

**(c) Report**

Not later than 3 years after March 30, 2009, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House a report describing the progress made with respect to acquiring real property under this section and designating the River Raisin National Battlefield Park.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section. (Pub. L. 111–11, title VII, §7003, Mar. 30, 2009, 123 Stat. 1188.)

SUBCHAPTER LXI—NATIONAL AND INTERNATIONAL MONUMENTS AND MEMORIALS

**§ 431. National monuments; reservation of lands; relinquishment of private claims**

The President of the United States is authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected. When such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

(June 8, 1906, ch. 3060, §2, 34 Stat. 225.)

SHORT TITLE

Act June 8, 1906, ch. 3060, 34 Stat. 225, which is classified generally to sections 431, 432, and 433 of this title, is popularly known as the “Antiquities Act of 1906”, and is also known as the “National Monument Act”.

NATIONAL MONUMENT COMMISSION

Act Aug. 31, 1954, ch. 1160, 68 Stat. 1029, provided for a Commission to obtain plans and designs for a useful monument to the nation symbolizing to the United States and the world the ideals of a democracy as embodied in the five freedoms (speech, religion, press, assembly, and petition) and to submit such plans to Congress for legislative authorization after approval by the Secretary of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts. The Commission terminated 30 days after submission of required report which was submitted in 1957 but audit of business was not completed until September 1964.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION

Ackia Battleground National Monument, Mississippi [see section 450r of this title].—Proc. No. 2307, Oct. 25, 1938, 53 Stat. 2494.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Admiralty Island National Monument, Alaska [Monument established within Tongass National Forest by Pub. L. 96–487, title V, §503(b), Dec. 2, 1980, 94 Stat. 2399; Pub. L. 104–123, Apr. 1, 1996, 110 Stat. 879; Pub. L. 105–60, Oct. 10, 1997, 111 Stat. 1269].—Proc. No. 4611, Dec. 1, 1978, 93 Stat. 1446.

African Burial Ground National Monument, New York.—Proc. No. 7984, Feb. 27, 2006, 71 F.R. 10793.

Agua Fria National Monument, Arizona.—Proc. No. 7263, Jan. 11, 2000, 65 F.R. 2817.

Andrew Johnson National Monument, Tennessee [Monument redesignated Andrew Johnson National Historical Site, see section 450o of this title].—Proc. No. 2554, Apr. 27, 1942, 56 Stat. 1955.

Aniakchak National Monument, Alaska [Monument established as unit of National Park System, see section 410hh(1) of this title].—Proc. No. 4612, Dec. 1, 1978, 93 Stat. 1448.

Arches National Monument, Utah [Monument abolished and funds made available to Arches National Park, see section 272 of this title].—Proc. No. 1875, Apr. 12, 1929, 46 Stat. 2988; Proc. No. 2312, Nov. 25, 1938, 53 Stat. 2504; Proc. No. 3360, July 22, 1960, 74 Stat. c79; Proc. No. 3887, Jan. 20, 1969, 83 Stat. 920.

Aztec Ruins National Monument, New Mexico.—Proc. No. 1650, Jan. 24, 1923, 42 Stat. 2295; Proc. No. 1840, July 2, 1928, 45 Stat. 2954; Proc. No. 1928, Dec. 19, 1930, 46 Stat. 3040; Proc. No. 2787, May 27, 1948, 62 Stat. 1513; Pub. L. 100–559, title VI, §§601–604, Oct. 28, 1988, 102 Stat. 2800.

Badlands National Monument, South Dakota [Monument redesignated Badlands National Park, see section 441e–1 of this title].—Proc. No. 2320, Jan. 25, 1939, 53 Stat. 2521.

Bandelier National Monument, New Mexico.—Proc. No. 1322, Feb. 11, 1916, 39 Stat. 1764; Proc. No. 1991, Feb. 25, 1932, 47 Stat. 2503; Proc. No. 3388, Jan. 9, 1961, 75 Stat. 1014; Proc. No. 3539, May 27, 1963, 77 Stat. 1006; Pub. L. 94–578, title III, §309, Oct. 21, 1976, 90 Stat. 2736; Pub. L. 105–85, div. C, title XXXI, §3164, Nov. 18, 1997, 111 Stat. 2050; Pub. L. 105–376, Nov. 12, 1998, 112 Stat. 3388.

Becharof National Monument, Alaska.—Proc. No. 4613, Dec. 1, 1978, 93 Stat. 1450.

