

Trap Farm Park” shall be considered to be a reference to “Wolf Trap National Park for the Performing Arts”, was executed by substituting “Wolf Trap National Park for the Performing Arts” for “Wolf Trap Farm Park for the Performing Arts” in concluding provisions to reflect the probable intent of Congress.

#### **§ 1f. Challenge cost-share agreement authority**

##### **(1) Definitions**

For purposes of this subsection:

(A) The term “challenge cost-share agreement” means any agreement entered into between the Secretary and any cooperator for the purpose of sharing costs or services in carrying out authorized functions and responsibilities of the Secretary of the Interior with respect to any unit or program of the National Park System (as defined in section 1c(a) of this title), any affiliated area, or any designated National Scenic or Historic Trail.

(B) The term “cooperator” means any State or local government, public or private agency, organization, institution, corporation, individual, or other entity.

##### **(2) Challenge cost-share agreements**

The Secretary of the Interior is authorized to negotiate and enter into challenge cost-share agreements with cooperators.

##### **(3) Use of Federal funds**

In carrying out challenge cost-share agreements, the Secretary of the Interior is authorized to provide the Federal funding share from any funds available to the National Park Service.

(Pub. L. 104-333, div. I, title VIII, §814(g), Nov. 12, 1996, 110 Stat. 4199.)

#### **§ 1g. Cooperative agreements**

The National Park Service may in fiscal year 1997 and thereafter enter into cooperative agreements that involve the transfer of National Park Service appropriated funds to State, local and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs pursuant to section 6305 of title 31 to carry out public purposes of National Park Service programs.

(Pub. L. 104-208, div. A, title I, §101(d) [title I], Sept. 30, 1996, 110 Stat. 3009-181, 3009-189.)

#### **§ 1h. Sums provided by private entities for utility services**

Notwithstanding any other provision of law, in fiscal year 2003 and thereafter, sums provided to the National Park Service by private entities for utility services shall be credited to the appropriate account and remain available until expended.

(Pub. L. 108-7, div. F, title I, Feb. 20, 2003, 117 Stat. 227.)

#### **§ 1i. Reimbursable agreements**

Heretofore and hereafter, in carrying out the work under reimbursable agreements with any State, local or tribal government, the National Park Service may, without regard to section

1341 of title 31 or any other provision of law or regulation, record obligations against accounts receivable from such entities, and shall credit amounts received from such entities to the appropriate account, such credit to occur within 90 days of the date of the original request by the National Park Service for payment.

(Pub. L. 108-7, div. F, title I, Feb. 20, 2003, 117 Stat. 227.)

#### **§ 1j. Cooperative agreements for national park natural resource protection**

##### **(a) In general**

The Secretary of the Interior (referred to in this section as the “Secretary”) may enter into cooperative agreements with State, local, or tribal governments, other Federal agencies, other public entities, educational institutions, private nonprofit organizations, or participating private landowners for the purpose of protecting natural resources of units of the National Park System through collaborative efforts on land inside and outside of National Park System units.

##### **(b) Terms and conditions**

A cooperative agreement entered into under subsection (a) shall provide clear and direct benefits to park natural resources and—

(1) provide for—

(A) the preservation, conservation, and restoration of coastal and riparian systems, watersheds, and wetlands;

(B) preventing, controlling, or eradicating invasive exotic species that are within a unit of the National Park System or adjacent to a unit of the National Park System; or

(C) restoration of natural resources, including native wildlife habitat or ecosystems;

(2) include a statement of purpose demonstrating how the agreement will—

(A) enhance science-based natural resource stewardship at the unit of the National Park System; and

(B) benefit the parties to the agreement;

(3) specify any staff required and technical assistance to be provided by the Secretary or other parties to the agreement in support of activities inside and outside the unit of the National Park System that will—

(A) protect natural resources of the unit of the National Park System; and

(B) benefit the parties to the agreement;

(4) identify any materials, supplies, or equipment and any other resources that will be contributed by the parties to the agreement or by other Federal agencies;

(5) describe any financial assistance to be provided by the Secretary or the partners to implement the agreement;

(6) ensure that any expenditure by the Secretary pursuant to the agreement is determined by the Secretary to support the purposes of natural resource stewardship at a unit of the National Park System; and

(7) include such other terms and conditions as are agreed to by the Secretary and the other parties to the agreement.

