 (a) ESTABLISHMENT OF COMMISSION.—

7 (1) IN GENERAL.—There is established the
8 Commission to Study the Potential Creation of a
9 National Museum of the American Latino (hereafter
10 in this section referred to as the “Commission”).

11 (2) MEMBERSHIP.—The Commission shall con-
12 sist of 23 members appointed not later than 6
13 months after the date of enactment of this Act as
14 follows:

15 (A) The President shall appoint 7 voting
16 members.

17 (B) The Speaker of the House of Rep-
18 resentatives, the minority leader of the House
19 of Representatives, the majority leader of the
20 Senate, and the minority leader of the Senate
21 shall each appoint 3 voting members.

22 (C) In addition to the members appointed
23 under subparagraph (B), the Speaker of the
24 House of Representatives, the minority leader
25 of the House of Representatives, the majority

1 leader of the Senate, and the minority leader of
2 the Senate shall each appoint 1 nonvoting mem-
3 ber.

4 (3) QUALIFICATIONS.—Members of the Com-
5 mission shall be chosen from among individuals, or
6 representatives of institutions or entities, who pos-
7 sess either—

8 (A) a demonstrated commitment to the re-
9 search, study, or promotion of American Latino
10 life, art, history, political or economic status, or
11 culture, together with—

12 (i) expertise in museum administra-
13 tion;

14 (ii) expertise in fundraising for non-
15 profit or cultural institutions;

16 (iii) experience in the study and
17 teaching of Latino culture and history at
18 the post-secondary level;

19 (iv) experience in studying the issue of
20 the Smithsonian Institution's representa-
21 tion of American Latino art, life, history,
22 and culture; or

23 (v) extensive experience in public or
24 elected service; or

1 (B) experience in the administration of, or
2 the planning for the establishment of, museums
3 devoted to the study and promotion of the role
4 of ethnic, racial, or cultural groups in American
5 history.

6 (b) FUNCTIONS OF THE COMMISSION.—

7 (1) PLAN OF ACTION FOR ESTABLISHMENT AND
8 MAINTENANCE OF MUSEUM.—The Commission shall
9 submit a report to the President and the Congress
10 containing its recommendations with respect to a
11 plan of action for the establishment and mainte-
12 nance of a National Museum of the American Latino
13 in Washington, DC (hereafter in this section re-
14 ferred to as the “Museum”).

15 (2) FUNDRAISING PLAN.—The Commission
16 shall develop a fundraising plan for supporting the
17 creation and maintenance of the Museum through
18 contributions by the American people, and a sepa-
19 rate plan on fundraising by the American Latino
20 community.

21 (3) REPORT ON ISSUES.—The Commission shall
22 examine (in consultation with the Secretary of the
23 Smithsonian Institution), and submit a report to the
24 President and the Congress on, the following issues:

1 (A) The availability and cost of collections
2 to be acquired and housed in the Museum.

3 (B) The impact of the Museum on regional
4 Hispanic- and Latino-related museums.

5 (C) Possible locations for the Museum in
6 Washington, DC and its environs, to be consid-
7 ered in consultation with the National Capital
8 Planning Commission and the Commission of
9 Fine Arts, the Department of the Interior and
10 Smithsonian Institution.

11 (D) Whether the Museum should be lo-
12 cated within the Smithsonian Institution.

13 (E) The governance and organizational
14 structure from which the Museum should oper-
15 ate.

16 (F) How to engage the American Latino
17 community in the development and design of
18 the Museum.

19 (G) The cost of constructing, operating,
20 and maintaining the Museum.

21 (4) LEGISLATION TO CARRY OUT PLAN OF AC-
22 TION.—Based on the recommendations contained in
23 the report submitted under paragraph (1) and the
24 report submitted under paragraph (3), the Commis-
25 sion shall submit for consideration to the Committee

1 on Transportation and Infrastructure of the House
2 of Representatives, the Committee on House Admin-
3 istration of the House of Representatives, the Com-
4 mittee on Rules and Administration of the Senate,
5 the Committee on Natural Resources of the House
6 of Representatives, the Committee on Energy and
7 Natural Resources of the Senate, and the Commit-
8 tees on Appropriations of the House of Representa-
9 tives and the Senate recommendations for a legisla-
10 tive plan of action to create and construct the Mu-
11 seum.

12 (5) NATIONAL CONFERENCE.—In carrying out
13 its functions under this section, the Commission may
14 convene a national conference on the Museum, com-
15 prised of individuals committed to the advancement
16 of American Latino life, art, history, and culture,
17 not later than 18 months after the commission mem-
18 bers are selected.

19 (c) ADMINISTRATIVE PROVISIONS.—

20 (1) FACILITIES AND SUPPORT OF DEPARTMENT
21 OF THE INTERIOR.—The Department of the Interior
22 shall provide from funds appropriated for this pur-
23 pose administrative services, facilities, and funds
24 necessary for the performance of the Commission's

1 functions. These funds shall be made available prior
2 to any meetings of the Commission.

3 (2) COMPENSATION.—Each member of the
4 Commission who is not an officer or employee of the
5 Federal Government may receive compensation for
6 each day on which the member is engaged in the
7 work of the Commission, at a daily rate to be deter-
8 mined by the Secretary of the Interior.

9 (3) TRAVEL EXPENSES.—Each member shall be
10 entitled to travel expenses, including per diem in lieu
11 of subsistence, in accordance with applicable provi-
12 sions under subchapter I of chapter 57 of title 5,
13 United States Code.

14 (4) FEDERAL ADVISORY COMMITTEE ACT.—The
15 Commission is not subject to the provisions of the
16 Federal Advisory Committee Act.

17 (d) DEADLINE FOR SUBMISSION OF REPORTS; TER-
18 MINATION.—

19 (1) DEADLINE.—The Commission shall submit
20 final versions of the reports and plans required
21 under subsection (b) not later than 24 months after
22 the date of the Commission’s first meeting.

23 (2) TERMINATION.—The Commission shall ter-
24minate not later than 30 days after submitting the

1 final versions of reports and plans pursuant to para-
2 graph (1).

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated for carrying out the ac-
5 tivities of the Commission \$2,100,000 for the first fiscal
6 year beginning after the date of enactment of this Act and
7 \$1,100,000 for the second fiscal year beginning after the
8 date of enactment of this Act.

9 **SEC. 334. HUDSON-FULTON-CHAMPLAIN QUADRICENTEN-**
10 **NIAL COMMEMORATION COMMISSION.**

11 (a) COORDINATION.—Each commission established
12 under this section shall coordinate with the other respec-
13 tive commission established under this section to ensure
14 that commemorations of Henry Hudson, Robert Fulton,
15 and Samuel de Champlain are—

16 (1) consistent with the plans and programs of
17 the commemorative commissions established by the
18 States of New York and Vermont; and

19 (2) well-organized and successful.

20 (b) DEFINITIONS.—In this section:

21 (1) CHAMPLAIN COMMEMORATION.—The term
22 “Champlain commemoration” means the commemo-
23 ration of the 400th anniversary of the voyage of
24 Samuel de Champlain.

1 (2) CHAMPLAIN COMMISSION.—The term
2 “Champlain Commission” means the Champlain
3 Quadricentennial Commemoration Commission es-
4 tablished by subsection (c)(1).

5 (3) COMMISSION.—The term “Commission”
6 means each of the Champlain Commission and the
7 Hudson-Fulton Commission.

8 (4) HUDSON-FULTON COMMEMORATION.—The
9 term “Hudson-Fulton commemoration” means the
10 commemoration of—

11 (A) the 200th anniversary of the voyage of
12 Robert Fulton in the Clermont; and

13 (B) the 400th anniversary of the voyage of
14 Henry Hudson in the Half Moon.

15 (5) HUDSON-FULTON COMMISSION.—The term
16 “Hudson-Fulton Commission” means the Hudson-
17 Fulton 400th Commemoration Commission estab-
18 lished by subsection (d)(1).

19 (6) LAKE CHAMPLAIN BASIN PROGRAM.—The
20 term “Lake Champlain Basin Program” means the
21 partnership established by section 120 of the Fed-
22 eral Water Pollution Control Act (33 U.S.C. 1270)
23 between the States of New York and Vermont and
24 Federal agencies to carry out the Lake Champlain
25 management plan entitled, “Opportunities for Ac-

1 tion: An Evolving Plan for the Lake Champlain
2 Basin”.