Bering Land Bridge National Monument, Alaska.—Proc. No. 4614, Dec. 1, 1978, 93 Stat. 1451.

Big Hole Battlefield National Monument, Montana [Monument redesignated Big Hole National Battlefield, see section 430uu of this title].—Ex. Ord. No. 1216, June 23, 1910; Proc. No. 2339, June 29, 1939, 53 Stat. 2544.

Black Canyon of the Gunnison National Monument, Colorado [Monument abolished and lands incorporated in, and funds made available for, Black Canyon of the Gunnison National Park, see section 410fff–2 of this title].—Proc. No. 2033, Mar. 2, 1933, 47 Stat. 2558; Proc. No. 2286, May 16, 1938, 52 Stat. 1548; Proc. No. 2372, Oct. 28, 1939, 54 Stat. 2669; Proc. No. 3344, Apr. 8, 1960, 74 Stat. c56; Pub. L. 98–357, July 13, 1984, 98 Stat. 397.

Bryce Canyon National Monument, Utah.—Proc. No. 1664, June 8, 1923, 43 Stat. 1914; Proc. No. 1930, Jan. 5, 1931, 46 Stat. 3042; Proc. No. 1952, May 4, 1931, 47 Stat. 2455.

Buck Island Reef National Monument, Virgin Islands.—Proc. No. 3443, Dec. 28, 1961, 76 Stat. 1441; Proc. No. 4346, Feb. 1, 1975, 89 Stat. 1237; Proc. No. 4359, Mar. 28, 1975, 89 Stat. 1254; Proc. No. 7392, Jan. 17, 2001, 66 F.R. 7335.

Cabrillo National Monument, California.—Proc. No. 1255, Oct. 14, 1913, 38 Stat. 1965; Proc. No. 3273, Feb. 2, 1959, 73 Stat. c19; Proc. No. 4319, Sept. 28, 1974, 88 Stat. 2514.

California Coastal National Monument, California.—Proc. No. 7264, Jan. 11, 2000, 65 F.R. 2821.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Canyon De Chelly National Monument, Arizona [see section 445 of this title].—Proc. No. 1945, Apr. 1, 1931, 47 Stat. 2448; Proc. No. 2036, Mar. 3, 1933, 47 Stat. 2562.

Canyons of the Ancients National Monument, Colorado.—Proc. No. 7317, June 9, 2000, 65 F.R. 37243.

Cape Krusenstern National Monument, Alaska [Monument established as unit of National Park System, see section 410hh(3) of this title].—Proc. No. 4615, Dec. 1, 1978, 93 Stat. 1453.

Capitol Reef National Monument, Utah [Monument abolished and funds made available to Capitol Reef National Park, see section 273 of this title].—Proc. No. 2246, Aug. 2, 1937, 50 Stat. 1856; Proc. No. 3249, July 2, 1958, 72 Stat. c48; Proc. No. 3888, Jan. 20, 1969, 83 Stat. 922.

Capulin Mountain National Monument, New Mexico [Monument redesignated Capulin Volcano National Monument by Pub. L. 100-225, title V, §506(g), Dec. 31, 1987, 101 Stat. 1547].—Proc. No. 1340, Aug. 9, 1916, 39 Stat. 1792.

Capulin Volcano National Monument, New Mexico [Monument changed from Capulin Mountain National Monument, see section 460uu-46(g) of this title].—Proc. No. 1340, Aug. 9, 1916, 39 Stat. 1792; Pub. L. 87-635, Sept. 5, 1962, 76 Stat. 436; Pub. L. 100-225, title V, §506(g), Dec. 31, 1987, 101 Stat. 1547.

Carlsbad Cave National Monument, New Mexico [Monument redesignated Carlsbad Caverns National Park, see section 407 of this title].—Proc. No. 1679, Oct. 25, 1923, 43 Stat. 1929.

Carrizo Plain National Monument, California.—Proc. No. 7393, Jan. 17, 2001, 66 F.R. 7339.

Casa Grande National Monument, Arizona.—Proc. No. 1470, Aug. 3, 1918, 40 Stat. 1818.

Cascade-Siskiyou National Monument, Oregon.—Proc. No. 7318, June 9, 2000, 65 F.R. 37249; Pub. L. 111-11, title I, §§1401-1406, Mar. 30, 2009, 123 Stat. 1026-1031.

