

JOE SKEEN FEDERAL BUILDING

F. H. NEWELL BUILDING

Mr. ALEXANDER. I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3734 and H.R. 3124, en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent that the bills be read a third time and passed and that the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills (H.R. 3734 and H.R. 3124) were read the third time and passed.

# TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO PROVIDE SUPPLEMENTAL FUNDING TO ASSIST THE STATE OF CALIFORNIA IN PROVIDING EDUCATIONAL SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 478, H.R. 620.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 620) to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park.

There being no objection, the Senate proceed to consider the bill, which had been reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

H.R. 620

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. FINDINGS AND PURPOSE.

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

[(1) The three elementary schools serving the children of employees of Yosemite National Park are served by the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District.

[(2) The schools are in remote mountainous areas and long distances from other educational and administrative facilities of the two local educational agencies.

[(3) Because of their remote locations and relatively small number of students, schools serving the children of employees of the Park provide fewer services in more basic facilities than the educational services and facilities provided to students that attend other schools served by the two local educational agencies.

[(4) Because of the long distances involved and adverse weather and road conditions that occur during much of the school year, it is impractical for the children of employees of the Park who live within or near the Park

to attend other schools served by the two local educational agencies.

[(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park.

## SECTION 2. PAYMENTS FOR EDUCATIONAL SERVICES.

[(a) AUTHORITY TO PROVIDE FUNDS.—For fiscal years 2003 through 2007, the Secretary may provide funds to the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District for educational services to students who are dependents of persons engaged in the administration, operation, and maintenance of the Park or students who live at or near the Park upon real property of the United States.

[(b) LIMITATION ON USE OF FUNDS.—Payments made by the Secretary under this section may not be used for new construction, construction contracts, or major capital improvements, and may be used only to pay public employees for services otherwise authorized by this Act.

[(c) LIMITATION ON AMOUNT OF FUNDS.—Payments made under this section shall not exceed the lesser of \$400,000 in any fiscal year or the amount necessary to provide students described in subsection (a) with educational services that are normally provided and generally available to students who attend public schools elsewhere in the State of California.

[(d) ADJUSTMENT OF PAYMENTS.—Subject to subsection (c), the Secretary is authorized to adjust payments made under this section if the State of California or the appropriate local education agencies do not continue to provide funding for educational services at Park schools at per student levels that are equal to or greater than those provided in the fiscal year immediately prior to the date of the enactment of this section.

[(e) SOURCE OF PAYMENTS.—

[(1) AUTHORIZED SOURCES.—Except as provided in paragraph (2), in order to make payments under this section, the Secretary may use funds available to the National Park Service from appropriations, donations, or fees.

[(2) EXCEPTIONS.—Funds from the following sources may not be used to make payments under this section:

[(A) Fees authorized and collected under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.).

[(B) The recreational fee demonstration program under section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 16 U.S.C. 4601–6a note).

[(C) The national park passport program established under section 602 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5992).

[(D) Emergency appropriations for Yosemite flood recovery.

[(f) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

[(1) LOCAL EDUCATIONAL AGENCIES.—The term “local educational agencies” has the meaning given that term in section 9101(26) of the Elementary and Secondary Education Act of 1965.

[(2) EDUCATIONAL SERVICES.—The term “educational services” means services that may include maintenance and minor upgrades of facilities and transportation to and from school.

[(3) PARK.—The term “Park” means Yosemite National Park.

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

## SECTION 3. AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK.

[Section 814(c) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 346e) is amended—

[(1) in the first sentence—

[(A) by inserting “and Yosemite National Park” after “Zion National Park”; and

[(B) by inserting “transportation systems and” before “the establishment of”; and

[(2) by striking “park” each place it appears and inserting “parks”.]

## SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Table of contents.

### TITLE I—FUNDING FOR YOSEMITE NATIONAL PARK SCHOOLS

Sec. 101. Short title.

Sec. 102. Payments for educational services.

Sec. 103. Authorization for park facilities to be located outside the boundaries of Yosemite National Park; fees.

### TITLE II—RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT

Sec. 201. Short title.

Sec. 202. Golden Gate National Recreation Area, California.

Sec. 203. Manzanar National Historic Site Advisory Commission.

### TITLE I—FUNDING FOR YOSEMITE NATIONAL PARK SCHOOLS

#### SEC. 101. SHORT TITLE.

This title may be cited as the “Yosemite National Park School Funding Act”.

#### SEC. 102. PAYMENTS FOR EDUCATIONAL SERVICES.

(a) AUTHORITY TO PROVIDE FUNDS.—For fiscal years 2004 through 2008, the Secretary may provide funds to the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District for educational services to students who are dependents of persons engaged in the administration, operation, and maintenance of the Park or students who live at or near the Park upon real property of the United States.

(b) LIMITATION ON USE OF FUNDS.—Payments made by the Secretary under this section may not be used for new construction, construction contracts, or major capital improvements, and may be used only to pay public employees for services otherwise authorized by this title.

(c) LIMITATION ON AMOUNT OF FUNDS.—Payments made under this section shall not exceed the lesser of \$400,000 in any fiscal year or the amount necessary to provide students described in subsection (a) with educational services that are normally provided and generally available to students who attend public schools elsewhere in the State of California.

(d) ADJUSTMENT OF PAYMENTS.—Subject to subsection (c), the Secretary is authorized to adjust payments made under this section if the State of California or the appropriate local education agencies do not continue to provide funding for educational services at Park schools at per student levels that are equal to or greater than those provided in the fiscal year immediately prior to the date of the enactment of this Act.

