

106TH CONGRESS
2D SESSION

S. 964

AMENDMENT

In the House of Representatives, U. S.,

October 18, 2000.

Resolved, That the bill from the Senate (S. 964) entitled “An Act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***TITLE I—CHEYENNE RIVER***
2 ***SIOUX TRIBE EQUITABLE***
3 ***COMPENSATION***

4 ***SEC. 101. SHORT TITLE.***

5 *This title may be cited as the “Cheyenne River Sioux*
6 *Tribe Equitable Compensation Act”.*

7 ***SEC. 102. FINDINGS AND PURPOSES.***

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

9 *(1) by enacting the Act of December 22, 1944,*
10 *(58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.),*
11 *commonly known as the “Flood Control Act of 1944”,*
12 *Congress approved the Pick-Sloan Missouri River*
13 *Basin program (referred to in this section as the*
14 *“Pick-Sloan program”)—*

1 (A) to promote the general economic devel-
2 opment of the United States;

3 (B) to provide for irrigation above Sioux
4 City, Iowa;

5 (C) to protect urban and rural areas from
6 devastating floods of the Missouri River; and

7 (D) for other purposes;

8 (2) the Oahe Dam and Reservoir project—

9 (A) is a major component of the Pick-Sloan
10 program, and contributes to the economy of the
11 United States by generating a substantial
12 amount of hydropower and impounding a sub-
13 stantial quantity of water;

14 (B) overlies the eastern boundary of the
15 Cheyenne River Sioux Indian Reservation; and

16 (C) has not only contributed little to the
17 economy of the Tribe, but has severely damaged
18 the economy of the Tribe and members of the
19 Tribe by inundating the fertile, wooded bottom
20 lands of the Tribe along the Missouri River that
21 constituted the most productive agricultural and
22 pastoral lands of the Tribe and the homeland of
23 the members of the Tribe;

24 (3) the Secretary of the Interior appointed a
25 Joint Tribal Advisory Committee that examined the

1 *Oahe Dam and Reservoir project and concluded*
2 *that—*

3 *(A) the Federal Government did not justify,*
4 *or fairly compensate the Tribe for, the Oahe*
5 *Dam and Reservoir project when the Federal*
6 *Government acquired 104,492 acres of land of*
7 *the Tribe for that project; and*

8 *(B) the Tribe should be adequately com-*
9 *pensated for the land acquisition described in*
10 *subparagraph (A);*

11 *(4) after applying the same method of analysis*
12 *as is used for the compensation of similarly situated*
13 *Indian tribes, the Comptroller General of the United*
14 *States (referred to in this title as the “Comptroller*
15 *General”)* determined that the appropriate amount of
16 *compensation to pay the Tribe for the land acquisi-*
17 *tion described in paragraph (3)(A) would be*
18 *\$290,723,000;*

19 *(5) the Tribe is entitled to receive additional fi-*
20 *nancial compensation for the land acquisition de-*
21 *scribed in paragraph (3)(A) in a manner consistent*
22 *with the determination of the Comptroller General de-*
23 *scribed in paragraph (4); and*

24 *(6) the establishment of a trust fund to make*
25 *amounts available to the Tribe under this title is con-*

1 *sistent with the principles of self-governance and self-*
 2 *determination.*

3 *(b) PURPOSES.—The purposes of this title are as fol-*
 4 *lows:*

5 *(1) To provide for additional financial com-*
 6 *pensation to the Tribe for the acquisition by the Fed-*
 7 *eral Government of 104,492 acres of land of the Tribe*
 8 *for the Oahe Dam and Reservoir project in a manner*
 9 *consistent with the determinations of the Comptroller*
 10 *General described in subsection (a)(4).*

11 *(2) To provide for the establishment of the Chey-*
 12 *enne River Sioux Tribal Recovery Trust Fund, to be*
 13 *managed by the Secretary of the Treasury in order to*
 14 *make payments to the Tribe to carry out projects*
 15 *under a plan prepared by the Tribe.*

16 **SEC. 103. DEFINITIONS.**

17 *In this title:*

18 *(1) TRIBE.—The term “Tribe” means the Chey-*
 19 *enne River Sioux Tribe, which is comprised of the*
 20 *Itazipco, Siha Sapa, Minniconjou, and Oohenumpa*
 21 *bands of the Great Sioux Nation that reside on the*
 22 *Cheyenne River Reservation, located in central South*
 23 *Dakota.*

24 *(2) TRIBAL COUNCIL.—The term “Tribal Coun-*
 25 *cil” means the governing body of the Tribe.*

