

Public Law 96-287
96th Congress

An Act

To establish the Biscayne National Park, to improve the administration of the Fort Jefferson National Monument, to enlarge the Valley Forge National Historical Park, and for other purposes.

June 28, 1980
[H.R. 5926]

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

Biscayne
National Park.
Establishment.

TITLE I—BISCAYNE NATIONAL PARK

SEC. 101. In order to preserve and protect for the education, inspiration, recreation, and enjoyment of present and future generations a rare combination of terrestrial, marine, and amphibious life in a tropical setting of great natural beauty, there is hereby established the Biscayne National Park (hereinafter referred to in this title as the "park") in the State of Florida. The boundary of the park shall include the lands, waters, and interests therein as generally depicted on the map entitled "Boundary Map, Biscayne National Park", numbered 169-90,003, and dated April 1980, which map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the "Secretary") shall publish in the Federal Register, not more than one year after the date of enactment of this Act, a detailed description of the boundary established pursuant to this section. Following reasonable notice in writing to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate of his intention to do so, the Secretary may make minor revisions in the boundary of the park by publication of a revised boundary map or other description in the Federal Register.

16 USC 410gg.

Boundary map,
availability for
public
inspection.

Boundary
description,
publication in
Federal
Register.
Minor boundary
revisions, notice
to congressional
committees and
publication in
Federal
Register.

SEC. 102. (a) Within the boundary of the park the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that property owned by the State of Florida or any political subdivision thereof may be acquired only by donation, and subject to such reservations and restrictions as may be provided by Florida law. Lands, waters, and interests therein within such boundary which are owned by the United States and under the control of the Secretary are hereby transferred to the administrative jurisdiction of the National Park Service to be managed for the purposes of the park. Any federally owned lands within the park which are not under the control of the Secretary shall be transferred to his control for purposes of the park at such time as said lands cease to be needed by the agencies which currently control them.

Property
acquisition;
donation by
Florida.
16 USC 410gg-1.

U.S. property,
transfer to
National Park
Service.

(b) It is the express intent of the Congress that the Secretary shall substantially complete the land acquisition program authorized herein within three complete fiscal years from the effective date of this Act. Any owner of property within the park may notify the

Time limitation
on land
acquisition.

Notification to
Secretary.

Secretary of the desire of such owner that his property be promptly acquired, and the Secretary shall give immediate and careful consideration, subject to the availability of funds, to the prompt acquisition of such property.

Preservation
and
administration.
16 USC 410gg-2.
Fishing.

SEC. 103. (a) The Secretary shall preserve and administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented. The waters within the park shall continue to be open to fishing in conformity with the laws of the State of Florida except as the Secretary, after consultation with appropriate officials of said State, designates species for which, areas and times within which, and methods by which fishing is prohibited, limited, or otherwise regulated in the interest of sound conservation to achieve the purposes for which the park is established: *Provided*, That with respect to lands donated by the State after the effective date of this Act, fishing shall be in conformance with State law.

Biscayne
National
Monument,
abolition.

(b) The Biscayne National Monument, as authorized by the Act of October 18, 1968 (82 Stat. 1188; 16 U.S.C. 450qq), as amended, is abolished as such, and all lands, waters, and interests therein acquired or reserved for such monument are hereby incorporated within and made a part of the park. Any funds available for the purposes of such monument are hereby made available for the purposes of the park, and authorizations of funds for the monument shall continue to be available for the park.

Designation of
wilderness areas,
report to
President and
Congress.
16 USC 410gg-3.
16 USC 1132.

SEC. 104. Within three complete fiscal years from the effective date of this Act, the Secretary shall review the area within the park and shall report to the President and the Congress, in accordance with subsections 3 (c) and (d) of the Wilderness Act (78 Stat. 890), his recommendations as to the suitability or unsuitability of any area within the park for designation as wilderness. Any designation of any such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

Management
plan, submittal
to congressional
committees.
16 USC 410gg-4.

SEC. 105. Within two complete fiscal years from the effective date of this Act, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a revised comprehensive general management plan for the park consistent with the provisions of this title and pursuant to the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.).

16 USC 1a-7.
Appropriation
authorization.
16 USC 410gg-5.

SEC. 106. In addition to the sums previously authorized to be appropriated for Biscayne National Monument, there are authorized to be appropriated such sums as may be necessary for the administration of the park, and not to exceed \$8,500,000 for the acquisition of lands and interests therein, as provided in this title. Notwithstanding any other provision of law, no fees shall be charged for entrance or admission to the park.

TITLE II—FORT JEFFERSON NATIONAL MONUMENT

Findings and
establishment.