3 (7) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (c) ESTABLISHMENT OF CHAMPLAIN COMMISSION.—

6 (1) IN GENERAL.—There is established a com-
7 mission to be known as the “Champlain
8 Quadricentennial Commemoration Commission”.

9 (2) MEMBERSHIP.—

10 (A) COMPOSITION.—The Champlain Com-
11 mission shall be composed of 10 members, of
12 whom—

13 (i) 1 member shall be the Director of
14 the National Park Service (or a designee);

15 (ii) 4 members shall be appointed by
16 the Secretary from among individuals who,
17 on the date of enactment of this Act, are—

18 (I) serving as members of the
19 Hudson-Fulton-Champlain
20 Quadricentennial Commission of the
21 State of New York; and

22 (II) residents of Champlain Val-
23 ley, New York;

1 (iii) 4 members shall be appointed by
2 the Secretary from among individuals who,
3 on the date of enactment of this Act, are—

4 (I) serving as members of the
5 Lake Champlain Quadricentennial
6 Commission of the State of Vermont;
7 and

8 (II) residents of the State of
9 Vermont; and

10 (iv) 1 member shall be appointed by
11 the Secretary, and shall be an individual
12 who has—

13 (I) an interest in, support for,
14 and expertise appropriate with respect
15 to, the Champlain commemoration;
16 and

17 (II) knowledge relating to the
18 history of the Champlain Valley.

19 (B) TERM; VACANCIES.—

20 (i) TERM.—A member of the Cham-
21 plain Commission shall be appointed for
22 the life of the Champlain Commission.

23 (ii) VACANCIES.—A vacancy on the
24 Champlain Commission shall be filled in

1 the same manner in which the original ap-
2 pointment was made.

3 (3) DUTIES.—The Champlain Commission
4 shall—

5 (A) plan, develop, and execute programs
6 and activities appropriate to commemorate the
7 400th anniversary of the voyage of Samuel de
8 Champlain, the first European to discover and
9 explore Lake Champlain;

10 (B) facilitate activities relating to the
11 Champlain Quadricentennial throughout the
12 United States;

13 (C) coordinate the activities of the Cham-
14 plain Commission with—

15 (i) State commemoration commis-
16 sions;

17 (ii) appropriate Federal agencies;

18 (iii) the Lake Champlain Basin Pro-
19 gram;

20 (iv) the National Endowment for the
21 Arts; and

22 (v) the Smithsonian Institution;

23 (D) encourage civic, patriotic, historical,
24 educational, artistic, religious, economic, and
25 other organizations throughout the United

1 States to organize and participate in anniver-
2 sary activities to expand the understanding and
3 appreciation of the significance of the voyage of
4 Samuel de Champlain;

5 (E) provide technical assistance to States,
6 localities, and nonprofit organizations to further
7 the Champlain commemoration;

8 (F) coordinate and facilitate for the public
9 scholarly research on, publication about, and in-
10 terpretation of, the voyage of Samuel de Cham-
11 plain;

12 (G) ensure that the Champlain 2009 anni-
13 versary provides a lasting legacy and a long-
14 term public benefit by assisting in the develop-
15 ment of appropriate programs and facilities;

16 (H) help ensure that the observances of
17 the voyage of Samuel de Champlain are inclu-
18 sive and appropriately recognize the experiences
19 and heritage of all people present when Samuel
20 de Champlain arrived in the Champlain Valley;
21 and

22 (I) consult and coordinate with the Lake
23 Champlain Basin Program and other relevant
24 organizations to plan and develop programs and

1 activities to commemorate the voyage of Samuel
2 de Champlain.

3 (d) ESTABLISHMENT OF HUDSON-FULTON COMMIS-
4 SION.—

5 (1) ESTABLISHMENT.—There is established a
6 commission to be known as the “Hudson-Fulton
7 400th Commemoration Commission”.

8 (2) MEMBERSHIP.—

9 (A) COMPOSITION.—The Hudson-Fulton
10 Commission shall be composed of 15 members,
11 of whom—

12 (i) 1 member shall be the Director of
13 the National Park Service (or a designee);

14 (ii) 1 member shall be appointed by
15 the Secretary, after considering the rec-
16 ommendation of the Governor of the State
17 of New York;

18 (iii) 6 members shall be appointed by
19 the Secretary, after considering the rec-
20 ommendations of the Members of the
21 House of Representatives whose districts
22 encompass the Hudson River Valley;

23 (iv) 2 members shall be appointed by
24 the Secretary, after considering the rec-

1 ommendations of the Members of the Sen-
2 ate from the State of New York;

3 (v) 2 members shall be—

4 (I) appointed by the Secretary;

5 and

6 (II) individuals who have an in-
7 terest in, support for, and expertise
8 appropriate with respect to, the Hud-
9 son-Fulton commemoration, of
10 whom—

11 (aa) 1 member shall be an
12 individual with expertise in the
13 Hudson River Valley National
14 Heritage Area; and

15 (bb) 1 member shall be an
16 individual with expertise in the
17 State of New York, as it relates
18 to the Hudson-Fulton commemo-
19 ration;

20 (vi) 1 member shall be the Chair-
21 person of a commemorative commission
22 formed by the State of New York (or the
23 designee of the Chairperson); and

24 (vii) 2 members shall be appointed by
25 the Secretary, after—

1 (I) considering the recommenda-
2 tion of the Mayor of the city of New
3 York; and

4 (II) consulting the Members of
5 the House of Representatives whose
6 districts encompass the city of New
7 York.

8 (B) TERM; VACANCIES.—

9 (i) TERM.—A member of the Hudson-
10 Fulton Commission shall be appointed for
11 the life of the Hudson-Fulton Commission.

12 (ii) VACANCIES.—A vacancy on the
13 Hudson-Fulton Commission shall be filled
14 in the same manner in which the original
15 appointment was made.

16 (3) DUTIES.—The Hudson-Fulton Commission
17 shall—

18 (A) plan, develop, and execute programs
19 and activities appropriate to commemorate—

20 (i) the 400th anniversary of the voy-
21 age of Henry Hudson, the first European
22 to sail up the Hudson River; and

23 (ii) the 200th anniversary of the voy-
24 age of Robert Fulton, the first person to

1 use steam navigation on a commercial
2 basis;

3 (B) facilitate activities relating to the Hud-
4 son-Fulton-Champlain Quadricentennial
5 throughout the United States;

6 (C) coordinate the activities of the Hud-
7 son-Fulton Commission with—

8 (i) State commemoration commis-
9 sions;

10 (ii) appropriate Federal agencies;

11 (iii) the National Park Service, with
12 respect to the Hudson River Valley Na-
13 tional Heritage Area;

14 (iv) the American Heritage Rivers Ini-
15 tiative Interagency Committee established
16 by Executive Order 13061, dated Sep-
17 tember 11, 1997;

18 (v) the National Endowment for the
19 Humanities;

20 (vi) the National Endowment for the
21 Arts; and

22 (vii) the Smithsonian Institution;

23 (D) encourage civic, patriotic, historical,
24 educational, artistic, religious, economic, and
25 other organizations throughout the United

1 States to organize and participate in anniver-
2 sary activities to expand the understanding and
3 appreciation of the significance of the voyages
4 of Henry Hudson and Robert Fulton;

5 (E) provide technical assistance to States,
6 localities, and nonprofit organizations to further
7 the Hudson-Fulton commemoration;

8 (F) coordinate and facilitate for the public
9 scholarly research on, publication about, and in-
10 terpretation of, the voyages of Henry Hudson
11 and Robert Fulton;

12 (G) ensure that the Hudson-Fulton 2009
13 commemorations provide a lasting legacy and
14 long-term public benefit by assisting in the de-
15 velopment of appropriate programs and facili-
16 ties; and

17 (H) help ensure that the observances of
18 Henry Hudson are inclusive and appropriately
19 recognize the experiences and heritage of all
20 people present when Henry Hudson sailed the
21 Hudson River.

22 (e) COMMISSION MEETINGS.—

23 (1) INITIAL MEETING.—Not later than 30 days
24 after the date on which all members of a commission
25 established under this section have been appointed,

1 the applicable Commission shall hold an initial meet-
2 ing.

3 (2) MEETINGS.—A commission established
4 under this section shall meet—

5 (A) at least twice each year; or

6 (B) at the call of the Chairperson or the
7 majority of the members of the Commission.

