

105TH CONGRESS
1ST SESSION

S. 691

Entitled the “Public Land Management Participation Act of 1997”.

IN THE SENATE OF THE UNITED STATES

MAY 5, 1997

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

Entitled the “Public Land Management Participation Act of 1997”.

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 “Public Land Manage-
5 ment Participation Act of 1997”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to ensure that the public
8 and the Congress have both the right and a reasonable
9 opportunity to participate in decisions that affect the use
10 and management of all public lands owned or controlled
11 by the Government of the United States.

1 **SEC. 3. CLARIFICATION OF PUBLIC AND CONGRESSIONAL**
2 **ROLE IN DECLARATION OF NATIONAL MONU-**
3 **MENTS.**

4 The Antiquities Act (16 U.S.C. 431a) is amended by
5 adding the following new section:

6 **“§ 431b. Public and congressional roles in national**
7 **monument declarations**

8 “(a) The Secretaries of the Interior and Agriculture
9 shall provide an opportunity for public involvement and
10 by regulation shall establish procedures, including public
11 hearings where appropriate, to give Federal, State, and
12 local governments and the public, adequate notice and op-
13 portunity to comment upon and participate in the formu-
14 lation of plans relating to the declaration of national
15 monuments upon the lands owned or controlled by the
16 Government of the United States pursuant to the author-
17 ity of the Antiquities Act (16 U.S.C. 431).

18 “(b) In addition, the Secretary of the Interior and
19 Agriculture shall, prior to any recommendations for dec-
20 laration of an area—

21 “(1) ensure compliance with all applicable fed-
22 eral land management and environmental statutes,
23 including the National Environmental Policy Act (40
24 U.S.C. 4321–4370d);

1 “(2) cause mineral surveys to be conducted by
2 the Geological Survey to determine the mineral val-
3 ues, if any, that may be present in such areas;

4 “(3) identify all existing rights held on federal
5 lands contained within such areas by type and acre-
6 age; and

7 “(4) identify all State lands contained within
8 such areas.

9 “(c) After such reviews and mineral surveys, the Sec-
10 retary of the Interior or Agriculture shall report to the
11 President his recommendations as to what lands owned
12 or controlled by the Government of the United States war-
13 rant declaration as a national monument.

14 “(d) The President shall advise the President of the
15 Senate and the Speaker of the House of Representatives
16 of his recommendations with respect to declaration as na-
17 tional monuments of each such area, together with a map
18 thereof and a definition of its boundaries. Such advice by
19 the President shall be given within two years of the receipt
20 of each report from the Secretary. After the effective date
21 of the Public Land Management Participation Act, a rec-
22 ommendation of the President for declaration of a national
23 monument shall become effective only if so provided by
24 an Act of Congress.”.

1 **SEC. 4. CLARIFICATION OF PUBLIC AND CONGRESSIONAL**
 2 **ROLES IN WORLD HERITAGE SITE LISTING.**

3 Section 401 of the National Historic Preservation Act
 4 Amendments of 1980 (16 U.S.C. 470a–1) is amended—

5 (1) in subsection (a) in the first sentence, by—

6 (A) inserting “(in this section referred to
 7 as the Convention)” after “1973”; and

8 (B) inserting “and subject to subsections
 9 (b), (c), (d), (e), and (f)” before the period at
 10 the end;

11 (2) in subsection (b) in the first sentence, by in-
 12 serting “, subject to subsection (d),” after “shall”;
 13 and

14 (3) adding at the end the following new sub-
 15 sections:

16 “(d) If the area proposed for designation is not whol-
 17 ly contained within an existing unit of the National Park
 18 System, the Secretary of the Interior and Agriculture:

19 “(1) Shall provide an opportunity for public in-
 20 volvement and by regulation shall establish proce-
 21 dures, including public hearings where appropriate,
 22 to give Federal, State, and local governments and
 23 the public, adequate notice and opportunity to com-
 24 ment upon and participate in the formulation of
 25 plans relating to the designation of any lands owned

1 by the United States for inclusion on the World
2 Heritage List pursuant to the Convention.

3 “(2) After such review, the Secretary of the In-
4 terior or Agriculture shall report to the President his
5 recommendations as to what lands owned by the
6 United States warrant inclusion on the World Herit-
7 age List pursuant to the Convention.