1 **SEC. 104. CHEYENNE RIVER SIOUX TRIBAL RECOVERY**
 2 **TRUST FUND.**

3 (a) *CHEYENNE RIVER SIOUX TRIBAL RECOVERY*
 4 *TRUST FUND.*—*There is established in the Treasury of the*
 5 *United States a fund to be known as the “Cheyenne River*
 6 *Sioux Tribal Recovery Trust Fund” (referred to in this title*
 7 *as the “Fund”). The Fund shall consist of any amounts*
 8 *deposited into the Fund under this title.*

9 (b) *FUNDING.*—*On the first day of the 11th fiscal year*
 10 *that begins after the date of enactment of this Act, the Sec-*
 11 *retary of the Treasury shall, from the General Fund of the*
 12 *Treasury, deposit into the Fund established under sub-*
 13 *section (a)—*

14 (1) \$290,722,958; and

15 (2) *an additional amount that equals the*
 16 *amount of interest that would have accrued on the*
 17 *amount described in paragraph (1) if such amount*
 18 *had been invested in interest-bearing obligations of*
 19 *the United States, or in obligations guaranteed as to*
 20 *both principal and interest by the United States, on*
 21 *the first day of the first fiscal year that begins after*
 22 *the date of enactment of this Act and compounded an-*
 23 *nually thereafter.*

24 (c) *INVESTMENT OF TRUST FUND.*—*It shall be the*
 25 *duty of the Secretary of the Treasury to invest such portion*
 26 *of the Fund as is not, in the Secretary of Treasury’s judg-*

1 *ment, required to meet current withdrawals. Such invest-*
 2 *ments may be made only in interest-bearing obligations of*
 3 *the United States or in obligations guaranteed as to both*
 4 *principal and interest by the United States. The Secretary*
 5 *of the Treasury shall deposit interest resulting from such*
 6 *investments into the Fund.*

7 *(d) PAYMENT OF INTEREST TO TRIBE.—*

8 *(1) WITHDRAWAL OF INTEREST.—Beginning on*
 9 *the first day of the 11th fiscal year after the date of*
 10 *enactment of this Act and, on the first day of each*
 11 *fiscal year thereafter, the Secretary of the Treasury*
 12 *shall withdraw the aggregate amount of interest de-*
 13 *posited into the Fund for that fiscal year and transfer*
 14 *that amount to the Secretary of the Interior for use*
 15 *in accordance with paragraph (2). Each amount so*
 16 *transferred shall be available without fiscal year limi-*
 17 *tation.*

18 *(2) PAYMENTS TO TRIBE.—*

19 *(A) IN GENERAL.—The Secretary of the In-*
 20 *terior shall use the amounts transferred under*
 21 *paragraph (1) only for the purpose of making*
 22 *payments to the Tribe, as such payments are re-*
 23 *quested by the Tribe pursuant to tribal resolu-*
 24 *tion.*

1 (B) *LIMITATION.*—*Payments may be made*
 2 *by the Secretary of the Interior under subpara-*
 3 *graph (A) only after the Tribe has adopted a*
 4 *plan under subsection (f).*

5 (C) *USE OF PAYMENTS BY TRIBE.*—*The*
 6 *Tribe shall use the payments made under sub-*
 7 *paragraph (B) only for carrying out projects*
 8 *and programs under the plan prepared under*
 9 *subsection (f).*

10 (e) *TRANSFERS AND WITHDRAWALS.*—*Except as pro-*
 11 *vided in subsections (c) and (d)(1), the Secretary of the*
 12 *Treasury may not transfer or withdraw any amount depos-*
 13 *ited under subsection (b).*

14 (f) *PLAN.*—

15 (1) *IN GENERAL.*—*Not later than 18 months*
 16 *after the date of enactment of this Act, the governing*
 17 *body of the Tribe shall prepare a plan for the use of*
 18 *the payments to the Tribe under subsection (d) (re-*
 19 *ferred to in this subsection as the “plan”).*

20 (2) *CONTENTS OF PLAN.*—*The plan shall provide*
 21 *for the manner in which the Tribe shall expend pay-*
 22 *ments to the Tribe under subsection (d) to promote—*

23 (A) *economic development;*

24 (B) *infrastructure development;*

1 (C) *the educational, health, recreational,*
 2 *and social welfare objectives of the Tribe and its*
 3 *members; or*

4 (D) *any combination of the activities de-*
 5 *scribed in subparagraphs (A) through (C).*

6 (3) *PLAN REVIEW AND REVISION.—*

7 (A) *IN GENERAL.—The Tribal Council shall*
 8 *make available for review and comment by the*
 9 *members of the Tribe a copy of the plan before*
 10 *the plan becomes final, in accordance with proce-*
 11 *dures established by the Tribal Council.*

12 (B) *UPDATING OF PLAN.—The Tribal Coun-*
 13 *cil may, on an annual basis, revise the plan to*
 14 *update the plan. In revising the plan under this*
 15 *subparagraph, the Tribal Council shall provide*
 16 *the members of the Tribe opportunity to review*
 17 *and comment on any proposed revision to the*
 18 *plan.*