8 (3) QUORUM.—A majority of voting members
9 shall constitute a quorum, but a lesser number may
10 hold meetings.

11 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

12 (A) ELECTION.—The Commission shall
13 elect the Chairperson and the Vice Chairperson
14 of the Commission on an annual basis.

15 (B) ABSENCE OF THE CHAIRPERSON.—
16 The Vice Chairperson shall serve as the Chair-
17 person in the absence of the Chairperson.

18 (5) VOTING.—A commission established under
19 this section shall act only on an affirmative vote of
20 a majority of the voting members of the applicable
21 Commission.

22 (f) COMMISSION POWERS.—

23 (1) GIFTS.—The Commission may solicit, ac-
24 cept, use, and dispose of gifts, bequests, or devises

1 of money or other property for aiding or facilitating
2 the work of the Commission.

3 (2) APPOINTMENT OF ADVISORY COMMIT-
4 TEES.—The Commission may appoint such advisory
5 committees as the Commission determines to be nec-
6 essary to carry out this section.

7 (3) AUTHORIZATION OF ACTION.—The Commis-
8 sion may authorize any member or employee of the
9 Commission to take any action that the Commission
10 is authorized to take under this section.

11 (4) PROCUREMENT.—

12 (A) IN GENERAL.—The Commission may
13 procure supplies, services, and property, and
14 make or enter into contracts, leases, or other
15 legal agreements, to carry out this section (ex-
16 cept that a contract, lease, or other legal agree-
17 ment made or entered into by the Commission
18 shall not extend beyond the date of termination
19 of the Commission).

20 (B) LIMITATION.—The Commission may
21 not purchase real property.

22 (5) POSTAL SERVICES.—The Commission may
23 use the United States mails in the same manner and
24 under the same conditions as other agencies of the
25 Federal Government.

1 (6) GRANTS.—

2 (A) CHAMPLAIN COMMISSION.—The Cham-
3 plain Commission may make grants in amounts
4 not to exceed \$20,000—

5 (i) to communities, nonprofit organi-
6 zations, and State commemorative commis-
7 sions to develop programs to assist in the
8 Champlain commemoration; and

9 (ii) to research and scholarly organi-
10 zations to research, publish, or distribute
11 information relating to the early history of
12 the voyage of Samuel de Champlain.

13 (B) HUDSON-FULTON COMMISSION.—The
14 Hudson-Fulton Commission may make grants
15 in amounts not to exceed \$20,000—

16 (i) to communities, nonprofit organi-
17 zations, and State commemorative commis-
18 sions to develop programs to assist in the
19 Hudson-Fulton commemoration; and

20 (ii) to research and scholarly organi-
21 zations to research, publish, or distribute
22 information relating to the early history of
23 the voyages of Henry Hudson and Robert
24 Fulton.

1 (7) TECHNICAL ASSISTANCE.—The Commission
2 shall provide technical assistance to States, local-
3 ities, and nonprofit organizations to further the
4 Champlain commemoration and Hudson-Fulton
5 commemoration, as applicable.

6 (8) COORDINATION AND CONSULTATION WITH
7 LAKE CHAMPLAIN BASIN PROGRAM.—The Champlain
8 Commission shall coordinate and consult with the
9 Lake Champlain Basin Program to provide grants
10 and technical assistance under paragraphs (6)(A)
11 and (7) for the development of activities commemo-
12 rating the voyage of Samuel de Champlain.

13 (g) COMMISSION PERSONNEL MATTERS.—

14 (1) COMPENSATION OF MEMBERS.—

15 (A) IN GENERAL.—Except as provided in
16 subparagraph (B), a member of the Commis-
17 sion shall serve without compensation.

18 (B) FEDERAL EMPLOYEES.—A member of
19 the Commission who is an officer or employee
20 of the Federal Government shall serve without
21 compensation in addition to the compensation
22 received for the services of the member as an
23 officer or employee of the Federal Government.

24 (2) TRAVEL EXPENSES.—A member of the
25 Commission shall be allowed travel expenses, includ-

1 ing per diem in lieu of subsistence, at rates author-
2 ized for an employee of an agency under subchapter
3 I of chapter 57 of title 5, United States Code, while
4 away from the home or regular place of business of
5 the member in the performance of the duties of the
6 Commission.

7 (3) STAFF.—The Commission may, without re-
8 gard to the civil service laws (including regulations),
9 appoint and terminate an Executive Director and
10 such other additional personnel as are necessary to
11 enable the Commission to perform the duties of the
12 Commission.

13 (4) COMPENSATION.—

14 (A) IN GENERAL.—Except as provided in
15 subparagraph (B), the Commission may fix the
16 compensation of the Executive Director and
17 other personnel without regard to the provisions
18 of chapter 51 and subchapter III of chapter 53
19 of title 5, United States Code, relating to classi-
20 fication of positions and General Schedule pay
21 rates.

22 (B) MAXIMUM RATE OF PAY.—The rate of
23 pay for the Executive Director and other per-
24 sonnel shall not exceed the rate payable for

1 level V of the Executive Schedule under section
2 5316 of title 5, United States Code.

3 (5) DETAIL OF GOVERNMENT EMPLOYEES.—

4 (A) FEDERAL EMPLOYEES.—

5 (i) IN GENERAL.—At the request of
6 the Commission, the head of any Federal
7 agency may detail, on a reimbursable or
8 nonreimbursable basis, any of the per-
9 sonnel of the agency to the Commission to
10 assist the Commission in carrying out the
11 duties of the Commission under this sec-
12 tion.

13 (ii) CIVIL SERVICE STATUS.—The de-
14 tail of an employee under clause (i) shall
15 be without interruption or loss of civil serv-
16 ice status or privilege.

17 (B) STATE EMPLOYEES.—The Commission
18 may—

19 (i) accept the services of personnel de-
20 tailed from the State of New York or the
21 State of Vermont, as appropriate (includ-
22 ing subdivisions of the States); and

23 (ii) reimburse the State of New York
24 or the State of Vermont for services of de-
25 tailed personnel.

1 (C) LAKE CHAMPLAIN BASIN PROGRAM
2 EMPLOYEES.—The Champlain Commission
3 may—

4 (i) accept the services of personnel de-
5 tailed from the Lake Champlain Basin
6 Program; and

7 (ii) reimburse the Lake Champlain
8 Basin Program for services of detailed per-
9 sonnel.

10 (D) PROCUREMENT OF TEMPORARY AND
11 INTERMITTENT SERVICES.—The Commission
12 may procure temporary and intermittent serv-
13 ices in accordance with section 3109(b) of title
14 5, United States Code, at rates for individuals
15 that do not exceed the daily equivalent of the
16 annual rate of basic pay prescribed for level V
17 of the Executive Schedule under section 5316
18 of that title.

19 (6) VOLUNTEER AND UNCOMPENSATED SERV-
20 ICES.—Notwithstanding section 1342 of title 31,
21 United States Code, the Commission may accept and
22 use voluntary and uncompensated services as the
23 Commission determines necessary.

24 (7) SUPPORT SERVICES.—The Secretary shall
25 provide to the Commission, on a reimbursable basis,

1 such administrative support services as the Commis-
2 sion may request.

3 (8) FACA NONAPPLICABILITY.—Section 14(b)
4 of the Federal Advisory Committee Act (5 U.S.C.
5 App.) shall not apply to the Commission.

6 (h) REPORTS.—Not later than September 30, 2010,
7 the Commission shall submit to the Secretary a report
8 that contains—

9 (1) a summary of the activities of the Commis-
10 sion;

11 (2) a final accounting of funds received and ex-
12 pended by the Commission; and

13 (3) the findings and recommendations of the
14 Commission.

15 (i) TERMINATION OF COMMISSIONS.—

16 (1) DATE OF TERMINATION.—The Commission
17 shall terminate on December 31, 2010.

18 (2) TRANSFER OF DOCUMENTS AND MATE-
19 RIALS.—Before the date of termination specified in
20 paragraph (1), the Commission shall transfer all of
21 its documents and materials of the Commission to
22 the National Archives or another appropriate Fed-
23 eral entity.

24 (j) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to carry out this section for each of fis-
3 cal years 2008 through 2011—

4 (A) \$500,000 to the Champlain Commis-
5 sion; and

6 (B) \$500,000 to the Hudson-Fulton Com-
7 mission.