Castillo de San Marcos National Monument, Florida [Monument changed from Fort Marion National Monument by act June 5, 1942, ch. 337, 56 Stat. 312].—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968; Pub. L. 108-480, Dec. 23, 2004, 118 Stat. 3907.

Castle Pinckney National Monument, South Carolina.—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968.

Cedar Breaks National Monument, Utah.—Proc. No. 2054, Aug. 22, 1933, 48 Stat. 1705.

Chaco Canyon National Monument, New Mexico [Monument abolished and funds made available to Chaco Culture National Historical Park, see section 410ii-1(a) of this title].—Proc. No. 740, Mar. 11, 1907, 35 Stat. 2119; Proc. No. 1826, Jan. 10, 1928, 45 Stat. 2937.

Channel Islands National Monument, California [Monument abolished and incorporated in Channel Islands National Park, see section 410ff of this title].—Proc. No. 2281, Apr. 26, 1938, 52 Stat. 1541; Proc. No. 2825, Feb. 9, 1949, 63 Stat. 1258.

Chesapeake and Ohio Canal National Monument, Maryland.—Proc. No. 3391, Jan. 18, 1961, 75 Stat. 1023.

Chiricahua National Monument, Arizona.—Proc. No. 1692, Apr. 18, 1924, 43 Stat. 1946; Proc. No. 2288, June 10, 1938, 52 Stat. 1551.

Cinder Cone National Monument, California.—Proc. No. 753, May 6, 1907, 35 Stat. 2131.

Colonial National Monument, Virginia [Monument redesignated Colonial National Historical Park, see section 81 of this title].—Proc. No. 1929, Dec. 30, 1930, 46 Stat. 3041; Proc. No. 2055, Aug. 22, 1933, 48 Stat. 1706.

Colorado National Monument, Colorado.—Proc. No. 1126, May 24, 1911, 37 Stat. 1681; Proc. No. 2037, Mar. 3, 1933, 47 Stat. 2563; Proc. No. 3307, Aug. 7, 1959, 73 Stat. c69.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Craters of the Moon National Monument, Idaho.—Proc. No. 1694, May 2, 1924, 43 Stat. 1947; Proc. No. 1843, July 23, 1928, 45 Stat. 2959; Proc. No. 1916, July 9, 1930, 46 Stat. 3029; Proc. No. 2499, July 18, 1941, 55 Stat. 1660; Proc. No. 3506, Nov. 19, 1962, 77 Stat. 960; Pub. L. 104-333, div. I, title II, §205, Nov. 12, 1996, 110 Stat. 4106; Proc. No. 7373, Nov. 9, 2000, 65 F.R. 69221; Pub. L. 107-213, §1, Aug. 21, 2002, 116 Stat. 1052.

Death Valley National Monument, California and Nevada [Monument abolished and incorporated in Death Valley National Park, see section 410aaa-1 of this title].—Proc. No. 2028, Feb. 11, 1933, 47 Stat. 2554; Proc. No. 2228, Mar. 26, 1937, 50 Stat. 1823; Proc. No. 2961, Jan. 17, 1952, 66 Stat. c18; Pub. L. 103-433, title III, §302, Oct. 31, 1994, 108 Stat. 4485.

Denali National Monument, Alaska.—Proc. No. 4616, Dec. 1, 1978, 93 Stat. 1455.

Devil Postpile National Monument, California.—Proc. No. 1166, July 6, 1911, 37 Stat. 1715.

Devils Tower National Monument, Wyoming.—Proc. No. 658, Sept. 24, 1906, 34 Stat. 3236; act Aug. 9, 1955, ch. 647, 69 Stat. 575.

Dinosaur National Monument, Utah-Colorado.—Proc. No. 1313, Oct. 4, 1915, 39 Stat. 1752; Proc. No. 2290, July 14, 1938, 53 Stat. 2454; Pub. L. 100-701, §§2-4, Nov. 19, 1988, 102 Stat. 4641.

Edison Laboratory National Monument, New Jersey [Monument and Edison Home National Historic Site together with certain adjacent lands redesignated Edison National Historic Site by Pub. L. 87-628, §1, Sept. 5, 1962, 76 Stat. 428; Pub. L. 87-628 repealed and references to the Edison National Historic Site deemed to refer to the Thomas Edison National Historical Park by Pub. L. 111-11, title VII, §7110(c)(4), (5), Mar. 30, 2009, 123 Stat. 1198, see section 410mmm of this title].—Proc. No. 3148, July 14, 1956, 70 Stat. c49.

