

that are owned by the State of Alabama, or any political subdivision of the State, may be acquired only by donation or exchange.

**(b) Negotiations for acquisition**

**(1) Commencement of negotiations**

Immediately after publication of a description of the boundaries of the Preserve in accordance with section 698q(d) of this title, the Secretary shall commence negotiations for the acquisition of the lands, waters, and interests in lands and waters within the boundaries of the Preserve.

**(2) Report to Congress**

Not later than 1 year after October 21, 1992, the Secretary shall submit, in writing, a detailed schedule of actions and a progress report regarding the acquisition to—

- (A) the Committee on Energy and Natural Resources of the Senate;
- (B) the Committee on Natural Resources of the House of Representatives; and
- (C) the Committees on Appropriations of Congress.

**(3) Acquisition deadline**

The Secretary shall substantially complete the acquisition of the lands, waters, and interests in lands and waters within the Preserve, in accordance with the purposes of sections 698q to 698t of this title, not later than 2 years after October 21, 1992, subject to the availability of funds.

**(c) Environmental audits**

**(1) Availability to owner**

Promptly following completion of any environmental audit performed by or on behalf of the Secretary with respect to any property proposed to be acquired for the purposes of sections 698q to 698t of this title, the Secretary shall make available to the owner of the property a copy of the audit.

**(2) Inclusion in documents transferring title**

Any audit described in paragraph (1), and any environmental audit performed by the owner of the property and submitted to the Secretary prior to the date of the acquisition, shall be included as part of the documents transferring title to the property to the United States.

**(d) Future additions**

No lands or interest in lands may be added to the Preserve after October 21, 1992, without specific authorization by Congress and the consent of the owner of the lands or interest.

(Pub. L. 102-427, § 4, Oct. 21, 1992, 106 Stat. 2181; Pub. L. 103-437, § 6(d)(36), Nov. 2, 1994, 108 Stat. 4585.)

**Editorial Notes**

AMENDMENTS

1994—Subsec. (b)(2)(B). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs”.

**§ 698t. Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out sections 698q to 698t of this title.

(Pub. L. 102-427, § 5, Oct. 21, 1992, 106 Stat. 2182.)

**§ 698u. Tallgrass Prairie National Preserve: findings and purposes**

**(a) Findings**

Congress finds that—

(1) of the 400,000 square miles of tallgrass prairie that once covered the North American Continent, less than 1 percent remains, primarily in the Flint Hills of Kansas;

(2) in 1991, the National Park Service conducted a special resource study of the Spring Hill Ranch, located in the Flint Hills of Kansas;

(3) the study concludes that the Spring Hill Ranch—

(A) is a nationally significant example of the once vast tallgrass ecosystem, and includes buildings listed on the National Register of Historic Places pursuant to section 101 of the National Historic Preservation Act (16 U.S.C. 470a)<sup>1</sup> that represent outstanding examples of Second Empire and other 19th Century architectural styles; and

(B) is suitable and feasible as a potential addition to the National Park System; and

(4) the National Park Trust, which owns the Spring Hill Ranch, has agreed to permit the National Park Service—

(A) to acquire a portion of the ranch, as specified in sections 698u to 698u-7 of this title; and

(B) to manage the ranch in order to—

(i) conserve the scenery, natural and historic objects, and wildlife of the ranch; and

(ii) provide for the enjoyment of the ranch in such a manner and by such means as will leave the scenery, natural and historic objects, and wildlife unimpaired for the enjoyment of future generations.

**(b) Purposes**

The purposes of sections 698u to 698u-7 of this title are—

(1) to preserve, protect, and interpret for the public an example of a tallgrass prairie ecosystem on the Spring Hill Ranch, located in the Flint Hills of Kansas; and

(2) to preserve and interpret for the public the historic and cultural values represented on the Spring Hill Ranch.

(Pub. L. 104-333, div. I, title X, § 1002, Nov. 12, 1996, 110 Stat. 4204; Pub. L. 106-176, title I, § 122(1), Mar. 10, 2000, 114 Stat. 29.)

**Editorial Notes**

REFERENCES IN TEXT

Section 101 of the National Historic Preservation Act (16 U.S.C. 470a), referred to in subsec. (a)(3)(A), is section 101 of Pub. L. 89-665, which was repealed and restated as chapters 3021 to 3027 and sections 302902(a), 302903(a), 302904 to 302909, 303902, 303903, and 306101(b) and (c) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

AMENDMENTS

2000—Subsec. (a)(4)(A). Pub. L. 106-176 substituted “to acquire” for “to purchase”.