8 (2) AVAILABILITY.—Amounts made available
9 under paragraph (1) shall remain available until ex-
10 pended.

11 **SEC. 335. SENSE OF CONGRESS REGARDING THE DESIGNA-**
12 **TION OF THE NATIONAL MUSEUM OF WILD-**
13 **LIFE ART OF THE UNITED STATES.**

14 (a) FINDINGS.—Congress finds that—

15 (1) the National Museum of Wildlife Art in
16 Jackson, Wyoming, is devoted to inspiring global
17 recognition of fine art related to nature and wildlife;

18 (2) the National Museum of Wildlife Art is an
19 excellent example of a thematic museum that strives
20 to unify the humanities and sciences into a coherent
21 body of knowledge through art;

22 (3) the National Museum of Wildlife Art, which
23 was founded in 1987 with a private gift of a collec-
24 tion of art, has grown in stature and importance and

1 is recognized today as the world's premier museum
2 of wildlife art;

3 (4) the National Museum of Wildlife Art is the
4 only public museum in the United States with the
5 mission of enriching and inspiring public apprecia-
6 tion and knowledge of fine art, while exploring the
7 relationship between humanity and nature by col-
8 lecting fine art focused on wildlife;

9 (5) the National Museum of Wildlife Art is
10 housed in an architecturally significant and award-
11 winning 51,000-square foot facility that overlooks
12 the 28,000-acre National Elk Refuge and is adjacent
13 to the Grand Teton National Park;

14 (6) the National Museum of Wildlife Art is ac-
15 credited with the American Association of Museums,
16 continues to grow in national recognition and impor-
17 tance with members from every State, and has a
18 Board of Trustees and a National Advisory Board
19 composed of major benefactors and leaders in the
20 arts and sciences from throughout the United
21 States;

22 (7) the permanent collection of the National
23 Museum of Wildlife Art has grown to more than
24 3,000 works by important historic American artists
25 including Edward Hicks, Anna Hyatt Huntington,

1 Charles M. Russell, William Merritt Chase, and Al-
2 exander Calder, and contemporary American artists,
3 including Steve Kestrel, Bart Walter, Nancy Howe,
4 John Nieto, and Jamie Wyeth;

5 (8) the National Museum of Wildlife Art is a
6 destination attraction in the Western United States
7 with annual attendance of 92,000 visitors from all
8 over the world and an award-winning website that
9 receives more than 10,000 visits per week;

10 (9) the National Museum of Wildlife Art seeks
11 to educate a diverse audience through collecting fine
12 art focused on wildlife, presenting exceptional exhibi-
13 tions, providing community, regional, national, and
14 international outreach, and presenting extensive edu-
15 cational programming for adults and children; and

16 (10) a great opportunity exists to use the in-
17 valuable resources of the National Museum of Wild-
18 life Art to teach the schoolchildren of the United
19 States, through onsite visits, traveling exhibits,
20 classroom curriculum, online distance learning, and
21 other educational initiatives.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that the National Museum of Wildlife Art, located
24 at 2820 Rungius Road, Jackson, Wyoming, should be des-

1 ignated as the “National Museum of Wildlife Art of the
2 United States”.

3 **Subtitle E—Trails and Rivers**

4 **SEC. 341. AUTHORIZATION AND ADMINISTRATION OF STAR- 5 SPANGLED BANNER NATIONAL HISTORIC 6 TRAIL.**

7 Section 5(a) of the National Trails System Act (16
8 U.S.C. 1244(a)) is amended by adding at the end the fol-
9 lowing:

10 “(26) STAR-SPANGLED BANNER NATIONAL HIS-
11 TORIC TRAIL.—

12 “(A) IN GENERAL.—The Star-Spangled
13 Banner National Historic Trail, a trail con-
14 sisting of water and overland routes totaling ap-
15 proximately 290 miles, extending from Tangier
16 Island, Virginia, through southern Maryland,
17 the District of Columbia, and northern Virginia,
18 in the Chesapeake Bay, Patuxent River, Poto-
19 mac River, and north to the Patapsco River,
20 and Baltimore, Maryland, commemorating the
21 Chesapeake Campaign of the War of 1812 (in-
22 cluding the British invasion of Washington,
23 District of Columbia, and its associated feints,
24 and the Battle of Baltimore in summer 1814),
25 as generally depicted on the map titled ‘Star-

1 Spangled Banner National Historic Trail’,
2 numbered T02/80,000, and dated June 2007.

3 “(B) MAP.—The map referred to in sub-
4 paragraph (A) shall be maintained on file and
5 available for public inspection in the appro-
6 priate offices of the National Park Service.

7 “(C) ADMINISTRATION.—Subject to sub-
8 paragraph (E)(ii), the trail shall be adminis-
9 tered by the Secretary of the Interior.

10 “(D) LAND ACQUISITION.—No land or in-
11 terest in land outside the exterior boundaries of
12 any federally administered area may be ac-
13 quired by the United States for the trail except
14 with the consent of the owner of the land or in-
15 terest in land.

16 “(E) PUBLIC PARTICIPATION.—The Sec-
17 retary of the Interior shall—

18 “(i) encourage communities, owners of
19 land along the trail, and volunteer trail
20 groups to participate in the planning, de-
21 velopment, and maintenance of the trail;
22 and

23 “(ii) consult with other affected land-
24 owners and Federal, State, and local agen-
25 cies in the administration of the trail.

1 “(F) INTERPRETATION AND ASSIST-
2 ANCE.—Subject to the availability of appropria-
3 tions, the Secretary of the Interior may provide,
4 to State and local governments and nonprofit
5 organizations, interpretive programs and serv-
6 ices and technical assistance for use in—

7 “(i) carrying out preservation and de-
8 velopment of the trail; and

9 “(ii) providing education relating to
10 the War of 1812 along the trail.”.

11 **SEC. 342. LAND CONVEYANCE, LEWIS AND CLARK NA-**
12 **TIONAL HISTORIC TRAIL, NEBRASKA.**

13 (a) CONVEYANCE AUTHORIZED.—The Secretary of
14 the Interior may convey, without consideration, to the Mis-
15 souri River Basin Lewis and Clark Interpretive Trail and
16 Visitor Center Foundation, Inc. (a 501(c)(3) not-for-profit
17 organization with operational headquarters at 100
18 Valmont Drive, Nebraska City, Nebraska 68410), all
19 right, title, and interest of the United States in and to
20 the federally owned land under jurisdiction of the Sec-
21 retary consisting of 2 parcels as generally depicted on the
22 map titled “Lewis and Clark National Historic Trail”,
23 numbered 648/80,002, and dated March 2006.

24 (b) SURVEY; CONVEYANCE COST.—The exact acreage
25 and legal description of the land to be conveyed under sub-

1 section (a) shall be determined by a survey satisfactory
2 to the Secretary. The cost of the survey and all other costs
3 incurred by the Secretary to convey the land shall be borne
4 by the Missouri River Basin Lewis and Clark Interpretive
5 Trail and Visitor Center Foundation, Inc.

6 (c) CONDITION OF CONVEYANCE, USE OF CONVEYED
7 LAND.—The conveyance authorized under subsection (a)
8 shall be subject to the condition that the Missouri River
9 Basin Lewis and Clark Interpretive Trail and Visitor Cen-
10 ter Foundation, Inc. use the conveyed land as an historic
11 site and interpretive center for the Lewis and Clark Na-
12 tional Historic Trail.

13 (d) DISCONTINUANCE OF USE.—If Missouri River
14 Basin Lewis and Clark Interpretive Trail and Visitor Cen-
15 ter Foundation, Inc. determines to discontinue use of the
16 land conveyed under subsection (a) as an historic site and
17 interpretive center for the Lewis and Clark National His-
18 toric Trail, the Missouri River Basin Lewis and Clark In-
19 terpretive Trail and Visitor Center Foundation, Inc. shall
20 convey lands back to the Secretary without consideration.

21 (e) ADDITIONAL TERMS AND CONDITIONS.—The
22 Secretary may require such additional terms and condi-
23 tions in connection with the conveyance under subsection
24 (a) or the conveyance, if any, under subsection (d) as the
25 Secretary considers appropriate to protect the interests of

1 the United States. Through a written agreement with the
2 Foundation, the National Park Service shall ensure that
3 the operation of the land conveyed under subsection (a)
4 is in accordance with National Park Service standards for
5 preservation, maintenance, and interpretation.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—To assist
7 with the operation of the historic site and interpretive cen-
8 ter, there is authorized to be appropriated \$150,000 per
9 year for a period not to exceed 10 years.