Effigy Mounds National Monument, Iowa.—Proc. No. 2860, Oct. 25, 1949, 64 Stat. A371; Pub. L. 106-323, Oct. 19, 2000, 114 Stat. 1289.

El Morro National Monument, New Mexico.—Proc. No. 695, Dec. 8, 1906, 34 Stat. 3264; Proc. No. 1377, June 18, 1917, 40 Stat. 1673.

Fort Jefferson National Monument, Florida [Monument abolished and incorporated in Dry Tortugas National Park, see section 410xx of this title].—Proc. No. 2112, Jan. 4, 1935, 49 Stat. 3430; Pub. L. 96-287, title II, June 28, 1980, 94 Stat. 600; Pub. L. 102-525, title II, §201(c), Oct. 26, 1992, 106 Stat. 3440.

Fort Laramie National Monument, Wyoming [Monument redesignated Fort Laramie National Historic Site by Pub. L. 86-444, §3, Apr. 29, 1960, 74 Stat. 84].—Proc. No. 2292, July 16, 1938, 53 Stat. 2461.

Fort Marion National Monument, Florida [Monument redesignated Castillo de San Marcos National Monument by act June 5, 1942, ch. 337, 56 Stat. 312].—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968.

Fort Matanzas National Monument, Florida.—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968; Proc. No. 2114, Jan. 9, 1935, 49 Stat. 3433; Proc. No. 2773, Mar. 24, 1948, 62 Stat. 1491; Pub. L. 106-524, Nov. 22, 2000, 114 Stat. 2493.

Fort Niagara National Monument, New York.—Proc. No. 1745, Sept. 5, 1925, 44 Stat. 2582.

Fort Pulaski National Monument, Georgia.—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968; June 26, 1936, ch. 844, 49 Stat. 1979; Pub. L. 104-333, div. I, title VIII, §807, Nov. 12, 1996, 110 Stat. 4188.

Fort Wood National Monument, New York.—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968.

Fossil Cycad National Monument, South Dakota.—Proc. No. 1641, Oct. 21, 1922, 42 Stat. 2286.

Gates of the Arctic National Monument, Alaska.—Proc. No. 4617, Dec. 1, 1978, 93 Stat. 1457.

Giant Sequoia National Monument, California.—Proc. No. 7295, Apr. 15, 2000, 65 F.R. 24095.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Gila Cliff-Dwellings National Monument, New Mexico.—Proc. No. 781, Nov. 16, 1907, 35 Stat. 2162; Proc. No. 3467, Apr. 17, 1962, 76 Stat. 1465.

Glacier Bay National Monument, Alaska [Monument redesignated Glacier Bay National Park, see section 410hh-1(1) of this title].—Proc. No. 1733, Feb. 26, 1925, 43 Stat. 1988; Proc. No. 2330, Apr. 18, 1939, 53 Stat. 2534; Proc. No. 3089, Mar. 31, 1955, 69 Stat. c27; Proc. No. 4618, Dec. 1, 1978, 93 Stat. 1458.

Governors Island National Monument, New York.—Proc. No. 7402, Jan. 19, 2001, 66 F.R. 7855; Proc. No. 7647, Feb. 7, 2003, 68 F.R. 7053.

Gran Quivira National Monument, New Mexico [Monument abolished and funds made available to Salinas National Monument by Pub. L. 96-550, title VI, § 601(b), Dec. 19, 1980, 94 Stat. 3231. Salinas National Monument redesignated Salinas Pueblo Missions National Monument by Pub. L. 100-559, title I, § 101, Oct. 28, 1988, 102 Stat. 2797].—Proc. No. 882, Nov. 1, 1909, 36 Stat. 2503; Proc. No. 1545, Nov. 25, 1919, 41 Stat. 1778.

Grand Canyon National Monument, Arizona.—Proc. No. 794, Jan. 11, 1908, 35 Stat. 2175; Proc. No. 2022, Dec. 22, 1932, 47 Stat. 2547; Proc. No. 2393, Apr. 4, 1940, 54 Stat. 2692.

Grand Canyon-Parashant National Monument, Arizona.—Proc. No. 7265, Jan. 11, 2000, 65 F.R. 2825.

