TITLE 16 - CONSERVATION
CHAPTER 63 - FEDERAL CAVE RESOURCES PROTECTION

§ 4310. Establishment of Cave Research Program

(a) Establishment

In order to provide for needed research relating to cave resources on certain lands in the United States, the Secretary of the Interior, acting through the Director of the National Park Service shall establish and administer a Cave Research Program (hereinafter in this section referred to as the “Program”). The Program shall include the orderly and scholarly collection, analysis, and dissemination of research material related to caves in lands managed by the National Park Service including, but not limited to, Carlsbad Caverns National Park and the Capitan Reef area.

(b) Functions

The Program shall produce educational and interpretive information and materials vital to public understanding of cave geology, assist students and researchers, and provide for a comprehensive evaluation of cave resources and measures needed for their protection.

(c) Emphasis

The program shall be directed primarily toward lands managed by the National Park Service, but the Secretary of the Interior may enter into cooperative agreements with other agencies or entities as may be appropriate to carry out the purposes of this section.

Footnotes

1 So in original. Probably should be capitalized.


References in Text

This section, referred to in subsecs. (a) and (c), was in the original “this title” meaning title II of Pub. L. 101–578, Nov. 15, 1990, 104 Stat. 2859, which enacted this section and provisions set out as notes below. For complete classification of title II to the Code, see Tables.

Codification

Section was not enacted as part of the Federal Cave Resources Protection Act of 1988 which comprises this chapter.

National Cave and Karst Research Institute


“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘National Cave and Karst Research Institute Act of 1998’.

“SEC. 2. PURPOSES.

“The purposes of this Act are—

“(1) to further the science of speleology;

“(2) to centralize and standardize speleological information;

“(3) to foster interdisciplinary cooperation in cave and karst research programs;

“(4) to promote public education;

“(5) to promote national and international cooperation in protecting the environment for the benefit of cave and karst landforms; and

“(6) to promote and develop environmentally sound and sustainable resource management practices.
“SEC. 3. ESTABLISHMENT OF THE INSTITUTE.

“(a) In General.—The Secretary of the Interior (referred to in this Act as the ‘Secretary’), acting through the Director of the National Park Service, shall establish the National Cave and Karst Research Institute (referred to in this Act as the ‘Institute’).

“(b) Purposes.—The Institute shall, to the extent practicable, further the purposes of this Act.

“(c) Location.—The Institute shall be located in the vicinity of Carlsbad Caverns National Park, in the State of New Mexico. The Institute shall not be located inside the boundaries of Carlsbad Caverns National Park.

“SEC. 4. ADMINISTRATION OF THE INSTITUTE.

“(a) Management.—The Institute shall be jointly administered by the National Park Service and a public or private agency, organization, or institution, as determined by the Secretary.

“(b) Guidelines.—The Institute shall be operated and managed in accordance with the study prepared by the National Park Service pursuant to section 203 of the Act entitled ‘An Act to conduct certain studies in the State of New Mexico’, approved November 15, 1990 (Public Law 101–578; 16 U.S.C. 4310 note).

“(c) Contracts and Cooperative Agreements.—The Secretary may enter into a contract or cooperative agreement with a public or private agency, organization, or institution to carry out this Act.

“(d) Facility.—

“(1) Leasing or acquiring a facility.—The Secretary may lease or acquire a facility for the Institute.

“(2) Construction of a facility.—If the Secretary determines that a suitable facility is not available for a lease or acquisition under paragraph (1), the Secretary may construct a facility for the Institute.

“(e) Acceptance of Grants and Transfers.—To carry out this Act, the Secretary may accept—

“(1) a grant or donation from a private person; or

“(2) a transfer of funds from another Federal agency.

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as are necessary to carry out this Act.”

Congressional Findings

Section 201 of Pub. L. 101–578 provided that: “The Congress makes the following findings:

“(1) The World’s most exposed fossil reef, Capitan Reef, in southern New Mexico that includes Carlsbad Caverns, contains over 300 caves, including 75 identified caves in Carlsbad Caverns National Park and 22 caves in Guadalupe Mountains National Park.

“(2) Recent explorations of Lechuguilla Cave at Carlsbad Caverns National Park have provided much new information about the wonders of this cave including the fact that it is the second deepest cave in the United States and contains outstanding world-class cave features such as gypsum crystal chandeliers and gypsum flowers.

“(3) The Lechuguilla Cave has been described by cave researchers as possibly the finest cave in America.

“(4) The interest and excitement of cave researchers throughout the world have been focused on Carlsbad Caverns National Park.

“(5) Cave researchers could use this research institute as an operational base for study of caves in other regions and as a focal point for storage of data on cave geology and speleology.

“(6) The Congress, with the passage of Public Law 100–691, the Federal Cave Resources Protection Act of 1988 [16 U.S.C. 4301 et seq.], recognized the significance of cave resources on Federal lands and established the policy that Federal lands be managed in a manner which protects and maintains, to the extent practicable, significant cave resources.”

Cave Research Institute Study

Section 203 of Pub. L. 101–578 directed Secretary of the Interior, not later than one year after Nov. 15, 1990, to prepare and transmit to Congress a study on the feasibility of establishing a Cave Research Institute.

Authorization of Appropriations

Section 204 of title II of Pub. L. 101–578 provided that: “There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title [enacting this section and provisions set out as notes above].”