10 **SEC. 343. WILD AND SCENIC RIVER DESIGNATION,**
11 **EIGHTMILE RIVER, CONNECTICUT.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) The Eightmile River Wild and Scenic River
14 Study Act of 2001 (Public Law 107–65; 115 Stat.
15 484) authorized the study of the Eightmile River in
16 the State of Connecticut from its headwaters down-
17 stream to its confluence with the Connecticut River
18 for potential inclusion in the National Wild and Sce-
19 nic Rivers System.

20 (2) The segments of the Eightmile River cov-
21 ered by the study are in a free-flowing condition,
22 and the outstanding resource values of the river seg-
23 ments include the cultural landscape, water quality,
24 watershed hydrology, unique species and natural
25 communities, geology, and watershed ecosystem.

1 (3) The Eightmile River Wild and Scenic Study
2 Committee has determined that—

3 (A) the outstanding resource values of
4 these river segments depend on sustaining the
5 integrity and quality of the Eightmile River wa-
6 tershed;

7 (B) these resource values are manifest
8 within the entire watershed; and

9 (C) the watershed as a whole, including its
10 protection, is itself intrinsically important to
11 this designation.

12 (4) The Eightmile River Wild and Scenic Study
13 Committee took a watershed approach in studying
14 and recommending management options for the river
15 segments and the Eightmile River watershed as a
16 whole.

17 (5) During the study, the Eightmile River Wild
18 and Scenic Study Committee, with assistance from
19 the National Park Service, prepared a comprehen-
20 sive management plan for the Eightmile River wa-
21 tershed, dated December 8, 2005 (in this section re-
22 ferred to as the “Eightmile River Watershed Man-
23 agement Plan”), which establishes objectives, stand-
24 ards, and action programs that will ensure long-term
25 protection of the outstanding values of the river and

1 compatible management of the land and water re-
2 sources of the Eightmile River and its watershed,
3 without Federal management of affected lands not
4 owned by the United States.

5 (6) The Eightmile River Wild and Scenic Study
6 Committee voted in favor of inclusion of the
7 Eightmile River in the National Wild and Scenic
8 Rivers System and included this recommendation as
9 an integral part of the Eightmile River Watershed
10 Management Plan.

11 (7) The residents of the towns lying along the
12 Eightmile River and comprising most of its water-
13 shed (Salem, East Haddam, and Lyme, Con-
14 necticut), as well as the Boards of Selectmen and
15 Land Use Commissions of these towns, voted to en-
16 dorse the Eightmile River Watershed Management
17 Plan and to seek designation of the river as a com-
18 ponent of the National Wild and Scenic Rivers Sys-
19 tem.

20 (8) The State of Connecticut General Assembly
21 enacted Public Act 05–18 to endorse the Eightmile
22 River Watershed Management Plan and to seek des-
23 ignation of the river as a component of the National
24 Wild and Scenic Rivers System.

1 (b) DESIGNATION.—Section 3(a) of the Wild and
2 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

3 (1) by redesignating paragraph (167) (relating
4 to the Musconetcong River, New Jersey) as para-
5 graph (169);

6 (2) by designating the undesignated paragraph
7 relating to the White Salmon River, Washington, as
8 paragraph (167);

9 (3) by designating the undesignated paragraph
10 relating to the Black Butte River, California, as
11 paragraph (168); and

12 (4) by adding at the end the following:

13 “(170) EIGHTMILE RIVER, CONNECTICUT.—Seg-
14 ments of the main stem and specified tributaries of the
15 Eightmile River in the State of Connecticut, totaling ap-
16 proximately 25.3 miles, to be administered by the Sec-
17 retary of the Interior as follows:

18 “(A) The entire 10.8-mile segment of the main
19 stem, starting at its confluence with Lake Hayward
20 Brook to its confluence with the Connecticut River
21 at the mouth of Hamburg Cove, as a scenic river.

22 “(B) The 8.0-mile segment of the East Branch
23 of the Eightmile River starting at Witch Meadow
24 Road to its confluence with the main stem of the
25 Eightmile River, as a scenic river.

1 “(C) The 3.9-mile segment of Harris Brook
2 starting with the confluence of an unnamed stream
3 lying 0.74 miles due east of the intersection of Hart-
4 ford Road (State Route 85) and Round Hill Road
5 to its confluence with the East Branch of the
6 Eightmile River, as a scenic river.

7 “(D) The 1.9-mile segment of Beaver Brook
8 starting at its confluence with Cedar Pond Brook to
9 its confluence with the main stem of the Eightmile
10 River, as a scenic river.

11 “(E) The 0.7-mile segment of Falls Brook from
12 its confluence with Tisdale Brook to its confluence
13 with the main stem of the Eightmile River at Ham-
14 burg Cove, as a scenic river.”.

15 (c) MANAGEMENT.—The segments of the main stem
16 and certain tributaries of the Eightmile River in the State
17 of Connecticut designated as components of the National
18 Wild and Scenic Rivers System by the amendment made
19 by subsection (b) (in this section referred to as the
20 “Eightmile River”) shall be managed in accordance with
21 the Eightmile River Watershed Management Plan and
22 such amendments to the plan as the Secretary of the Inte-
23 rior determines are consistent with this section. The
24 Eightmile River Watershed Management Plan is deemed
25 to satisfy the requirements for a comprehensive manage-

1 ment plan required by section 3(d) of the Wild and Scenic
2 Rivers Act (16 U.S.C. 1274(d)).

3 (d) COMMITTEE.—The Secretary of the Interior shall
4 coordinate the management responsibilities of the Sec-
5 retary with regard to the Eightmile River with the
6 Eightmile River Coordinating Committee, as specified in
7 the Eightmile River Watershed Management Plan.

8 (e) COOPERATIVE AGREEMENTS.—In order to pro-
9 vide for the long-term protection, preservation, and en-
10 hancement of the Eightmile River, the Secretary of the
11 Interior may enter into cooperative agreements pursuant
12 to sections 10(e) and 11(b)(1) of the Wild and Scenic Riv-
13 ers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the State
14 of Connecticut, the towns of Salem, Lyme, and East
15 Haddam, Connecticut, and appropriate local planning and
16 environmental organizations. All cooperative agreements
17 authorized by this subsection shall be consistent with the
18 Eightmile River Watershed Management Plan and may in-
19 clude provisions for financial or other assistance from the
20 United States.

21 (f) RELATION TO NATIONAL PARK SYSTEM.—Not-
22 withstanding section 10(c) of the Wild and Scenic Rivers
23 Act (16 U.S.C. 1281(c)), the Eightmile River shall not
24 be administered as part of the National Park System or

1 be subject to regulations which govern the National Park
2 System.

3 (g) LAND MANAGEMENT.—The zoning ordinances
4 adopted by the towns of Salem, East Haddam, and Lyme,
5 Connecticut, in effect as of December 8, 2005, including
6 provisions for conservation of floodplains, wetlands, and
7 watercourses associated with the segments, are deemed to
8 satisfy the standards and requirements of section 6(c) of
9 the Wild and Scenic Rivers Act (16 U.S.C. 1277 (c)). For
10 the purpose of section 6(c) of that Act, such towns shall
11 be deemed “villages” and the provisions of that section,
12 which prohibit Federal acquisition of lands by condemna-
13 tion, shall apply to the segments designated by subsection
14 (b). The authority of the Secretary to acquire lands for
15 the purposes of this section shall be limited to acquisition
16 by donation or acquisition with the consent of the owner
17 thereof, and shall be subject to the additional criteria set
18 forth in the Eightmile River Watershed Management
19 Plan.

20 (h) WATERSHED APPROACH.—

21 (1) IN GENERAL.—In furtherance of the water-
22 shed approach to resource preservation and enhance-
23 ment articulated in the Eightmile River Watershed
24 Management Plan, the tributaries of the Eightmile
25 River watershed specified in paragraph (2) are rec-

1 ognized as integral to the protection and enhance-
2 ment of the Eightmile River and its watershed.

