

Public Law 100-524
100th Congress

An Act

Oct. 24, 1988
[S. 2018]

To expand the boundaries of the Congaree Swamp National Monument, to designate wilderness therein, and for other purposes.

Congaree
Swamp
National
Monument
Expansion and
Wilderness Act.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Congaree Swamp National Monument Expansion and Wilderness Act”.

SEC. 2. NATIONAL MONUMENT WILDERNESS.

National
Wilderness
Preservation
System.
16 USC 1132
note.

(a) DESIGNATION OF WILDERNESS.—Certain lands comprising approximately 15,010 acres as generally depicted on a map entitled “Congaree Swamp National Monument Wilderness—Proposed”, and dated July 1988, are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System. Such lands shall be known as the Congaree Swamp National Monument Wilderness.

(b) POTENTIAL WILDERNESS ADDITIONS.—Certain lands comprising approximately 6,840 acres as depicted on the map referenced in subsection (a) are hereby designated as potential wilderness additions. Such lands shall be managed by the Secretary of the Interior (hereinafter referred to as the “Secretary”) insofar as practicable as wilderness until such time as said lands are designated as wilderness. Any lands designated as potential wilderness additions shall, upon acquisition of any non-Federal interests in land and publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, thereby be designated wilderness, shall be part of the Congaree Swamp National Monument Wilderness, and shall be managed in accordance with the Wilderness Act.

SEC. 3. MAP AND LEGAL DESCRIPTION.

Public
information.

As soon as practicable after the date of enactment of this Act, the map referenced in section 2 and a legal description of the boundaries of the wilderness and potential wilderness addition designated by this Act shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, in the Office of the Superintendent of the Congaree Swamp National Monument and with 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. Each such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such map and legal description may be made.

SEC. 4. ADMINISTRATION.

Subject to valid existing rights, the lands designated as wilderness pursuant to this Act shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary.

SEC. 5. ADDITION TO CONGAREE SWAMP NATIONAL MONUMENT.

16 USC 431 note.

The first section of the Act approved October 18, 1976 (90 Stat. 2517), is amended by—

- (1) inserting “(a)” after “That”;
- (2) striking all after “Federal Register” and inserting in lieu thereof a period; and
- (3) adding at the end thereof the following:

“(b) In addition to the lands described in subsection (a), the monument shall consist of the additional lands within the boundary as generally depicted on the map entitled ‘Citizens Boundary Proposal for Congaree Swamp National Monument’, numbered 178-80,009A, dated July 1988, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The map may be revised as provided in subsection (a). The total acreage of the monument including lands described in subsection (a) and this subsection shall not exceed 22,200 acres.”.

Public information.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

16 USC 431 note.

(a) **LAND ACQUISITION FUNDS.**—Section 5(a) of the Act approved October 18, 1976 (90 Stat. 2518), is amended by adding at the end thereof the following: “The Secretary may expend such additional sums as are necessary from the Land and Water Conservation Fund for acquisition of lands described in subsection (b) of the first section.”.

(b) **DEVELOPMENT FUNDS.**—Section 5 of the Act approved October 18, 1976 (90 Stat. 2518), is amended by adding at the end thereof the following:

“(c) Notwithstanding subsection (a), there are hereby authorized to be appropriated \$3,000,000 for construction and development within the monument.”.

SEC. 7. LATE PAYMENT CHARGES UNDER FEDERAL MINERAL LEASES.

30 USC 191a.

(a) **DISTRIBUTION OF LATE PAYMENT CHARGES.**—Any interest or other charges paid to the United States by reason of the late payment of any royalty, rent, bonus, or other amount due to the United States under any lease issued by the United States for the extraction of oil, gas, coal, or any other mineral, or for geothermal steam, shall be deposited in the same account and distributed to the same recipients, in the same manner, as such royalty, rent, bonus, or other amount.

(b) **EFFECTIVE DATE.**—Subsection (a) shall apply with respect to any interest, or other charge referred to in subsection (a), which is paid to the United States on or after July 1, 1988.

(c) **PROHIBITION AGAINST RECOUPMENT.**—Any interest, or other charge referred to in subsection (a), which was paid to the United States before July 1, 1988, and distributed to any State or other

recipient is hereby deemed to be authorized and approved as of the date of payment or distribution, and no part of any such payment or distribution shall be recouped from the State or other recipient. This subsection shall not apply to interest or other charges paid in connection with any royalty, rent, bonus, or other amount determined not to be owing to the United States.

Approved October 24, 1988.

LEGISLATIVE HISTORY—S. 2018:

HOUSE REPORTS: No. 100-977 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 100-449 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 134 (1988):
 Aug. 9, considered and passed Senate.
 Sept. 26, considered and passed House, amended.
 Oct. 7, Senate concurred in House amendment.