(e) SOURCE OF PAYMENTS.—

(1) AUTHORIZED SOURCES.—Except as otherwise provided in this subsection, the Secretary may use funds available to the National Park Service from appropriations, donations, or fees.

(2) EXCEPTIONS.—Funds from the following sources shall not be used to make payments under this section:

(A) Any law authorizing the collection or expenditure of entrance or use fees at units of the National Park System, including—

(i) the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.);

(ii) the recreational fee demonstration program established under section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (16 U.S.C. 4601-6a note); or

(iii) the National Park Passport Program established under section 602 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5992).

(B) Emergency appropriations for flood recovery at Yosemite National Park.

(f) DEFINITIONS.—For the purposes of this title, the following definitions apply:

(1) LOCAL EDUCATIONAL AGENCIES.—The term “local educational agencies” has the meaning given that term in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26)).

(2) EDUCATIONAL SERVICES.—The term “educational services” means services that may include maintenance and minor upgrades of facilities and transportation to and from school.

(3) PARK.—The term “Park” means Yosemite National Park.

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

**SEC. 103. AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK; FEES.**

(a) AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK.—Section 814(c) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 346e) is amended—

(1) in the first sentence—

(A) by inserting “and Yosemite National Park” after “Zion National Park”; and

(B) by inserting “transportation systems and” before “the establishment of”; and

(2) by striking “park” each place it appears and inserting “parks”.

(b) FEES.—Section 501 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5981) is amended in the first sentence by inserting “, cooperative agreement, or other contractual agreement” after “contract”.

**TITLE II—RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act”.

**SEC. 202. GOLDEN GATE NATIONAL RECREATION AREA, CALIFORNIA.**

(a) BOUNDARY ADJUSTMENT.—Section 2(a) of Public Law 92-589 (16 U.S.C. 460bb-1(a)) is amended—

(1) by striking “The recreation area shall comprise” and inserting the following:

“(1) INITIAL LANDS.—The recreation area shall comprise”; and

(2) by striking “The following additional lands are also” and all that follows through the period at the end of the subsection and inserting the following new paragraphs:

“(2) ADDITIONAL LANDS.—In addition to the lands described in paragraph (1), the recreation area shall include the following:

“(A) The parcels numbered by the Assessor of Marin County, California, 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10.

“(B) Lands and waters in San Mateo County generally depicted on the map entitled ‘Sweeney Ridge Addition, Golden Gate National Recreation Area’, numbered NRA GG-80,000-A, and dated May 1980.

“(C) Lands acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb-1 note; Public Law 102-299).

“(D) Lands generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS-80-076, and dated July 2000/PWR-PLRPC.

“(E) Lands generally depicted on the map entitled ‘Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area’, numbered NPS-80,079E, and dated March 2004.

“(3) ACQUISITION LIMITATION.—The Secretary may acquire land described in paragraph (2)(E) only from a willing seller.”.

(b) ADVISORY COMMISSION.—Section 5 of Public Law 92-589 (16 U.S.C. 460bb-4) is amended—

(1) by striking subsection (b) and inserting the following new subsection:

“(b) MEMBERSHIP.—The Commission shall be composed of 18 members appointed by the Secretary for terms of five years each. In appointing such members, the Secretary shall ensure that the interests of local, historic recreational users of the recreation area are represented.”; and

(2) in subsection (g), by striking “cease to exist thirty years after the enactment of this Act” and inserting “terminate on December 31, 2014”.

**SEC. 203. MANZANAR NATIONAL HISTORIC SITE ADVISORY COMMISSION.**

Section 105(h) of Public Law 102-248 (16 U.S.C. 461 note) is amended by striking “10 years after the date of enactment of this title” and inserting “on December 31, 2013”.

Mr. ALEXANDER. I ask unanimous consent that the substitute amendment at the desk be agreed to, the committee-reported amendment, as amended, be agreed to, the bill as amended be read a third time and passed, the amendment to the title be agreed to, the motions to reconsider be laid on the table en bloc, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4084) was agreed to.

(The text of the amendment is printed in today's RECORD under “Text of Amendments.”)

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (H.R. 620), as amended, was read the third time and passed.

The title was amended so as to read:

“An Act to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and for other purposes.”.

**TO PROVIDE FOR THE CONVEYANCE OF FEDERAL LANDS, IMPROVEMENTS, EQUIPMENT, AND RESOURCE MATERIALS AT THE OXFORD RESEARCH STATION IN GRANVILLE COUNTY, NORTH CAROLINA, TO THE STATE OF NORTH CAROLINA**

Mr. ALEXANDER. Mr. President, I ask unanimous consent the Senate now proceed to the immediate consideration of H.R. 2119, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2119) to provide for the conveyance of Federal lands, improvements, equip-

ment, and resource materials at the Oxford Research Station in Granville County, North Carolina, to the State of North Carolina, to provide for the conveyance of Federal lands, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2119) was read the third time and passed.

**SPECIALTY CROPS COMPETITIVENESS ACT OF 2004**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3242, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3242) to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. I ask unanimous consent the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3242) was read the third time and passed.

**EDWARD H. McDANIEL AMERICAN LEGION POST NO. 22 LAND CONVEYANCE ACT**

Mr. ALEXANDER. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 1521) to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

S. 1521

*Resolved*, That the bill from the Senate (S. 1521) entitled “An Act to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community”, do pass with the following amendments:

Strike out all after the enacting clause and insert: