

112TH CONGRESS
2D SESSION

H. R. 6610

To provide for several critical National Park Service authorities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 2012

Ms. NORTON introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for several critical National Park Service authorities, 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 “National Park Service
5 Critical Authorities Act of 2012”.

1 **SEC. 2. DISTRICT OF COLUMBIA SNOW REMOVAL.**

2 The Act of September 16, 1922 (42 Stat. 845, chap-
3 ter 318) is amended by striking section 3 and inserting
4 the following:

5 **“SEC. 3. DUTIES OF FEDERAL AGENCIES.**

6 “(a) IN GENERAL.—It shall be the duty of a Federal
7 agency to remove, or cause to be removed, snow, sleet, or
8 ice from any paved sidewalk or crosswalk within the fire
9 limits of the District of Columbia that is—

10 “(1) in front of or adjacent to any building that
11 is—

12 “(A) owned by the United States; and

13 “(B) under the jurisdiction of the Federal
14 agency; or

15 “(2) a public thoroughfare in front of, around,
16 or through any public square, reservation, or open
17 space that is—

18 “(A) owned by the United States; and

19 “(B) under the jurisdiction of the Federal
20 agency.

21 “(b) TIMING.—The removal of snow, sleet, or ice
22 under subsection (a) shall occur within a reasonable period
23 after the snow or sleet ceases to fall or the ice has accumu-
24 lated, as applicable.

25 “(c) APPLICATION OF SAND, ASHES, AND SALT.—If
26 snow, sleet, or ice has hardened and cannot be removed

1 from a sidewalk or crosswalk described in subsection (a),
2 the Federal agency shall—

3 “(1) make the sidewalk or crosswalk reasonably
4 safe for travel by applying sand, ashes, salt, or other
5 acceptable materials to the affected sidewalk or
6 crosswalk; and

7 “(2) as soon as practicable, thoroughly remove
8 the snow, sleet, or ice from the affected sidewalk or
9 crosswalk.

10 “(d) **AUTHORITY TO DELEGATE.**—A Federal agency
11 may delegate the duty of the Federal agency under sub-
12 sections (a) and (c) to another governmental entity or a
13 nongovernmental entity under a lease, contract, or other
14 comparable arrangement.

15 “(e) **AGREEMENT.**—If 2 or more Federal agencies
16 have overlapping responsibility for a sidewalk or cross-
17 walk, the Federal agencies may enter into an agreement
18 assigning responsibility for the removal of snow, sleet, or
19 ice from the sidewalk or crosswalk.”.

20 **SEC. 3. GEORGE WASHINGTON MEMORIAL PARKWAY.**

21 (a) **PURPOSE.**—The purpose of this section is to au-
22 thorize, direct, facilitate, and expedite the transfer of ad-
23 ministrative jurisdiction over certain Department of
24 Transportation land and Department of the Interior land

1 in accordance with the terms and conditions of this sec-
2 tion.

3 (b) DEFINITIONS.—In this section:

4 (1) AGREEMENT.—The term “Agreement”
5 means the agreement entered into by the Federal
6 Highway Administration and the National Park
7 Service on September 11, 2002, with respect to the
8 Federal land described in this section.

9 (2) DOI LAND.—The term “DOI land” means
10 the approximately 0.342 acres of Department of the
11 Interior land that is—

12 (A) located within the boundary of the
13 George Washington Memorial Parkway; and

14 (B) generally depicted as “B” on the Map.

15 (3) DOT LAND.—The term “DOT land” means
16 the approximately 0.479 acres of Department of
17 Transportation land within the boundary of the Re-
18 search Center that is—

19 (A) adjacent to the boundary of the George
20 Washington Memorial Parkway; and

21 (B) generally depicted as “A” on the Map.

22 (4) MAP.—The term “Map” means the map en-
23 titled “GWMP–Claude Moore Farm Proposed
24 Boundary Adjustment”, numbered 850/82003, and
25 dated April 2004.

1 (5) RESEARCH CENTER.—The term “Research
2 Center” means the Turner-Fairbank Highway Re-
3 search Center of the Federal Highway Administra-
4 tion.

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

7 (c) ADMINISTRATIVE JURISDICTION.—

8 (1) IN GENERAL.—The Secretary may transfer
9 to the Secretary of Transportation administrative ju-
10 risdiction over the DOI land in exchange for the
11 transfer by the Secretary of Transportation to the
12 Secretary of administration jurisdiction over the
13 DOT land.