19 (C) *CONSULTATION.—In preparing the plan*
 20 *and any revisions to update the plan, the Tribal*
 21 *Council shall consult with the Secretary of the*
 22 *Interior and the Secretary of Health and*
 23 *Human Services.*

24 (4) *AUDIT.—*

1 (A) *IN GENERAL.*—*The activities of the*
 2 *Tribe in carrying out the plan shall be audited*
 3 *as part of the annual single-agency audit that*
 4 *the Tribe is required to prepare pursuant to the*
 5 *Office of Management and Budget circular num-*
 6 *bered A-133.*

7 (B) *DETERMINATION BY AUDITORS.*—*The*
 8 *auditors that conduct the audit described in sub-*
 9 *paragraph (A) shall—*

10 *(i) determine whether funds received by*
 11 *the Tribe under this section for the period*
 12 *covered by the audit were expended to carry*
 13 *out the plan in a manner consistent with*
 14 *this section; and*

15 *(ii) include in the written findings of*
 16 *the audit the determination made under*
 17 *clause (i).*

18 (C) *INCLUSION OF FINDINGS WITH PUBLICA-*
 19 *TION OF PROCEEDINGS OF TRIBAL COUNCIL.*—*A*
 20 *copy of the written findings of the audit de-*
 21 *scribed in subparagraph (A) shall be inserted in*
 22 *the published minutes of the Tribal Council pro-*
 23 *ceedings for the session at which the audit is pre-*
 24 *sented to the Tribal Council.*

1 (g) *PROHIBITION ON PER CAPITA PAYMENTS.*—No
 2 portion of any payment made under this title may be dis-
 3 tributed to any member of the Tribe on a per capita basis.

4 **SEC. 105. ELIGIBILITY OF TRIBE FOR CERTAIN PROGRAMS**
 5 **AND SERVICES.**

6 No payment made to the Tribe under this title shall
 7 result in the reduction or denial of any service or program
 8 with respect to which, under Federal law—

9 (1) the Tribe is otherwise entitled because of the
 10 status of the Tribe as a federally recognized Indian
 11 tribe; or

12 (2) any individual who is a member of the Tribe
 13 is entitled because of the status of the individual as
 14 a member of the Tribe.

15 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such funds as
 17 may be necessary to cover the administrative expenses of
 18 the Fund.

19 **SEC. 107. EXTINGUISHMENT OF CLAIMS.**

20 Upon the deposit of funds (together with interest) into
 21 the Fund under section 104(b), all monetary claims that
 22 the Tribe has or may have against the United States for
 23 the taking, by the United States, of the land and property
 24 of the Tribe for the Oahe Dam and Reservoir Project of the

1 *Pick-Sloan Missouri River Basin program shall be extin-*
 2 *guished.*

3 ***TITLE II—BOSQUE REDONDO***
 4 ***MEMORIAL***

5 ***SEC. 201. SHORT TITLE.***

6 *This title may be cited as the “Bosque Redondo Memo-*
 7 *rial Act”.*

8 ***SEC. 202. FINDINGS AND PURPOSES.***

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

10 *(1) in 1863, the United States detained nearly*
 11 *9,000 Navajo and forced their migration across near-*
 12 *ly 350 miles of land to Bosque Redondo, a journey*
 13 *known as the “Long Walk”;*

14 *(2) Mescalero Apache people were also incarcer-*
 15 *ated at Bosque Redondo;*

16 *(3) the Navajo and Mescalero Apache people la-*
 17 *bored to plant crops, dig irrigation ditches and build*
 18 *housing, but drought, cutworms, hail, and alkaline*
 19 *Pecos River water created severe living conditions for*
 20 *nearly 9,000 captives;*

21 *(4) suffering and hardships endured by the Nav-*
 22 *ajo and Mescalero Apache people forged a new under-*
 23 *standing of their strengths as Americans;*

1 (5) *the Treaty of 1868 was signed by the United*
2 *States and the Navajo tribes, recognizing the Navajo*
3 *Nation as it exists today;*

4 (6) *the State of New Mexico has appropriated a*
5 *total of \$123,000 for a planning study and for the de-*
6 *sign of the Bosque Redondo Memorial;*

7 (7) *individuals and businesses in DeBaca Coun-*
8 *ty donated \$6,000 toward the production of a bro-*
9 *chure relating to the Bosque Redondo Memorial;*

10 (8) *the Village of Fort Sumner donated 70 acres*
11 *of land to the State of New Mexico contiguous to the*
12 *existing 50 acres comprising Fort Sumner State*
13 *Monument, contingent on the funding of the Bosque*
14 *Redondo Memorial;*