Grand Staircase-Escalante National Monument, Utah.—Proc. No. 6920, Sept. 18, 1996, 110 Stat. 4561; Pub. L. 105-335, Oct. 31, 1998, 112 Stat. 3139; Pub. L. 105-355, title II, § 201, Nov. 6, 1998, 112 Stat. 3252; Pub. L. 106-176, title III, § 307, Mar. 10, 2000, 114 Stat. 33.

Great Sand Dunes National Monument, Colorado [Monument abolished and incorporated in Great Sand Dunes National Park, see section 410hhh-2 of this title].—Proc. No. 1994, Mar. 17, 1932, 47 Stat. 2506; Proc. No. 2681, Mar. 12, 1946, 60 Stat. 1339; Proc. No. 3138, June 7, 1956, 70 Stat. c31.

Hanford Reach National Monument, Washington.—Proc. No. 7319, June 9, 2000, 65 F.R. 37253.

Holy Cross National Monument, Colorado [Monument abolished by act Aug. 3, 1950, ch. 530, 64 Stat. 404].—Proc. No. 1877, May 11, 1929, 46 Stat. 2993.

Hovenweep National Monument, Colorado-Utah.—Proc. No. 1654, Mar. 2, 1923, 42 Stat. 2299; Proc. No. 2924, Apr. 26, 1951, 65 Stat. c8; Proc. No. 2998, Nov. 20, 1952, 67 Stat. c21; Proc. No. 3132, Apr. 6, 1956, 70 Stat. c26.

Ironwood Forest National Monument, Arizona.—Proc. No. 7320, June 9, 2000, 65 F.R. 37259.

Jackson Hole National Monument, Wyoming [Monument abolished and incorporated in Grand Teton National Park, see section 406d-1 of this title].—Proc. No. 2578, Mar. 15, 1943, 57 Stat. 731.

Jewel Cave National Monument, South Dakota.—Proc. No. 799, Feb. 7, 1908, 35 Stat. 2180; Pub. L. 89-250, Oct. 9, 1965, 79 Stat. 971.

Joshua Tree National Monument, California [see section 450ii of this title] [Monument abolished and incorporated in Joshua Tree National Park, see section 410aaa-22 of this title].—Proc. No. 2193, Aug. 10, 1936, 50 Stat. 1760; Pub. L. 103-433, title IV, § 402, Oct. 31, 1994, 108 Stat. 4488.

Kasha-Katuwe Tent Rocks National Monument, New Mexico.—Proc. No. 7394, Jan. 17, 2001, 66 F.R. 7343.

Katmai National Monument, Alaska [Monument redesignated Katmai National Park, see section 410hh-1(2) of this title].—Proc. No. 1487, Sept. 24, 1918, 40 Stat. 1855; Proc. No. 1950, Apr. 24, 1931, 47 Stat. 2453; Proc. No. 2177, June 15, 1936, 49 Stat. 3523; Proc. No. 2564, Aug. 4, 1942, 56 Stat. 1972; Proc. No. 3890, Jan. 20, 1969, 83 Stat. 926; Proc. No. 4619, Dec. 1, 1978, 93 Stat. 1460.

Kenai Fjords National Monument, Alaska.—Proc. No. 4620, Dec. 1, 1978, 93 Stat. 1462.

Kobuk Valley National Monument, Alaska.—Proc. No. 4621, Dec. 1, 1978, 93 Stat. 1463.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Lake Clark National Monument, Alaska.—Proc. No. 4622, Dec. 1, 1978, 93 Stat. 1465.

Lassen Peak National Monument, California.—Proc. No. 754, May 6, 1907, 35 Stat. 2132.

Lava Beds National Monument, California.—Proc. No. 1755, Nov. 21, 1925, 44 Stat. 2591; Proc. No. 2925, Apr. 27, 1951, 65 Stat. c9.

Lehman Caves National Monument, Nevada [Monument abolished and lands incorporated in, and funds made available for, Great Basin National Park, see section 410mm(d) of this title].—Proc. No. 1618, Jan. 24, 1922, 42 Stat. 2260.

Lewis and Clark Cavern National Monument, Montana.—Proc. No. 807, May 11, 1908, 35 Stat. 2187; Proc. No. 1123, May 16, 1911, 37 Stat. 1679.

Marble Canyon National Monument, Arizona.—Proc. No. 3889, Jan. 20, 1969, 83 Stat. 924.

Marianas Trench Marine National Monument, Northern Mariana Islands and Guam.—Proc. No. 8335, Jan. 6, 2009, 74 F.R. 1557.