3 (2) COVERED TRIBUTARIES.—Paragraph (1)
4 applies with respect to Beaver Brook, Big Brook,
5 Burnhams Brook, Cedar Pond Brook, Cranberry
6 Meadow Brook, Early Brook, Falls Brook, Fraser
7 Brook, Harris Brook, Hedge Brook, Lake Hayward
8 Brook, Malt House Brook, Muddy Brook, Ransom
9 Brook, Rattlesnake Ledge Brook, Shingle Mill
10 Brook, Strongs Brook, Tisdale Brook, Witch Mead-
11 ow Brook, and all other perennial streams within the
12 Eightmile River watershed.

13 (i) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated such sums as are nec-
15 essary to carry out this section and the amendment made
16 by subsection (b).

17 **TITLE IV—BUREAU OF REC-**
18 **LAMATION AND UNITED**
19 **STATES GEOLOGICAL SURVEY**
20 **AUTHORIZATIONS**

21 **SEC. 401. ALASKA WATER RESOURCES STUDY.**

22 (a) DEFINITIONS.—In this section:

23 (1) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 (2) STATE.—The term “State” means the State
2 of Alaska.

3 (b) ALASKA WATER RESOURCES STUDY.—

4 (1) STUDY.—The Secretary, acting through the
5 Commissioner of Reclamation and the Director of
6 the United States Geological Survey, where appro-
7 priate, and in accordance with this section and other
8 applicable provisions of law, shall conduct a study
9 that includes—

10 (A) a survey of accessible water supplies,
11 including aquifers, on the Kenai Peninsula and
12 in the Municipality of Anchorage, the
13 Matanuska-Susitna Borough, the city of Fair-
14 banks, and the Fairbanks Northstar Borough;

15 (B) a survey of water treatment needs and
16 technologies, including desalination, applicable
17 to the water resources of the State; and

18 (C) a review of the need for enhancement
19 of the streamflow information collected by the
20 United States Geological Survey in the State
21 relating to critical water needs in areas such
22 as—

23 (i) infrastructure risks to State trans-
24 portation;

25 (ii) flood forecasting;

- 1 (iii) resource extraction; and
2 (iv) fire management.

3 (2) REPORT.—Not later than 2 years after the
4 date of enactment of this Act, the Secretary shall
5 submit to the Committee on Natural Resources of
6 the House of Representatives and the Committee on
7 Energy and Natural Resources of the Senate a re-
8 port describing the results of the study required by
9 paragraph (1).

10 (c) SUNSET.—The authority of the Secretary to carry
11 out any provisions of this section shall terminate 10 years
12 after the date of enactment of this Act.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated such sums as are nec-
15 essary to carry out this section.

16 **SEC. 402. RENEGOTIATION OF PAYMENT SCHEDULE, RED-**
17 **WOOD VALLEY COUNTY WATER DISTRICT.**

18 Section 15 of Public Law 100–516 (102 Stat. 2573)
19 is amended—

20 (1) by amending paragraph (2) of subsection
21 (a) to read as follows:

22 “(2) If, as of January 1, 2006, the Secretary
23 of the Interior and the Redwood Valley County
24 Water District have not renegotiated the schedule of
25 payment, the District may enter into such additional

1 non-Federal obligations as are necessary to finance
2 procurement of dedicated water rights and improve-
3 ments necessary to store and convey those rights to
4 provide for the District’s water needs. The Secretary
5 shall reschedule the payments due under loans num-
6 bered 14–06–200–8423A and 14–06–200–8423A
7 Amendatory and said payments shall commence
8 when such additional obligations have been finan-
9 cially satisfied by the District. The date of the initial
10 payment owed by the District to the United States
11 shall be regarded as the start of the District’s repay-
12 ment period and the time upon which any interest
13 shall first be computed and assessed under section
14 5 of the Small Reclamation Projects Act of 1956 (43
15 U.S.C. 422a et seq.)”;

16 (2) by striking subsection (c).

17 **SEC. 403. AMERICAN RIVER PUMP STATION PROJECT**
18 **TRANSFER.**

19 (a) **AUTHORITY TO TRANSFER.**—The Secretary of
20 the Interior (hereafter in this section referred to as the
21 “Secretary”) shall transfer ownership of the American
22 River Pump Station Project located at Auburn, California,
23 which includes the Pumping Plant, associated facilities,
24 and easements necessary for permanent operation of the
25 facilities, to the Placer County Water Agency, in accord-

1 ance with the terms of Contract No. 02-LC-20-7790 be-
2 tween the United States and Placer County Water Agency
3 and the terms and conditions established in this section.

4 (b) FEDERAL COSTS NONREIMBURSABLE.—Federal
5 costs associated with construction of the American River
6 Pump Station Project located at Auburn, California, are
7 nonreimbursable.

8 (c) GRANT OF REAL PROPERTY INTEREST.—The
9 Secretary is authorized to grant title to Placer County
10 Water Agency as provided in subsection (a) in full satis-
11 faction of the United States' obligations under Land Pur-
12 chase Contract 14-06-859-308 to provide a water supply
13 to the Placer County Water Agency.

14 (d) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

15 (1) IN GENERAL.—Before conveying land and
16 facilities pursuant to this section, the Secretary shall
17 comply with all applicable requirements under—

18 (A) the National Environmental Policy Act
19 of 1969 (42 U.S.C. 4321 et seq.);

20 (B) the Endangered Species Act of 1973
21 (16 U.S.C. 1531 et seq.); and

22 (C) any other law applicable to the land
23 and facilities.

24 (2) EFFECT.—Nothing in this section modifies
25 or alters any obligations under—

1 (A) the National Environmental Policy Act
2 of 1969 (42 U.S.C. 4321 et seq.); or

3 (B) the Endangered Species Act of 1973
4 (16 U.S.C. 1531 et seq.).

5 (e) RELEASE FROM LIABILITY.—Effective on the
6 date of transfer to the Placer County Water Agency of
7 any land or facility under this section, the United States
8 shall not be liable for damages arising out of any act,
9 omission, or occurrence relating to the land and facilities,
10 consistent with Article 9 of Contract No. 02–LC–20–7790
11 between the United States and Placer County Water
12 Agency.

13 **SEC. 404. ARTHUR V. WATKINS DAM ENLARGEMENT.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) Arthur V. Watkins Dam is a feature of the
16 Weber Basin Project, which was authorized by law
17 on August 29, 1949.

18 (2) Increasing the height of Arthur V. Watkins
19 Dam and construction of pertinent facilities may
20 provide additional storage capacity for the develop-
21 ment of additional water supply for the Weber Basin
22 Project for uses of municipal and industrial water
23 supply, flood control, fish and wildlife, and recre-
24 ation.

1 (b) AUTHORIZATION OF FEASIBILITY STUDY.—The
2 Secretary of the Interior, acting through the Bureau of
3 Reclamation, is authorized to conduct a feasibility study
4 on raising the height of Arthur V. Watkins Dam for the
5 development of additional storage to meet water supply
6 needs within the Weber Basin Project area and the
7 Wasatch Front. The feasibility study shall include such
8 environmental evaluation as required under the National
9 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
10 seq.) and a cost allocation as required under the Reclama-
11 tion Project Act of 1939 (43 U.S.C. 485 et seq.).

12 (c) COST SHARES.—

13 (1) FEDERAL SHARE.—The Federal share of
14 the costs of the study authorized in subsection (b)
15 shall not exceed 50 percent of the total cost of the
16 study.

17 (2) IN-KIND CONTRIBUTIONS.—The Secretary
18 shall accept, as appropriate, in-kind contributions of
19 goods or services from the Weber Basin Water Con-
20 servancy District. Such goods and services accepted
21 under this subsection shall be counted as part of the
22 non-Federal cost share for the study.

23 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to the Secretary \$1,000,000

1 for the Federal cost share of the study authorized in sub-
2 section (b).

3 (e) SUNSET.—The authority of the Secretary to carry
4 out any provisions of this section shall terminate 10 years
5 after the date of enactment of this Act.

6 **SEC. 405. NEW MEXICO WATER PLANNING ASSISTANCE.**

7 (a) DEFINITIONS.—In this section:

8 (1) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior, acting through the Bu-
10 reau of Reclamation and the United States Geologi-
11 cal Survey.

12 (2) STATE.—The term “State” means the State
13 of New Mexico.

