

**(c) Fund**

Any money collected by the United States as permit fees for collection and removal of cave resources; received by the United States as a result of the forfeiture of a bond or other security by a permittee who does not comply with the requirements of such permit issued under section 4306 of this title; or collected by the United States by way of civil penalties or criminal fines for violations of this chapter shall be placed in a special fund in the Treasury. Such moneys shall be available for obligation or expenditure (to the extent provided for in advance in appropriation Acts) as determined by the Secretary for the improved management, benefit, repair, or restoration of significant caves located on Federal lands.

**(d) Existing rights**

Nothing in this chapter shall be deemed to affect the full operation of the mining and mineral leasing laws of the United States, or otherwise affect valid existing rights.

(Pub. L. 100-691, §9, Nov. 18, 1988, 102 Stat. 4550.)

**§ 4309. Savings provision****(a) Water**

Nothing in this chapter shall be construed as authorizing the appropriation of water by any Federal, State, or local agency, Indian tribe, or any other entity or individual. Nor shall any provision of this chapter—

- (1) affect the rights or jurisdiction of the United States, the States, Indian tribes, or other entities over waters of any river or stream or over any ground water resource;
- (2) alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by the States; or
- (3) alter or establish the respective rights of States, the United States, Indian tribes, or any person with respect to any water or water-related right.

**(b) Fish and wildlife**

Nothing in this chapter shall be construed as affecting the jurisdiction or responsibilities of the States with respect to fish and wildlife.

(Pub. L. 100-691, §10, Nov. 18, 1988, 102 Stat. 4551.)

**§ 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<sup>1</sup> 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.

(Pub. L. 101-578, title II, §202, Nov. 15, 1990, 104 Stat. 2859.)

## 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

Pub. L. 105-325, Oct. 30, 1998, 112 Stat. 3038, as amended by Pub. L. 111-11, title VII, §7305, Mar. 30, 2009, 123 Stat. 1219, provided that:

## "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

<sup>1</sup> So in original. Probably should be capitalized.