SEC. 201. The Congress recognizes the need for stabilizing and protecting the masonry fortifications at Fort Jefferson and for protecting and interpreting a pristine natural environment including the entire Dry Tortugas group of islands and their associated marine environments, significant coral formations, fish and other marine animal populations, and populations of nesting and migrating birds, all of which are located within Fort Jefferson National Monument,

Florida (hereinafter referred to in this title as the "monument"). The monument shall consist of the lands, waters, and interests therein generally depicted on a map entitled "Boundary Map, Fort Jefferson National Monument", numbered 364-90,001, and dated April 1980. Any Federal lands excluded from the Fort Jefferson National Monument pursuant to this section shall be administered by the Secretary in accordance with the Federal Land Policy and Management Act of 1976. Any Federal lands added to the Fort Jefferson National Monument pursuant to this section shall be administered by the Secretary in accordance with the purposes for which the monument was established. In furtherance of the purposes of the monument the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to accept gifts of funds which may be donated for any purpose, but particularly for stabilizing the historic structures within the monument.

Sec. 202. Within three complete fiscal years from the effective date of this Act, the Secretary shall, after consultation with the Governor of the State of Florida, develop and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a comprehensive general management plan for the monument consistent with the provisions of this title and pursuant to the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.).

Sec. 203. Within three complete fiscal years from the effective date of this Act, the Secretary shall review the area within the monument and shall report to the President and the Congress, in accordance with subsections 3 (c) and (d) of the Wilderness Act (78 Stat. 890), his recommendations as to the suitability or nonsuitability of any area within the monument for designation as wilderness. Any designation of any such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

Sec. 204. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title. Notwithstanding any other provisions of law, no fees shall be charged for entrance or admission to the monument.

TITLE III—VALLEY FORGE NATIONAL HISTORICAL PARK

Sec. 301. The Act entitled "An Act to authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes", approved July 4, 1976 (90 Stat. 796), is amended (1) in subsection 2(a) by changing "dated February 1976, and numbered VF-91,000," to "dated June 1979, and numbered VF-91,001,"; (2) in section 3 by adding the following sentence at the end thereof: "In furtherance of the purposes of this Act, the Secretary is authorized to provide technical assistance to public and private nonprofit entities in qualifying for appropriate historical designation and for such grants, other financial assistance, and other forms of aid as are available under Federal, State, or local law for the protection, rehabilitation, or preservation of properties in the vicinity of the park which are historically related to the purposes of the park."; and (3) in subsection 4(a) by changing "\$8,622,000" to "\$13,895,000".

Boundary map.

Excluded Federal lands.

43 USC 1701 note.
Added Federal lands.
Gifts of funds.

Management plan, submittal to congressional committees.

16 USC 1a-7.

Designation of wilderness areas, report to President and Congress.
16 USC 1132.

Appropriation authorization.
Entrance fees, prohibition.

16 USC 410aa-1.

16 USC 410aa-2.
Technical assistance to grant applicants.

16 USC 400aa-3.

TITLE IV

Effective date.
16 USC 410gg-5
note.

SEC. 401. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1980. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

Approved June 28, 1980.

Sec. 302. Within three complete fiscal years from the effective date of this Act, the Secretary shall, after consultation with the Governor of the State of Florida, develop and submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a comprehensive general management plan for the monument consistent with the provisions of this title and the provisions of section 1211 of the Act of August 12, 1909 (Act 327), as amended (16 U.S.C. 1-1211).

Sec. 303. Within three complete fiscal years from the effective date of this Act, the Secretary shall review the area within the monument and shall report to the President and the Congress, in accordance with subsections 3 (c) and (d) of the Wilderness Act (16 U.S.C. 890), his recommendations as to the suitability or nonsuitability of any area within the monument for designation as wilderness. Any designation of any such area as wilderness shall be accomplished in accordance with subsections of the Wilderness Act.

Sec. 304. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title. Notwithstanding any other provision of law, no less shall be charged for entrance or admission to the monument.

TITLE III—VALLEY FORGE NATIONAL HISTORICAL PARK

Sec. 301. The Act entitled "An Act to authorize the Secretary of the Interior to acquire the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes," approved July 4, 1974 (94 Stat. 756), is amended (1) in subsection (a) by changing "dated February 1963 and numbered VF-31,000," to "dated June 1975 and numbered VF-81,000"; (2) in section 3 by adding the following sentence at the end thereof: "In furtherance of the purpose of this Act the Secretary is authorized to provide technical assistance to public land owners and private landowners in the State of Pennsylvania."

LEGISLATIVE HISTORY:

- HOUSE REPORT No. 96-693 (Comm. on Interior and Insular Affairs).
- SENATE REPORT No. 96-665 (Comm. on Energy and Natural Resources).
- CONGRESSIONAL RECORD:
 - Vol. 125 (1979): Dec. 10, considered and passed House.
 - Vol. 126 (1980): June 5, considered and passed Senate, amended.
 - June 17, House concurred in Senate amendments.