14 (b) COMPREHENSIVE WATER PLAN ASSISTANCE.—

15 (1) IN GENERAL.—Upon the request of the
16 Governor of the State and subject to paragraphs (2)
17 through (6), the Secretary shall—

18 (A) provide to the State technical assist-
19 ance and grants for the development of com-
20 prehensive State water plans;

21 (B) conduct water resources mapping in
22 the State; and

23 (C) conduct a comprehensive study of
24 groundwater resources (including potable,
25 brackish, and saline water resources) in the

1 State to assess the quantity, quality, and inter-
2 action of groundwater and surface water re-
3 sources.

4 (2) TECHNICAL ASSISTANCE.—Technical assist-
5 ance provided under paragraph (1) may include—

6 (A) acquisition of hydrologic data, ground-
7 water characterization, database development,
8 and data distribution;

9 (B) expansion of climate, surface water,
10 and groundwater monitoring networks;

11 (C) assessment of existing water resources,
12 surface water storage, and groundwater storage
13 potential;

14 (D) numerical analysis and modeling nec-
15 essary to provide an integrated understanding
16 of water resources and water management op-
17 tions;

18 (E) participation in State planning forums
19 and planning groups;

20 (F) coordination of Federal water manage-
21 ment planning efforts;

22 (G) technical review of data, models, plan-
23 ning scenarios, and water plans developed by
24 the State; and

1 (H) provision of scientific and technical
2 specialists to support State and local activities.

3 (3) ALLOCATION.—In providing grants under
4 paragraph (1), the Secretary shall, subject to the
5 availability of appropriations, allocate—

6 (A) \$5,000,000 to develop hydrologic mod-
7 els and acquire associated equipment for the
8 New Mexico Rio Grande main stem sections
9 and Rios Pueblo de Taos and Hondo, Rios
10 Nambe, Pojoaque and Teseque, Rio Chama,
11 and Lower Rio Grande tributaries;

12 (B) \$1,500,000 to complete the hydro-
13 graphic survey development of hydrologic mod-
14 els and acquire associated equipment for the
15 San Juan River and tributaries;

16 (C) \$1,000,000 to complete the hydro-
17 graphic survey development of hydrologic mod-
18 els and acquire associated equipment for South-
19 west New Mexico, including the Animas Basin,
20 the Gila River, and tributaries;

21 (D) \$4,500,000 for statewide digital
22 orthophotography mapping; and

23 (E) such sums as are necessary to carry
24 out additional projects consistent with para-
25 graph (2).

1 (4) COST-SHARING REQUIREMENT.—

2 (A) IN GENERAL.—The non-Federal share
3 of the total cost of any activity carried out
4 using a grant provided under paragraph (1)
5 shall be 50 percent.

6 (B) FORM OF NON-FEDERAL SHARE.—The
7 non-Federal share under subparagraph (A) may
8 be in the form of any in-kind services that the
9 Secretary determines would contribute substan-
10 tially toward the conduct and completion of the
11 activity assisted.

12 (5) NONREIMBURSABLE BASIS.—Any assistance
13 or grants provided to the State under this section
14 shall be made on a non-reimbursable basis.

15 (6) AUTHORIZED TRANSFERS.—On request of
16 the State, the Secretary shall directly transfer to 1
17 or more Federal agencies any amounts made avail-
18 able to the State to carry out this section.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section
21 \$3,000,000 for each of fiscal years 2008 through 2012.

22 (d) SUNSET OF AUTHORITY.—The authority of the
23 Secretary to carry out any provisions of this section shall
24 terminate 10 years after the date of enactment of this Act.

1 **SEC. 406. CONVEYANCE OF CERTAIN BUILDINGS AND**
2 **LANDS OF THE YAKIMA PROJECT, WASH-**
3 **INGTON.**

4 (a) CONVEYANCE REQUIRED.—The Secretary of the
5 Interior shall convey to the Yakima-Tieton Irrigation Dis-
6 trict, located in Yakima County, Washington, all right,
7 title, and interest of the United States in and to the build-
8 ings and lands of the Yakima Project, Washington, in ac-
9 cordance with the terms and conditions set forth in the
10 agreement titled “Agreement Between the United States
11 and the Yakima-Tieton Irrigation District to Transfer
12 Title to Certain Federally Owned Buildings and Lands,
13 With Certain Property Rights, Title, and Interest, to the
14 Yakima-Tieton Irrigation District” (Contract No. 5–07–
15 10–L1658).

16 (b) LIABILITY.—Effective upon the date of convey-
17 ance under this section, the United States shall not be
18 held liable by any court for damages of any kind arising
19 out of any act, omission, or occurrence relating to the con-
20 veyed buildings and lands, except for damages caused by
21 acts of negligence committed by the United States or by
22 its employees or agents before the date of conveyance.
23 Nothing in this section increases the liability of the United
24 States beyond that provided in chapter 171 of title 28,
25 United States Code (popularly known as the Federal Tort
26 Claims Act), on the date of enactment of this Act.

1 (c) BENEFITS.—After conveyance of the buildings
2 and lands to the Yakima-Tieton Irrigation District under
3 this section—

4 (1) such buildings and lands shall not be con-
5 sidered to be a part of a Federal reclamation
6 project; and

7 (2) such irrigation district shall not be eligible
8 to receive any benefits with respect to any buildings
9 and lands conveyed, except benefits that would be
10 available to a similarly situated person with respect
11 to such buildings and lands that are not part of a
12 Federal reclamation project.

13 (d) REPORT.—If the Secretary of the Interior has not
14 completed the conveyance required under subsection (a)
15 within 12 months after the date of enactment of this Act,
16 the Secretary shall submit to Congress a report that ex-
17 plains the reason such conveyance has not been completed
18 and stating the date by which the conveyance will be com-
19 pleted.

20 **SEC. 407. CONJUNCTIVE USE OF SURFACE AND GROUND-**
21 **WATER IN JUAB COUNTY, UTAH.**

22 Section 202(a)(2) of the Reclamation Projects Au-
23 thorization and Adjustment Act of 1992 (Public Law 102-
24 575) is amended by inserting “Juab,” after “Davis,”.

1 **SEC. 408. EARLY REPAYMENT OF A & B IRRIGATION DIS-**
2 **TRICT CONSTRUCTION COSTS.**

3 (a) IN GENERAL.—Notwithstanding section 213 of
4 the Reclamation Reform Act of 1982 (43 U.S.C. 390mm),
5 any landowner within the A & B Irrigation District in the
6 State (referred to in this section as the “District”) may
7 repay, at any time, the construction costs of District
8 project facilities that are allocated to land of the land-
9 owner within the District.

10 (b) APPLICABILITY OF FULL-COST PRICING LIMITA-
11 TIONS.—On discharge, in full, of the obligation for repay-
12 ment of all construction costs described in subsection (a)
13 that are allocated to all land the landowner owns in the
14 District in question, the parcels of land shall not be sub-
15 ject to the ownership and full-cost pricing limitations
16 under Federal reclamation law (the Act of June 17, 1902
17 (32 Stat. 388, chapter 1093), and Acts supplemental to
18 and amendatory of that Act (43 U.S.C. 371 et seq.), in-
19 cluding the Reclamation Reform Act of 1982 (13 U.S.C.
20 390aa et seq.).

21 (c) CERTIFICATION.—On request of a landowner that
22 has repaid, in full, the construction costs described in sub-
23 section (a), the Secretary of the Interior shall provide to
24 the landowner a certificate described in section 213(b)(1)
25 of the Reclamation Reform Act of 1982 (43 U.S.C.
26 390mm(b)(1)).

1 (d) EFFECT.—Nothing in this section—

2 (1) modifies any contractual rights under, or
3 amends or reopens, the reclamation contract between
4 the District and the United States; or

5 (2) modifies any rights, obligations, or relation-
6 ships between the District and landowners in the
7 District under Idaho State law.