15 (9) *full architectural plans and the exhibit de-*
16 *sign for the Bosque Redondo Memorial have been com-*
17 *pleted;*

18 (10) *the Bosque Redondo Memorial project has*
19 *the encouragement of the President of the Navajo Na-*
20 *tion and the President of the Mescalero Apache Tribe,*
21 *who have each appointed tribal members to serve as*
22 *project advisors;*

23 (11) *the Navajo Nation, the Mescalero Tribe and*
24 *the National Park Service are collaborating to develop*
25 *a symposium on the Bosque Redondo Long Walk and*

1 *a curriculum for inclusion in the New Mexico school*
 2 *curricula;*

3 *(12) an interpretive center would provide impor-*
 4 *tant educational and enrichment opportunities for all*
 5 *Americans; and*

6 *(13) Federal financial assistance is needed for*
 7 *the construction of a Bosque Redondo Memorial.*

8 *(b) PURPOSES.—The purposes of this title are as fol-*
 9 *lows:*

10 *(1) To commemorate the people who were in-*
 11 *terned at Bosque Redondo.*

12 *(2) To pay tribute to the native populations'*
 13 *ability to rebound from suffering, and establish the*
 14 *strong, living communities that have long been a*
 15 *major influence in the State of New Mexico and in*
 16 *the United States.*

17 *(3) To provide Americans of all ages a place to*
 18 *learn about the Bosque Redondo experience and how*
 19 *it resulted in the establishment of strong American*
 20 *Indian Nations from once divergent bands.*

21 *(4) To support the construction of the Bosque*
 22 *Redondo Memorial commemorating the detention of*
 23 *the Navajo and Mescalero Apache people at Bosque*
 24 *Redondo from 1863 to 1868.*

1 **SEC. 203. DEFINITIONS.**

2 *In this title:*

3 (1) *MEMORIAL.*—*The term “Memorial” means*
 4 *the building and grounds known as the Bosque Re-*
 5 *dondo Memorial.*

6 (2) *SECRETARY.*—*The term “Secretary” means*
 7 *the Secretary of Defense.*

8 **SEC. 204. BOSQUE REDONDO MEMORIAL.**

9 (a) *ESTABLISHMENT.*—*Upon the request of the State*
 10 *of New Mexico, the Secretary is authorized to establish a*
 11 *Bosque Redondo Memorial within the boundaries of Fort*
 12 *Sumner State Monument in New Mexico. No memorial*
 13 *shall be established without the consent of the Navajo Nation*
 14 *and the Mescalero Tribe.*

15 (b) *COMPONENTS OF THE MEMORIAL.*—*The memorial*
 16 *shall include—*

17 (1) *exhibit space, a lobby area that represents de-*
 18 *sign elements from traditional Mescalero and Navajo*
 19 *dwellings, administrative areas that include a re-*
 20 *source room, library, workrooms and offices, rest-*
 21 *rooms, parking areas, sidewalks, utilities, and other*
 22 *visitor facilities;*

23 (2) *a venue for public education programs; and*

24 (3) *a location to commemorate the Long Walk of*
 25 *the Navajo people and the healing that has taken*
 26 *place since that event.*

1 **SEC. 205. CONSTRUCTION OF MEMORIAL.**

2 (a) *GRANT.*—

3 (1) *IN GENERAL.*—*The Secretary may award a*
 4 *grant to the State of New Mexico to provide up to 50*
 5 *percent of the total cost of construction of the Memo-*
 6 *rial.*

7 (2) *NON-FEDERAL SHARE.*—*The non-Federal*
 8 *share of construction costs for the Memorial shall in-*
 9 *clude funds previously expended by the State for the*
 10 *planning and design of the Memorial, and funds pre-*
 11 *viously expended by non-Federal entities for the pro-*
 12 *duction of a brochure relating to the Memorial.*

13 (b) *REQUIREMENTS.*—*To be eligible to receive a grant*
 14 *under this section, the State shall—*

15 (1) *submit to the Secretary a proposal that—*

16 (A) *provides assurances that the Memorial*
 17 *will comply with all applicable laws, including*
 18 *building codes and regulations; and*

19 (B) *includes such other information and as-*
 20 *surances as the Secretary may require; and*

21 (2) *enter into a Memorandum of Understanding*
 22 *with the Secretary that shall include—*

23 (A) *a timetable for the completion of con-*
 24 *struction and the opening of the Memorial;*

25 (B) *assurances that construction contracts*
 26 *will be competitively awarded;*

1 (C) assurances that the State or Village of
2 Fort Sumner will make sufficient land available
3 for the Memorial;

4 (D) the specifications of the Memorial which
5 shall comply with all applicable Federal, State,
6 and local building codes and laws;

7 (E) arrangements for the operation and
8 maintenance of the Memorial upon completion of
9 construction;