14 (2) USE RESTRICTION.—

15 (A) IN GENERAL.—The Secretary shall re-
16 strict the use of the land described in subpara-
17 graph (B) by prohibiting the storage, construc-
18 tion, or installation of any item that may ob-
19 struct the view from the Research Center to the
20 George Washington Memorial Parkway.

21 (B) DESCRIPTION OF RESTRICTED
22 LAND.—The land referred to in subparagraph
23 (A) is the approximately 0.139 acres of land
24 within the boundary of the George Washington
25 Memorial Parkway immediately adjacent to the

1 north perimeter fence of the Research Center,
2 generally depicted as “C” on the Map.

3 (3) NO REIMBURSEMENT OR CONSIDER-
4 ATION.—No reimbursement or consideration shall be
5 required for the transfer of administrative jurisdic-
6 tion under this subsection.

7 (4) COMPLIANCE WITH AGREEMENT.—

8 (A) IN GENERAL.—The National Park
9 Service and the Federal Highway Administra-
10 tion shall comply with all terms and conditions
11 of the Agreement regarding the transfer of ad-
12 ministrative jurisdiction, management, and
13 maintenance of the land described in the Agree-
14 ment.

15 (B) ACCESS TO RESTRICTED LAND.—

16 (i) IN GENERAL.—Subject to clauses
17 (ii) and (iii), the Secretary shall allow the
18 Research Center to access the land de-
19 scribed in paragraph (2)(B) for purposes
20 of maintenance in accordance with Na-
21 tional Park Service standards, including
22 grass mowing, weed control, tree mainte-
23 nance, fence maintenance, and mainte-
24 nance of the visual appearance of the land.

1 (ii) PRUNING AND REMOVAL OF
2 TREES.—No tree on the land described in
3 paragraph (2)(B) that is 6 inches or more
4 in diameter shall be pruned or removed
5 without the advance written permission of
6 the Secretary.

7 (iii) PESTICIDES.—The use of pes-
8 ticides on the land described in paragraph
9 (2)(B) shall be approved in writing by the
10 Secretary prior to application of the pes-
11 ticides.

12 (5) AVAILABILITY OF MAP.—The Map shall be
13 available for public inspection in the appropriate of-
14 fices of the National Park Service.

15 (d) MANAGEMENT OF TRANSFERRED LAND.—

16 (1) DOT LAND.—The DOT land transferred to
17 the Secretary under subsection (c)(1) shall be—

18 (A) included in the boundaries of the
19 George Washington Memorial Parkway; and

20 (B) administered as part of the George
21 Washington Memorial Parkway, subject to ap-
22 plicable laws (including regulations).

23 (2) DOI LAND.—The DOI land transferred to
24 the Secretary of Transportation under subsection
25 (c)(1) shall be—

1 (A) included in the boundary of the Re-
 2 search Center; and

3 (B) removed from the boundary of the
 4 parkway.

5 (3) RESTRICTED-USE LAND.—The land de-
 6 scribed in subsection (c)(2)(B) shall be maintained
 7 by the Research Center.

8 **SEC. 4. UNIFORM PENALTIES FOR VIOLATIONS ON PARK**
 9 **SERVICE LAND.**

10 (a) IN GENERAL.—The first section of the Act of
 11 March 2, 1933 (47 Stat. 1420, chapter 180), is amended
 12 by striking “imprisonment.” and inserting the following:
 13 “imprisonment, unless the violation occurs at a park, site,
 14 monument, or memorial that is part of the National Park
 15 System, in which case the violation shall be subject to the
 16 appropriate penalty under section 3 of the National Park
 17 Service Organic Act (16 U.S.C. 3) and subchapter C of
 18 chapter 227 of part II of title 18, United States Code.”.

19 (b) ADMINISTRATION BY SECRETARY OF THE INTE-
 20 RIOR.—Section 2(k) of the Act of August 21, 1935 (16
 21 U.S.C. 462(k)), is amended by striking “proceedings.”
 22 and inserting the following: “proceedings, unless the viola-
 23 tion occurs at an area that is part of the National Park
 24 System, in which case the violation shall be subject to the
 25 appropriate penalty under section 3 of the National Park

- 1 Service Organic Act (16 U.S.C. 3) and subchapter C of
- 2 chapter 227 of part II of title 18, United States Code.”.