Meriwether Lewis National Monument, Tennessee [Monument included in Natchez Trace Parkway, see section 460-1 of this title].—Proc. No. 1730, Feb. 6, 1925, 43 Stat. 1986; Proc. No. 1825, Dec. 6, 1927, 45 Stat. 2935.

Minidoka Internment National Monument, Idaho [Monument abolished and lands incorporated in Minidoka Historic Site by Pub. L. 110-229, title III, § 313, May 8, 2008, 122 Stat. 770].—Proc. No. 7395, Jan. 17, 2001, 66 F.R. 7347.

Misty Fjords National Monument, Alaska [Monument established within Tongass National Forest by Pub. L. 96-487, title V, § 503(b), Dec. 2, 1980, 94 Stat. 2399].—Proc. No. 4623, Dec. 1, 1978, 93 Stat. 1466.

Montezuma Castle National Monument, Arizona.—Proc. No. 696, Sept. 8, 1906, 93 Stat. 3265; Proc. No. 2226, Feb. 23, 1937, 50 Stat. 1817; Pub. L. 108-190, Dec. 19, 2003, 117 Stat. 2867.

Mound City Group National Monument, Ohio [Monument redesignated Hopewell Culture National Historic Park, see section 401uu of this title].—Proc. No. 1653, Mar. 2, 1923, 42 Stat. 2298; Pub. L. 96-607, title VII, § 701, Dec. 28, 1980, 94 Stat. 3540.

Mount Olympus National Monument, Washington [Monument abolished and lands incorporated in Mount Olympus National Park, see section 251 of this title].—Proc. No. 869, Mar. 2, 1909, 35 Stat. 2247; Proc. No. 1191, Apr. 17, 1912, 37 Stat. 1737; Proc. No. 1293, May 11, 1915, 39 Stat. 1726; Proc. No. 1862, Jan. 7, 1929, 45 Stat. 2984.

Muir Woods National Monument, California.—Proc. No. 793, Jan. 9, 1908, 35 Stat. 2174; Proc. No. 1608, Sept. 22, 1921, 42 Stat. 2249; Proc. No. 2122, Apr. 5, 1935, 49 Stat. 3443; Proc. No. 2932, June 26, 1951, 65 Stat. c20; Proc. No. 3311, Sept. 8, 1959, 73 Stat. c76.

Mukuntuweap National Monument, Utah [Monument redesignated Zion National Monument by Proc. No. 1435, Mar. 18, 1918, 40 Stat. 1760, and later redesignated Zion National Park, see section 344 of this title].—Proc. No. 877, July 31, 1909, 36 Stat. 2498.

Natural Bridges National Monument, Utah.—Proc. No. 804, Apr. 16, 1908, 35 Stat. 2183; Proc. No. 881, Sept. 25, 1909, 36 Stat. 2502; Proc. No. 1323, Feb. 11, 1916, 39 Stat. 1764; Proc. No. 3486, Aug. 14, 1962, 76 Stat. 1495.

Navajo National Monument, Arizona.—Proc. No. 873, May 20, 1909, 36 Stat. 2491; Proc. No. 1186, Mar. 14, 1912, 37 Stat. 1733.

Noatak National Monument, Alaska.—Proc. No. 4624, Dec. 1, 1978, 93 Stat. 1468.

Northwestern Hawaiian Islands Marine National Monument, Hawaii [Monument redesignated Papahānaumokuākea Marine National Monument by Proc. No. 8112, Feb. 28, 2007, 72 F.R. 10031].—Proc. No. 8031, June 15, 2006, 71 F.R. 36443.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Ocmulgee National Monument, Georgia [see section 447a of this title].—Proc. No. 2212, Dec. 23, 1936, 50 Stat. 1798; Proc. No. 2493, June 13, 1941, 55 Stat. 1654; Pub. L. 102-67, July 9, 1991, 105 Stat. 325.

Old Kasaan National Monument, Alaska [Monument abolished and incorporated in Tongass National Forest by act July 26, 1955, ch. 387, 69 Stat. 380].—Proc. No. 1351, Oct. 25, 1916, 39 Stat. 1812.

Oregon Caves National Monument, Oregon.—Proc. No. 876, July 12, 1909, 36 Stat. 2497.

Organ Pipe Cactus National Monument, Arizona.—Proc. No. 2232, Apr. 13, 1937, 50 Stat. 1827; Pub. L. 108-64, July 29, 2003, 117 Stat. 874.