10 (F) a description of Memorial collections
11 and educational programming;

12 (G) a plan for the design of exhibits includ-
13 ing the collections to be exhibited, security, pres-
14 ervation, protection, environmental controls, and
15 presentations in accordance with professional
16 standards;

17 (H) an agreement with the Navajo Nation
18 and the Mescalero Tribe relative to the design
19 and location of the Memorial; and

20 (I) a financing plan developed by the State
21 that outlines the long-term management of the
22 Memorial, including—

23 (i) the acceptance and use of funds de-
24 rived from public and private sources to

1 *minimize the use of appropriated or bor-*
 2 *rowed funds;*

3 *(ii) the payment of the operating costs*
 4 *of the Memorial through the assessment of*
 5 *fees or other income generated by the Memo-*
 6 *rial;*

7 *(iii) a strategy for achieving financial*
 8 *self-sufficiency with respect to the Memorial*
 9 *by not later than 5 years after the date of*
 10 *enactment of this Act; and*

11 *(iv) a description of the business ac-*
 12 *tivities that would be permitted at the Me-*
 13 *morial and appropriate vendor standards*
 14 *that would apply.*

15 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

16 *(a) IN GENERAL.—There are authorized to be appro-*
 17 *priated to carry out this title—*

18 *(1) \$1,000,000 for fiscal year 2000; and*

19 *(2) \$500,000 for each of fiscal years 2001 and*
 20 *2002.*

21 *(b) CARRYOVER.—Any funds made available under*
 22 *this section that are unexpended at the end of the fiscal*
 23 *year for which those funds are appropriated, shall remain*
 24 *available for use by the Secretary through September 30,*

1 2002 for the purposes for which those funds were made
2 available.

3 **TITLE III—SENSE OF THE CON-**
4 **GRESS REGARDING THE NEED**
5 **FOR CATALOGING AND MAIN-**
6 **TAINING CERTAIN PUBLIC**
7 **MEMORIALS**

8 **SEC. 301. SENSE OF THE CONGRESS.**

9 (a) *FINDINGS.*—Congress finds the following:

10 (1) *There are many thousands of public memo-*
11 *rials scattered throughout the United States and*
12 *abroad that commemorate military conflicts of the*
13 *United States and the service of individuals in the*
14 *Armed Forces.*

15 (2) *These memorials have never been comprehen-*
16 *sively cataloged.*

17 (3) *Many of these memorials suffer from neglect*
18 *and disrepair, and many have been relocated or*
19 *stored in facilities where they are unavailable to the*
20 *public and subject to further neglect and damage.*

21 (4) *There exists a need to collect and centralize*
22 *information regarding the location, status, and de-*
23 *scription of these memorials.*

24 (5) *The Federal Government maintains informa-*
25 *tion on memorials only if they are Federally funded.*

1 (6) *Remembering Veterans Who Earned Their*
2 *Stripes* (a nonprofit corporation established as
3 *RVETS, Inc.* under the laws of the State of Nevada)
4 has undertaken a self-funded program to catalogue the
5 memorials located in the United States that com-
6 memorate military conflicts of the United States and
7 the service of individuals in the Armed Forces, and
8 has already obtained information on more than 7000
9 memorials in 50 States.

10 (b) *SENSE OF THE CONGRESS.*—*It is the sense of the*
11 *Congress that—*

12 (1) *the people of the United States owe a debt of*
13 *gratitude to veterans for their sacrifices in defending*
14 *the Nation during times of war and peace;*

15 (2) *public memorials that commemorate military*
16 *conflicts of the United States and the service of indi-*
17 *viduals in the Armed Forces should be maintained in*
18 *good condition, so that future generations may know*
19 *of the burdens borne by these individuals;*

20 (3) *Federal, State, and local agencies responsible*
21 *for the construction and maintenance of these memo-*
22 *rials should cooperate in cataloging these memorials*
23 *and providing the resulting information to the De-*
24 *partment of the Interior; and*

(4) *the Secretary of the Interior, acting through the Director of the National Park Service, should—*

(A) *collect and maintain information on public memorials that commemorate military conflicts of the United States and the service of individuals in the Armed Forces;*

(B) *coordinate efforts at collecting and maintaining this information with similar efforts by other entities, such as Remembering Veterans Who Earned Their Stripes (a nonprofit corporation established as RVETS, Inc. under the laws of the State of Nevada); and*

(C) *make this information available to the public.*

TITLE IV—CONVEYANCE OF KINIKLIK VILLAGE

SEC. 401. CONVEYANCE OF KINIKLIK VILLAGE.