8 **TITLE V—DEPARTMENT OF**
9 **ENERGY AUTHORIZATIONS**

10 **SEC. 501. ENERGY TECHNOLOGY TRANSFER.**

11 Section 917 of the Energy Policy Act of 2005 (42
12 U.S.C. 16197) is amended to read as follows:

13 **“SEC. 917. ADVANCED ENERGY TECHNOLOGY TRANSFER**
14 **CENTERS.**

15 “(a) GRANTS.—Not later than 18 months after the
16 date of enactment of the National Forests, Parks, Public
17 Land, and Reclamation Projects Authorization Act of
18 2007, the Secretary shall make grants to nonprofit institu-
19 tions, State and local governments, cooperative extension
20 services, or institutions of higher education (or consortia
21 thereof), to establish a geographically dispersed network
22 of Advanced Energy Technology Transfer Centers, to be
23 located in areas the Secretary determines have the great-
24 est need of the services of such Centers. In making awards
25 under this section, the Secretary shall—

1 “(1) give priority to applicants already oper-
2 ating or partnered with an outreach program capa-
3 ble of transferring knowledge and information about
4 advanced energy efficiency methods and tech-
5 nologies;

6 “(2) ensure that, to the extent practicable, the
7 program enables the transfer of knowledge and in-
8 formation—

9 “(A) about a variety of technologies; and

10 “(B) in a variety of geographic areas;

11 “(3) give preference to applicants that would
12 significantly expand on or fill a gap in existing pro-
13 grams in a geographical region; and

14 “(4) consider the special needs and opportuni-
15 ties for increased energy efficiency for manufactured
16 and site-built housing, including construction, ren-
17 ovation, and retrofit.

18 “(b) ACTIVITIES.—Each Center shall operate a pro-
19 gram to encourage demonstration and commercial applica-
20 tion of advanced energy methods and technologies through
21 education and outreach to building and industrial profes-
22 sionals, and to other individuals and organizations with
23 an interest in efficient energy use. Funds awarded under
24 this section may be used for the following activities:

1 “(1) Developing and distributing informational
2 materials on technologies that could use energy more
3 efficiently.

4 “(2) Carrying out demonstrations of advanced
5 energy methods and technologies.

6 “(3) Developing and conducting seminars,
7 workshops, long-distance learning sessions, and
8 other activities to aid in the dissemination of knowl-
9 edge and information on technologies that could use
10 energy more efficiently.

11 “(4) Providing or coordinating onsite energy
12 evaluations, including instruction on the commis-
13 sioning of building heating and cooling systems, for
14 a wide range of energy end-users.

15 “(5) Examining the energy efficiency needs of
16 energy end-users to develop recommended research
17 projects for the Department.

18 “(6) Hiring experts in energy efficient tech-
19 nologies to carry out activities described in para-
20 graphs (1) through (5).

21 “(c) APPLICATION.—A person seeking a grant under
22 this section shall submit to the Secretary an application
23 in such form and containing such information as the Sec-
24 retary may require. The Secretary may award a grant
25 under this section to an entity already in existence if the

1 entity is otherwise eligible under this section. The applica-
2 tion shall include, at a minimum—

3 “(1) a description of the applicant’s outreach
4 program, and the geographic region it would serve,
5 and of why the program would be capable of trans-
6 ferring knowledge and information about advanced
7 energy technologies that increase efficiency of energy
8 use;

9 “(2) a description of the activities the applicant
10 would carry out, of the technologies that would be
11 transferred, and of any other organizations that will
12 help facilitate a regional approach to carrying out
13 those activities;

14 “(3) a description of how the proposed activities
15 would be appropriate to the specific energy needs of
16 the geographic region to be served;

17 “(4) an estimate of the number and types of
18 energy end-users expected to be reached through
19 such activities; and

20 “(5) a description of how the applicant will as-
21 sess the success of the program.

22 “(d) SELECTION CRITERIA.—The Secretary shall
23 award grants under this section on the basis of the fol-
24 lowing criteria, at a minimum:

1 “(1) The ability of the applicant to carry out
2 the proposed activities.

3 “(2) The extent to which the applicant will co-
4 ordinate the activities of the Center with other enti-
5 ties as appropriate, such as State and local govern-
6 ments, utilities, institutions of higher education, and
7 National Laboratories.

8 “(3) The appropriateness of the applicant’s out-
9 reach program for carrying out the program de-
10 scribed in this section.

11 “(4) The likelihood that proposed activities
12 could be expanded or used as a model for other
13 areas.

14 “(e) COST-SHARING.—In carrying out this section,
15 the Secretary shall require cost-sharing in accordance with
16 the requirements of section 988 for commercial application
17 activities.

18 “(f) DURATION.—

19 “(1) INITIAL GRANT PERIOD.—A grant awarded
20 under this section shall be for a period of 5 years.

21 “(2) INITIAL EVALUATION.—Each grantee
22 under this section shall be evaluated during its third
23 year of operation under procedures established by
24 the Secretary to determine if the grantee is accom-
25 plishing the purposes of this section described in

1 subsection (a). The Secretary shall terminate any
2 grant that does not receive a positive evaluation. If
3 an evaluation is positive, the Secretary may extend
4 the grant for 3 additional years beyond the original
5 term of the grant.

6 “(3) ADDITIONAL EXTENSION.—If a grantee re-
7 ceives an extension under paragraph (2), the grantee
8 shall be evaluated again during the second year of
9 the extension. The Secretary shall terminate any
10 grant that does not receive a positive evaluation. If
11 an evaluation is positive, the Secretary may extend
12 the grant for a final additional period of 3 additional
13 years beyond the original extension.

14 “(4) LIMITATION.—No grantee may receive
15 more than 11 years of support under this section
16 without reapplying for support and competing
17 against all other applicants seeking a grant at that
18 time.

19 “(g) PROHIBITION.—None of the funds awarded
20 under this section may be used for the construction of fa-
21 cilities.

22 “(h) DEFINITIONS.—For purposes of this section:

23 “(1) ADVANCED ENERGY METHODS AND TECH-
24 NOLOGIES.—The term ‘advanced energy methods
25 and technologies’ means all methods and tech-

1 nologies that promote energy efficiency and con-
2 servation, including distributed generation tech-
3 nologies, and life-cycle analysis of energy use.

4 “(2) CENTER.—The term ‘Center’ means an
5 Advanced Energy Technology Transfer Center estab-
6 lished pursuant to this section.

7 “(3) DISTRIBUTED GENERATION.—The term
8 ‘distributed generation’ means an electric power gen-
9 eration technology, including photovoltaic, small
10 wind, and micro-combined heat and power, that
11 serves electric consumers at or near the site of pro-
12 duction.

13 “(4) COOPERATIVE EXTENSION.—The term
14 ‘Cooperative Extension’ means the extension services
15 established at the land-grant colleges and univer-
16 sities under the Smith-Lever Act of May 8, 1914.

17 “(5) LAND-GRANT COLLEGES AND UNIVER-
18 SITIES.—The term ‘land-grant colleges and univer-
19 sities’ means—

20 “(A) 1862 Institutions (as defined in sec-
21 tion 2 of the Agricultural Research, Extension,
22 and Education Reform Act of 1998 (7 U.S.C.
23 7601));

24 “(B) 1890 Institutions (as defined in sec-
25 tion 2 of that Act); and

1 “(C) 1994 Institutions (as defined in sec-
2 tion 2 of that Act).

3 “(i) AUTHORIZATION OF APPROPRIATIONS.—In addi-
4 tion to amounts otherwise authorized to be appropriated
5 in section 911, there are authorized to be appropriated
6 for the program under this section such sums as may be
7 appropriated.”.

8 **SEC. 502. AMENDMENTS TO THE STEEL AND ALUMINUM EN-**
9 **ERGY CONSERVATION AND TECHNOLOGY**
10 **COMPETITIVENESS ACT OF 1988.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
12 9 of the Steel and Aluminum Energy Conservation and
13 Technology Competitiveness Act of 1988 (15 U.S.C.
14 5108) is amended to read as follows:

15 **“SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to the Sec-
17 retary to carry out this Act \$12,000,000 for each of the
18 fiscal years 2008 through 2012.”.

19 (b) STEEL PROJECT PRIORITIES.—Section 4(c)(1) of
20 the Steel and Aluminum Energy Conservation and Tech-
21 nology Competitiveness Act of 1988 (15 U.S.C.
22 5103(c)(1)) is amended—

23 (1) in subparagraph (H), by striking “coatings
24 for sheet steels” and inserting “sheet and bar
25 steels”; and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(K) The development of technologies
4 which reduce greenhouse gas emissions.”.

5 (c) CONFORMING AMENDMENTS.—The Steel and
6 Aluminum Energy Conservation and Technology Competi-
7 tiveness Act of 1988 is further amended—

8 (1) by striking section 7 (15 U.S.C. 5106); and

9 (2) in section 8 (15 U.S.C. 5107), by inserting
10 “, beginning with fiscal year 2008,” after “close of
11 each fiscal year”.

Calendar No. 424

110TH CONGRESS
1ST Session
S. 2179

A BILL

To authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

OCTOBER 18, 2007

Read the second time and placed on the calendar