**(c) Limitations**

The Secretary shall not use any funds associated with an agreement entered into under subsection (a) for the purposes of land acquisition, regulatory activity, or the development, maintenance, or operation of infrastructure, except for ancillary support facilities that the Secretary determines to be necessary for the completion of projects or activities identified in the agreement.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section. (Pub. L. 110-229, title III, § 301, May 8, 2008, 122 Stat. 768.)

**§ 2. National parks, reservations, and monuments; supervision**

The director shall, under the direction of the Secretary of the Interior, have the supervision, management, and control of the several national parks and national monuments which on August 25, 1916, were under the jurisdiction of the Department of the Interior, and of the Hot Springs National Park in the State of Arkansas, and of such other national parks and reservations of like character as may be created by Congress. In the supervision, management, and control of national monuments contiguous to national forests the Secretary of Agriculture may cooperate with said National Park Service to such extent as may be requested by the Secretary of the Interior.

(Aug. 25, 1916, ch. 408, § 2, 39 Stat. 535; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1407.)

**CHANGE OF NAME**

Hot Springs Reservation was changed to Hot Springs National Park by section 1 of act Mar. 4, 1921.

**TRANSFER OF FUNCTIONS**

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 3. Rules and regulations of national parks, reservations, and monuments; timber; leases**

The Secretary of the Interior shall make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service, and any violation of any of the rules and regulations authorized by this section and sections 1, 2, and 4 of this title shall be punished by a fine of not more than \$500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings. He may also, upon terms and conditions to be fixed by him, sell or dispose of timber in those cases where in his judgment the cutting of such timber is required in order to control the attacks of insects or diseases or otherwise conserve the scenery or the natural or historic objects in any such park, monument, or reserva-

tion. He may also provide in his discretion for the destruction of such animals and of such plant life as may be detrimental to the use of any of said parks, monuments, or reservations. No natural,<sup>1</sup> curiosities, wonders, or objects of interest shall be leased, rented, or granted to anyone on such terms as to interfere with free access to them by the public: *Provided, however*, That the Secretary of the Interior may, under such rules and regulations and on such terms as he may prescribe, grant the privilege to graze livestock within any national park, monument, or reservation herein referred to when in his judgment such use is not detrimental to the primary purpose for which such park, monument, or reservation was created, except that this provision shall not apply to the Yellowstone National Park: *And provided further*, That the Secretary of the Interior may grant said privileges, leases, and permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids: *And provided further*, That no contract, lease, permit, or privilege granted shall be assigned or transferred by such grantees, permittees, or licensees without the approval of the Secretary of the Interior first obtained in writing.

(Aug. 25, 1916, ch. 408, § 3, 39 Stat. 535; June 2, 1920, ch. 218, § 5, 41 Stat. 732; Mar. 7, 1928, ch. 137, § 1, 45 Stat. 235; Pub. L. 85-434, May 29, 1958, 72 Stat. 152; Pub. L. 105-391, title IV, § 415(b)(1), Nov. 13, 1998, 112 Stat. 3515.)

**REFERENCES IN TEXT**

Herein, referred to in text, means act Aug. 25, 1916, known as the "National Park Service Organic Act", which is classified to this section and sections 1, 2, and 4 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1 of this title and Tables.

**AMENDMENTS**

1998—Pub. L. 105-391, § 415(b)(1)(A), in fourth sentence, substituted "No natural," for "He may also grant privileges, leases, and permits for the use of land for the accommodation of visitors in the various parks, monuments, or other reservations herein provided for, but for periods not exceeding thirty years; and no natural".

Pub. L. 105-391, § 415(b)(1)(B), in fourth sentence, struck out last proviso which read as follows: " *And provided further*, That the Secretary may, in his discretion, authorize such grantees, permittees, or licensees to execute mortgages and issue bonds, shares of stock, and other evidences of interest in or indebtedness upon their rights, properties, and franchises, for the purposes of installing, enlarging, or improving plant and equipment and extending facilities for the accommodation of the public within such national parks and monuments".

1958—Pub. L. 85-434 substituted "thirty years" for "twenty years".

1928—Act Mar. 7, 1928, inserted last three provisos.

1920—Act June 2, 1920, substituted "and any violation of any of the rules and regulations authorized by this section and sections 1, 2, and 4 of this title shall be punished by a fine of not more than \$500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings" for "and any violations of any of the rules and regulations authorized by this section and sections 1, 2, and 4 of this title shall be punished as provided for in section 50 of the Act enti-

<sup>1</sup> So in original. The comma probably should not appear.