

106TH CONGRESS
1ST SESSION

S. 382

To establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 1999

Mr. JOHNSON (for himself and Mr. DASCHLE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Minuteman Missile Na-
5 tional Historic Site Establishment Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the Minuteman II intercontinental ballistic
9 missile (referred to in this Act as “ICBM”) launch
10 control facility and launch facility known as “Delta

1 1” and “Delta 9”, respectively, have national signifi-
2 cance as the best preserved examples of the oper-
3 ational character of American history during the
4 Cold War;

5 (2) the facilities are symbolic of the dedication
6 and preparedness exhibited by the missileers of the
7 Air Force stationed throughout the upper Great
8 Plains in remote and forbidding locations during the
9 Cold War;

10 (3) the facilities provide a unique opportunity
11 to illustrate the history and significance of the Cold
12 War, the arms race, and ICBM development; and

13 (4) the National Park System does not contain
14 a unit that specifically commemorates or interprets
15 the Cold War.

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

17 (1) to preserve, protect, and interpret for the
18 benefit and enjoyment of present and future genera-
19 tions the structures associated with the Minuteman
20 II missile defense system;

21 (2) to interpret the historical role of the Min-
22 uteman II missile defense system—

23 (A) as a key component of America’s stra-
24 tegic commitment to preserve world peace; and

1 (B) in the broader context of the Cold
 2 War; and

3 (3) to complement the interpretive programs re-
 4 lating to the Minuteman II missile defense system
 5 offered by the South Dakota Air and Space Museum
 6 at Ellsworth Air Force Base.

7 **SEC. 3. MINUTEMAN MISSILE NATIONAL HISTORIC SITE.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—The Minuteman Missile Na-
 10 tional Historic Site in the State of South Dakota
 11 (referred to in this Act as the “historic site”) is es-
 12 tablished as a unit of the National Park System.

13 (2) COMPONENTS OF SITE.—The historic site
 14 shall consist of the land and interests in land com-
 15 prising the Minuteman II ICBM launch control fa-
 16 cilities, as generally depicted on the map referred to
 17 as “Minuteman Missile National Historic Site”,
 18 numbered 406/80,008 and dated September, 1998,
 19 including—

20 (A) the area surrounding the Minuteman
 21 II ICBM launch control facility depicted as
 22 “Delta 1 Launch Control Facility”; and

23 (B) the area surrounding the Minuteman
 24 II ICBM launch control facility depicted as
 25 “Delta 9 Launch Facility”.

1 (3) AVAILABILITY OF MAP.—The map described
2 in paragraph (2) shall be on file and available for
3 public inspection in the appropriate offices of the
4 National Park Service.

5 (4) ADJUSTMENTS TO BOUNDARY.—The Sec-
6 retary of the Interior (referred to in this Act as the
7 “Secretary”) is authorized to make minor adjust-
8 ments to the boundary of the historic site.

9 (b) ADMINISTRATION OF HISTORIC SITE.—The Sec-
10 retary shall administer the historic site in accordance with
11 this Act and laws generally applicable to units of the
12 National Park System, including—

13 (1) the Act entitled “An Act to establish a Na-
14 tional Park Service, and for other purposes”, ap-
15 proved August 25, 1916 (16 U.S.C. 1 et seq.); and

16 (2) the Act entitled “An Act to provide for the
17 preservation of historic American sites, buildings,
18 objects, and antiquities of national significance, and
19 for other purposes”, approved August 21, 1935 (16
20 U.S.C. 461 et seq.).

21 (c) COORDINATION WITH HEADS OF OTHER AGEN-
22 cies.—The Secretary shall consult with the Secretary of
23 Defense and the Secretary of State, as appropriate, to en-
24 sure that the administration of the historic site is in com-
25 pliance with applicable treaties.

1 (d) COOPERATIVE AGREEMENTS.—The Secretary
2 may enter into cooperative agreements with appropriate
3 public and private entities and individuals to carry out this
4 Act.

5 (e) LAND ACQUISITION.—

6 (1) IN GENERAL.—Except as provided in para-
7 graph (2), the Secretary may acquire land and inter-
8 ests in land within the boundaries of the historic site
9 by—

10 (A) donation;

11 (B) purchase with donated or appropriated
12 funds; or

13 (C) exchange or transfer from another
14 Federal agency.

15 (2) PROHIBITED ACQUISITIONS.—

16 (A) CONTAMINATED LAND.—The Secretary
17 shall not acquire any land under this Act if the
18 Secretary determines that the land to be ac-
19 quired, or any portion of the land, is contami-
20 nated with hazardous substances (as defined in
21 section 101 of the Comprehensive Environ-
22 mental Response, Compensation, and Liability
23 Act of 1980 (42 U.S.C. 9601)), unless, with re-
24 spect to the land, all remedial action necessary

1 to protect human health and the environment
 2 has been taken under that Act.

3 (B) SOUTH DAKOTA LAND.—The Secretary
 4 may acquire land or an interest in land owned
 5 by the State of South Dakota only by donation
 6 or exchange.

7 (f) GENERAL MANAGEMENT PLAN.—

8 (1) IN GENERAL.—Not later than 3 years after
 9 the date funds are made available to carry out this
 10 Act, the Secretary shall prepare a general manage-
 11 ment plan for the historic site.

12 (2) CONTENTS OF PLAN.—

13 (A) NEW SITE LOCATION.—The plan shall
 14 include an evaluation of appropriate locations
 15 for a visitor facility and administrative site
 16 within the areas depicted on the map described
 17 in subsection (a)(2) as—

18 (i) “Support Facility Study Area—Al-
 19 ternative A”; or

20 (ii) “Support Facility Study Area—
 21 Alternative B”.

22 (B) NEW SITE BOUNDARY MODIFICA-
 23 TION.—On a determination by the Secretary of
 24 the appropriate location for a visitor facility
 25 and administrative site, the boundary of the

1 historic site shall be modified to include the se-
 2 lected site.

3 (3) COORDINATION WITH BADLANDS NATIONAL
 4 PARK.—In developing the plan, the Secretary shall
 5 consider coordinating or consolidating appropriate
 6 administrative, management, and personnel func-
 7 tions of the historic site and the Badlands National
 8 Park.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—There are authorized to be appro-
 11 priated such sums as are necessary to carry out this Act.

12 (b) AIR FORCE FUNDS.—

13 (1) TRANSFER.—The Secretary of the Air
 14 Force shall transfer to the Secretary any funds spe-
 15 cifically appropriated to the Air Force in fiscal year
 16 1999 for the maintenance, protection, or preserva-
 17 tion of the land or interests in land described in sec-
 18 tion 3.

19 (2) USE OF AIR FORCE FUNDS.—Funds trans-
 20 ferred under paragraph (1) shall be used by the Sec-
 21 retary for establishing, operating, and maintaining
 22 the historic site.

23 (c) LEGACY RESOURCE MANAGEMENT PROGRAM.—
 24 Nothing in this Act affects the use of any funds available
 25 for the Legacy Resource Management Program being car-

1 ried out by the Air Force that, before the date of enact-
2 ment of this Act, were directed to be used for resource
3 preservation and treaty compliance.

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