(a) *That portion of the property identified in United States Survey Number 628, Tract A, containing 0.34 acres and Tract B containing 0.63 acres located in Section 26, Township 9 North, Range 10 East, Seward Meridian, containing 0.97 acres, more or less, and further described as Tracts A and B Russian Greek Church Mission Reserve according to United States Survey 628 shall be offered for a period of 1 year for sale by quitclaim deed from the*

1 *United States by and through the Forest Service to Chugach*
 2 *Alaska Corporation under the following terms:*

3 (1) *Chugach Alaska Corporation shall pay con-*
 4 *sideration in the amount of \$9,000.00.*

5 (2) *In order to protect the historic values for*
 6 *which the Forest Service acquired the land, Chugach*
 7 *Alaska Corporation shall agree to and the conveyance*
 8 *shall contain the same reservations required by 43*
 9 *CFR 2653.5(a) and 2653.11(b) for protection of his-*
 10 *toric and cemetery sites conveyed to a Regional Cor-*
 11 *poration pursuant to section 14(h)(1) of the Alaska*
 12 *Native Claims Settlement Act.*

13 (b) *Notwithstanding any other provision of law, the*
 14 *Forest Service shall deposit the proceeds from the sale to*
 15 *the Natural Resource Damage Assessment and Restoration*
 16 *Fund established by Public Law 102–154 and may be ex-*
 17 *pended without further appropriation in accordance with*
 18 *Public Law 102–229.*

19 ***TITLE V—REVISION OF RICH-***
 20 ***MOND NATIONAL BATTLE-***
 21 ***FIELD PARK BOUNDARIES***

22 ***SEC. 501. SHORT TITLE; DEFINITIONS.***

23 (a) *SHORT TITLE.*—*This title may be cited as the*
 24 *“Richmond National Battlefield Park Act of 2000”.*

25 (b) *DEFINITIONS.*—*In this title:*

1 (1) *BATTLEFIELD PARK.*—The term “battlefield
2 *park*” means the Richmond National Battlefield
3 *Park*.

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

6 **SEC. 502. FINDINGS AND PURPOSE.**

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

8 (1) *In the Act of March 2, 1936 (Chapter 113;*
9 *49 Stat. 1155; 16 U.S.C. 423j), Congress authorized*
10 *the establishment of the Richmond National Battle-*
11 *field Park, and the boundaries of the battlefield park*
12 *were established to permit the inclusion of all mili-*
13 *tary battlefield areas related to the battles fought dur-*
14 *ing the Civil War in the vicinity of the City of Rich-*
15 *mond, Virginia. The battlefield park originally in-*
16 *cluded the area then known as the Richmond Battle-*
17 *field State Park.*

18 (2) *The total acreage identified in 1936 for con-*
19 *sideration for inclusion in the battlefield park con-*
20 *sisted of approximately 225,000 acres in and around*
21 *the City of Richmond. A study undertaken by the con-*
22 *gressionally authorized Civil War Sites Advisory*
23 *Committee determined that of these 225,000 acres, the*
24 *historically significant areas relating to the cam-*

1 *paigns against and in defense of Richmond encom-*
2 *pass approximately 38,000 acres.*

3 (3) *In a 1996 general management plan, the Na-*
4 *tional Park Service identified approximately 7,121*
5 *acres in and around the City of Richmond that sat-*
6 *isfy the National Park Service criteria of significance,*
7 *integrity, feasibility, and suitability for inclusion in*
8 *the battlefield park. The National Park Service later*
9 *identified an additional 186 acres for inclusion in the*
10 *battlefield park.*

11 (4) *There is a national interest in protecting*
12 *and preserving sites of historical significance associ-*
13 *ated with the Civil War and the City of Richmond.*

14 (5) *The Commonwealth of Virginia and its local*
15 *units of government have authority to prevent or*
16 *minimize adverse uses of these historic resources and*
17 *can play a significant role in the protection of the*
18 *historic resources related to the campaigns against*
19 *and in defense of Richmond.*

20 (6) *The preservation of the New Market Heights*
21 *Battlefield in the vicinity of the City of Richmond is*
22 *an important aspect of American history that can be*
23 *interpreted to the public. The Battle of New Market*
24 *Heights represents a premier landmark in black mili-*
25 *tary history as 14 black Union soldiers were awarded*

1 *the Medal of Honor in recognition of their valor dur-*
 2 *ing the battle. According to National Park Service*
 3 *historians, the sacrifices of the United States Colored*
 4 *Troops in this battle helped to ensure the passage of*
 5 *the Thirteenth Amendment to the United States Con-*
 6 *stitution to abolish slavery.*

7 *(b) PURPOSE.—It is the purpose of this title—*

8 *(1) to revise the boundaries for the Richmond*
 9 *National Battlefield Park based on the findings of the*
 10 *Civil War Sites Advisory Committee and the Na-*
 11 *tional Park Service; and*

12 *(2) to direct the Secretary of the Interior to work*
 13 *in cooperation with the Commonwealth of Virginia,*
 14 *the City of Richmond, other political subdivisions of*
 15 *the Commonwealth, other public entities, and the pri-*
 16 *rate sector in the management, protection, and inter-*
 17 *pretation of the resources associated with the Civil*
 18 *War and the Civil War battles in and around the*
 19 *City of Richmond, Virginia.*

20 **SEC. 503. RICHMOND NATIONAL BATTLEFIELD PARK;**
 21 **BOUNDARIES.**

22 *(a) ESTABLISHMENT AND PURPOSE.—For the purpose*
 23 *of protecting, managing, and interpreting the resources as-*
 24 *sociated with the Civil War battles in and around the City*
 25 *of Richmond, Virginia, there is established the Richmond*

1 *National Battlefield Park* consisting of approximately
 2 7,307 acres of land, as generally depicted on the map enti-
 3 tled “*Richmond National Battlefield Park Boundary Revi-*
 4 *sion*”, numbered 367N.E.F.A.80026A, and dated September
 5 2000. The map shall be on file in the appropriate offices
 6 of the National Park Service.

7 (b) *BOUNDARY ADJUSTMENTS.*—The Secretary may
 8 make minor adjustments in the boundaries of the battlefield
 9 park consistent with section 7(c) of the Land and Water
 10 Conservation Fund Act of 1965 (16 U.S.C. 460l–9(c)).

11 **SEC. 504. LAND ACQUISITION.**

12 (a) *ACQUISITION AUTHORITY.*—

13 (1) *IN GENERAL.*—The Secretary may acquire
 14 lands, waters, and interests in lands within the
 15 boundaries of the battlefield park from willing land-
 16 owners by donation, purchase with donated or appro-
 17 priated funds, or exchange. In acquiring lands and
 18 interests in lands under this title, the Secretary shall
 19 acquire the minimum interest necessary to achieve the
 20 purposes for which the battlefield is established.

21 (2) *SPECIAL RULE FOR PRIVATE LANDS.*—Pri-
 22 vately owned lands or interests in lands may be ac-
 23 quired under this title only with the consent of the
 24 owner.

25 (b) *EASEMENTS.*—

1 (1) *OUTSIDE BOUNDARIES.*—*The Secretary may*
 2 *acquire an easement on property outside the bound-*
 3 *aries of the battlefield park and around the City of*
 4 *Richmond, with the consent of the owner, if the Sec-*
 5 *retary determines that the easement is necessary to*
 6 *protect core Civil War resources as identified by the*
 7 *Civil War Sites Advisory Committee. Upon acquisi-*
 8 *tion of the easement, the Secretary shall revise the*
 9 *boundaries of the battlefield park to include the prop-*
 10 *erty subject to the easement.*

11 (2) *INSIDE BOUNDARIES.*—*To the extent prac-*
 12 *ticable, and if preferred by a willing landowner, the*
 13 *Secretary shall use permanent conservation easements*
 14 *to acquire interests in land in lieu of acquiring land*
 15 *in fee simple and thereby removing land from non-*
 16 *Federal ownership.*

17 (c) *VISITOR CENTER.*—*The Secretary may acquire the*
 18 *Tredegar Iron Works buildings and associated land in the*
 19 *City of Richmond for use as a visitor center for the battle-*
 20 *field park.*

21 **SEC. 505. PARK ADMINISTRATION.**

22 (a) *APPLICABLE LAWS.*—*The Secretary, acting*
 23 *through the Director of the National Park Service, shall ad-*
 24 *minister the battlefield park in accordance with this title*
 25 *and laws generally applicable to units of the National Park*

1 *System, including the Act of August 25, 1916 (16 U.S.C.*
 2 *1 et seq.) and the Act of August 21, 1935 (16 U.S.C. 461*
 3 *et seq.).*

4 (b) *NEW MARKET HEIGHTS BATTLEFIELD.*—*The Sec-*
 5 *retary shall provide for the establishment of a monument*
 6 *or memorial suitable to honor the 14 Medal of Honor recipi-*
 7 *ents from the United States Colored Troops who fought in*
 8 *the Battle of New Market Heights. The Secretary shall in-*
 9 *clude the Battle of New Market Heights and the role of black*
 10 *Union soldiers in the battle in historical interpretations*
 11 *provided to the public at the battlefield park.*

12 (c) *COOPERATIVE AGREEMENTS.*—*The Secretary may*
 13 *enter into cooperative agreements with the Commonwealth*
 14 *of Virginia, its political subdivisions (including the City*
 15 *of Richmond), private property owners, and other members*
 16 *of the private sector to develop mechanisms to protect and*
 17 *interpret the historical resources within the battlefield park*
 18 *in a manner that would allow for continued private owner-*
 19 *ship and use where compatible with the purposes for which*
 20 *the battlefield is established.*