<sup>1</sup> See References in Text note below.

**Statutory Notes and Related Subsidiaries**

## SHORT TITLE

Pub. L. 104-333, div. I, title X, §1001, Nov. 12, 1996, 110 Stat. 4204, provided that: “This subtitle [subtitle A (§§1001-1009) of title X of div. I of Pub. L. 104-333, enacting this section and sections 698u-1 to 698u-7 of this title] may be cited as the ‘Tallgrass Prairie National Preserve Act of 1996’.”

**§ 698u-1. Definitions**

In sections 698u to 698u-7 of this title:

**(1) Advisory Committee**

The term “Advisory Committee” means the Advisory Committee established under section 698u-5 of this title.

**(2) Preserve**

The term “Preserve” means the Tallgrass Prairie National Preserve established by section 698u-2 of this title.

**(3) Secretary**

The term “Secretary” means the Secretary of the Interior.

**(4) Trust**

The term “Trust” means the National Park Trust, Inc., a District of Columbia nonprofit corporation, or any successor-in-interest.

(Pub. L. 104-333, div. I, title X, §1003, Nov. 12, 1996, 110 Stat. 4205.)

**§ 698u-2. Establishment of Tallgrass Prairie National Preserve****(a) In general**

In order to provide for the preservation, restoration, and interpretation of the Spring Hill Ranch area of the Flint Hills of Kansas, for the benefit and enjoyment of present and future generations, there is established the Tallgrass Prairie National Preserve.

**(b) Description**

The Preserve shall consist of the lands and interests in land, including approximately 10,894 acres, generally depicted on the map entitled “Boundary Map, Flint Hills Prairie National Monument” numbered NM-TGP 80,000 and dated June 1994, more particularly described in the deed filed at 8:22 a.m. on June 3, 1994, with the Office of the Register of Deeds in Chase County, Kansas, and recorded in Book L-106 at pages 328 through 339, inclusive. In the case of any difference between the map and the legal description, the legal description shall govern, except that if, as a result of a survey, the Secretary determines that there is a discrepancy with respect to the boundary of the Preserve that may be corrected by making minor changes to the map, the Secretary shall make changes to the map as appropriate, and the boundaries of the Preserve shall be adjusted accordingly. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service of the Department of the Interior.

(Pub. L. 104-333, div. I, title X, §1004, Nov. 12, 1996, 110 Stat. 4205; Pub. L. 106-176, title I, §122(2), Mar. 10, 2000, 114 Stat. 29.)

**Editorial Notes**

## AMENDMENTS

2000—Subsec. (b). Pub. L. 106-176 substituted “on June 3, 1994,” for “of June 3, 1994.”

**§ 698u-3. Administration of National Preserve****(a) In general**

The Secretary shall administer the Preserve in accordance with sections 698u to 698u-7 of this title, the cooperative agreements described in subsection (f)(1), and the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1, 2 through 4)<sup>1</sup> and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).<sup>1</sup>

**(b) Application of regulations**

With the consent of a private owner of land within the boundaries of the Preserve, the regulations issued by the Secretary concerning the National Park Service that provide for the proper use, management, and protection of persons, property, and natural and cultural resources shall apply to the private land.

**(c) Facilities**

For purposes of carrying out the duties of the Secretary under sections 698u to 698u-7 of this title relating to the Preserve, the Secretary may, with the consent of a landowner, directly or by contract, construct, reconstruct, rehabilitate, or develop essential buildings, structures, and related facilities including roads, trails, and other interpretive facilities on real property that is not owned by the Federal Government and is located within the Preserve.

**(d) Liability****(1) Liability of the United States and its officers and employees**

Except as otherwise provided in this subsection, the liability of the United States is subject to the terms and conditions of the Federal Tort Claims Act, as amended, 28 U.S.C. 2671 et seq., with respect to the claims arising by virtue of the Secretary’s administration of the Preserve pursuant to sections 698u to 698u-7 of this title.

**(2) Liability of landowners**

(A) The Secretary of the Interior is authorized, under such terms and conditions as he deems appropriate, to include in any cooperative agreement entered into in accordance with subsection (f)(1) an indemnification provision by which the United States agrees to hold harmless, defend and indemnify the landowner in full from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim of personal injury or property damage that occurs in connection with the operation of the Preserve under the agreement: *Provided however*, That indemnification shall not exceed \$3 million per claimant per occurrence.

(B) The indemnification provision authorized by subparagraph (A) shall not include

<sup>1</sup> See References in Text note below.