8 “(3) The President shall advise the President of
9 the Senate and the Speaker of the House of Rep-
10 resentatives of his recommendations with respect to
11 the designation of any lands owned by the United
12 States for inclusion on the World Heritage List pur-
13 suant to the Convention. Such advice by the Presi-
14 dent shall be given within two years of the receipt
15 of each report from the Secretary. After the effective
16 date of Public Land Participation Management Act,
17 a recommendation of the President for designation
18 of any lands owned by the United States for inclu-
19 sion on the World Heritage List shall become effec-
20 tive only if so provided by an Act of Congress.

21 “(e) The Secretary of the Interior or Agriculture shall
22 object to the inclusion of any property in the United
23 States on the list of World Heritage in Danger established
24 under Article 11.4 of the Convention unless—

1 “(1) the Secretary has submitted to the Speak-
2 er of the House and the President of the Senate a
3 report describing the necessity for including that
4 property on the list; and

5 “(2) the Secretary is specifically authorized to
6 assent to the inclusion of the property on the list,
7 by a joint resolution of the Congress enacted after
8 the date that report is submitted.

9 “(f) The Secretary of the Interior and Agriculture
10 shall submit an annual report on each World Heritage Site
11 within the United States to the chairman and ranking mi-
12 nority member of the Committee on Resources of the
13 House of Representatives and the Committee on Energy
14 and Natural Resources of the Senate, that contains the
15 following information for each site:

16 “(1) An accounting of all money expended to
17 manage the site.

18 “(2) A summary of Federal full-time-equivalent
19 hours related to management of the site.

20 “(3) A list and explanation of all nongovern-
21 mental organizations contributing to the manage-
22 ment of the site.

23 “(4) A summary and account of the disposition
24 of complaints received by the Secretary related to
25 management of the site.”.

1 **SEC. 5. CLARIFICATION OF PUBLIC AND CONGRESSIONAL**
2 **ROLES IN THE DESIGNATION OF UNITED NA-**
3 **TIONS BIOSPHERE RESERVES.**

4 Title IV of the National Historic Preservation Act
5 Amendments of 1980 (16 U.S.C. 470a–1 et seq.) is
6 amended by adding at the end the following new section:

7 “SEC. 403. (a) No Federal official may nominate any
8 lands in the United States for designation as a Biosphere
9 Reserve under the Man and Biosphere Program of the
10 United Nations Educational, Scientific, and Cultural Or-
11 ganization.

12 “(b) Any designation of an area in the United States
13 as a Biosphere Reserve under the Man and Biosphere Pro-
14 gram of the United Nations Educational, Scientific, and
15 Cultural Organization shall not have, and shall not be
16 given, any force or effect, unless the Biosphere Reserve
17 is specifically authorized by an Act of Congress.

18 “(c) The Secretary of the Interior and Agriculture
19 shall provide an opportunity for public involvement and
20 by regulation shall establish procedures, including public
21 hearings where appropriate, to give Federal, State, and
22 local governments and the public, adequate notice and op-
23 portunity to comment upon and participate in the formu-
24 lation of plans relating to the designation of any lands
25 owned by the United States as a Biosphere Reserve under

1 the Man and Biosphere Program of the United Nations
2 Educational, Scientific, and Cultural Organization.

3 “(d) After such review, the Secretary of the Interior
4 or Agriculture shall report to the President his rec-
5 ommendations as to what lands owned by the United
6 States warrant inclusion as a Biosphere Reserve.

7 “(e) The President shall advise the President of the
8 Senate and the Speaker of the House of Representatives
9 of his recommendations with respect to the designation of
10 any lands owned by the United States for inclusion as a
11 Biosphere Reserve. Such advice by the President shall be
12 given within two years of the receipt of each report from
13 the Secretary. After the effective date of the Public Land
14 Participation Management Act, a recommendation of the
15 President for declaration of a Biosphere Reserve shall be-
16 come effective only if so provided by an Act of Congress.

17 “(f) The Secretary of State shall submit an annual
18 report on each Biosphere Reserve within the United States
19 to the Chairman and Ranking Minority member of the
20 Committee on Resources of the House of Representatives
21 and the Committee on Energy and Natural Resources of
22 the Senate, that contains the following information for
23 each reserve:

24 “(1) An accounting of all money expended to
25 manage the reserve.

1 “(2) A summary of Federal full time equivalent
2 hours related to management of the reserve.

3 “(3) A list and explanation of all nongovern-
4 mental organizations contributing to the manage-
5 ment of the reserve.

6 “(4) A summary and account of the disposition
7 of the complaints received by the Secretary related
8 to management of the reserve.”

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