21 (d) *TECHNICAL ASSISTANCE.*—*The Secretary may*
 22 *provide technical assistance to the Commonwealth of Vir-*
 23 *ginia, its political subdivisions, nonprofit entities, and pri-*
 24 *vate property owners for the development of comprehensive*
 25 *plans, land use guidelines, special studies, and other activi-*

1 *ties that are consistent with the identification, protection,*
 2 *interpretation, and commemoration of historically signifi-*
 3 *cant Civil War resources located inside and outside of the*
 4 *boundaries of the battlefield park. The technical assistance*
 5 *does not authorize the Secretary to own or manage any of*
 6 *the resources outside the battlefield park boundaries.*

7 **SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

8 *There are authorized to be appropriated such sums as*
 9 *are necessary to carry out this title.*

10 **SEC. 507. REPEAL OF SUPERSEDED LAW.**

11 *The Act of March 2, 1936 (chapter 113; 16 U.S.C.*
 12 *423j–423l) is repealed.*

13 **TITLE VI—SOUTHEASTERN ALAS-**
 14 **KA INTERTIE SYSTEM CON-**
 15 **STRUCTION; NAVAJO ELEC-**
 16 **TRIFICATION DEMONSTRA-**
 17 **TION PROGRAM**

18 **SEC. 601. SOUTHEASTERN ALASKA INTERTIE AUTHORIZA-**
 19 **TION LIMIT.**

20 *Upon the completion and submission to the United*
 21 *States Congress by the Forest Service of the ongoing High*
 22 *Voltage Direct Current viability analysis pursuant to*
 23 *United States Forest Service Collection Agreement #00CO–*
 24 *111005–105 or no later than February 1, 2001, there is*
 25 *hereby authorized to be appropriated to the Secretary of*

1 *Energy such sums as may be necessary to assist in the con-*
 2 *struction of the Southeastern Alaska Intertie system as gen-*
 3 *erally identified in Report #97-01 of the Southeast Con-*
 4 *ference. Such sums shall equal 80 percent of the cost of the*
 5 *system and may not exceed \$384,000,000. Nothing in this*
 6 *title shall be construed to limit or waive any otherwise ap-*
 7 *plicable State or Federal law.*

8 **SEC. 602. NAVAJO ELECTRIFICATION DEMONSTRATION**
 9 **PROGRAM.**

10 (a) *ESTABLISHMENT.*—*The Secretary of Energy shall*
 11 *establish a 5-year program to assist the Navajo Nation to*
 12 *meet its electricity needs. The purpose of the program shall*
 13 *be to provide electric power to the estimated 18,000 occupied*
 14 *structures on the Navajo Nation that lack electric power.*
 15 *The goal of the program shall be to ensure that every house-*
 16 *hold on the Navajo Nation that requests it has access to*
 17 *a reliable and affordable source of electricity by the year*
 18 *2006.*

19 (b) *SCOPE.*—*In order to meet the goal in subsection*
 20 *(a), the Secretary of Energy shall provide grants to the Nav-*
 21 *ajo Nation to—*

22 (1) *extend electric transmission and distribution*
 23 *lines to new or existing structures that are not served*
 24 *by electric power and do not have adequate electric*
 25 *power service;*

1 (2) *purchase and install distributed power gener-*
2 *ating facilities, including small gas turbines, fuel*
3 *cells, solar photovoltaic systems, solar thermal sys-*
4 *tems, geothermal systems, wind power systems, or bio-*
5 *mass-fueled systems;*

6 (3) *purchase and install other equipment associ-*
7 *ated with the generation, transmission, distribution,*
8 *and storage of electric power;*

9 (4) *provide training in the installation, oper-*
10 *ation, or maintenance of the lines, facilities, or equip-*
11 *ment in paragraphs (1) through (3); or*

12 (5) *support other activities that the Secretary of*
13 *Energy determines are necessary to meet the goal of*
14 *the program.*

15 (c) *TECHNICAL SUPPORT.—At the request of the Nav-*
16 *ajo Nation, the Secretary of Energy may provide technical*
17 *support through Department of Energy laboratories and fa-*
18 *cilities to the Navajo Nation to assist in achieving the goal*
19 *of this program.*

20 (d) *ANNUAL REPORTS.—Not later than February 1,*
21 *2002 and for each of the five succeeding years, the Secretary*
22 *of Energy shall submit a report to Congress on the status*
23 *of the programs and the progress towards meeting its goal*
24 *under subsection (a).*

1 *(e) AUTHORIZATION OF APPROPRIATIONS.—There are*
2 *authorized to be appropriated to the Secretary of Energy*
3 *to carry out this section \$15,000,000 for each of the fiscal*
4 *years 2002 through 2006.*

Attest:

Clerk.