Pacific Remote Islands Marine National Monument, Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll.—Proc. No. 8336, Jan. 6, 2009, 74 F.R. 1565.

Papago Saguaro National Monument, Arizona [Monument abolished by act Apr. 7, 1930, ch. 107, 46 Stat. 142, as amended by Pub. L. 109-163, div. B, title XXVIII, §2873, Jan. 6, 2006, 119 Stat. 3535].—Proc. No. 1262, Jan. 31, 1914, 38 Stat. 1991.

Papahānaumokuākea Marine National Monument, Hawaii [Monument changed from Northwestern Hawaiian Islands Marine National Monument by Proc. No. 8112, Feb. 28, 2007, 72 F.R. 10031].—Proc. No. 8031, June 15, 2006, 71 F.R. 36443.

Perry's Victory and International Peace Memorial National Monument, Ohio.—Proc. No. 2182, July 6, 1936, 50 Stat. 1734.

Petrified Forest National Monument [Monument established on establishment of Petrified Forest National Park, see sections 119 and 444 of this title].—Proc. No. 697, Dec. 8, 1906, 34 Stat. 3266; Proc. No. 1167, July 31, 1911, 37 Stat. 1716; Proc. No. 1927, Nov. 14, 1930, 46 Stat. 3040; Proc. No. 1975, Nov. 30, 1931, 47 Stat. 2486; Proc. No. 2011, Sept. 23, 1932, 47 Stat. 2532.

Pinnacles National Monument, California.—Proc. No. 796, Jan. 16, 1908, 35 Stat. 2177; Proc. No. 1660, May 7, 1923, 43 Stat. 1911; Proc. No. 1704, July 2, 1924, 43 Stat. 1961; Proc. No. 1948, Apr. 13, 1931, 47 Stat. 2451; Proc. No. 2050, July 11, 1933, 48 Stat. 1701; Proc. No. 2528, Dec. 5, 1941, 55 Stat. 1709; Proc. No. 7266, Jan. 11, 2000, 65 F.R. 2831.

Pipe Spring National Monument, Arizona.—Proc. No. 1663, May 31, 1923, 43 Stat. 1913.

Pompeys Pillar National Monument, Montana.—Proc. No. 7396, Jan. 17, 2001, 66 F.R. 7351.

President Lincoln and Soldiers' Home National Monument, District of Columbia.—Proc. No. 7329, July 7, 2000, 65 F.R. 43673.

Rainbow Bridge National Monument, Utah.—Proc. No. 1043, May 30, 1910, 36 Stat. 2703.

Rose Atoll Marine National Monument, American Samoa.—Proc. No. 8337, Jan. 6, 2009, 74 F.R. 1577.

Russell Cave National Monument, Alabama.—Proc. No. 3413, May 11, 1961, 75 Stat. 1058.

Saguaro National Monument, Arizona [Monument abolished and incorporated in Saguaro National Park, see section 410zz-1 of this title].—Proc. No. 2032, Mar. 1, 1933, 47 Stat. 2557; Proc. No. 3439, Nov. 15, 1961, 76 Stat. 1437; Pub. L. 102-61, June 19, 1991, 105 Stat. 303; Pub. L. 103-364, §3, Oct. 14, 1994, 108 Stat. 3467.

Santa Rosa Island National Monument, Florida.—Proc. No. 2337, May 17, 1939, 53 Stat. 2542; Proc. No. 2659, Aug. 13, 1945, 59 Stat. 877.

Scotts Bluff National Monument, Nebraska.—Proc. No. 1547, Dec. 12, 1919, 41 Stat. 1779; Proc. No. 1999, June 1, 1932, 47 Stat. 2512; Proc. No. 2391, Mar. 29, 1940, 54 Stat. 2690.

Shoshone Cavern National Monument, Wyoming [Monument abolished by act May 17, 1954, ch. 203, 68 Stat. 98].—Proc. No. 880, Sept. 21, 1909, 36 Stat. 2501.

Sieur de Monts National Monument, Maine.—Proc. No. 1339, July 8, 1916, 39 Stat. 1785.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Sitka National Monument, Alaska [Monument redesignated Sitka National Historical Park by Pub. L. 92-501, Oct. 18, 1972, 86 Stat. 904, as amended by Pub. L. 106-291, title I, §130, Oct. 11, 2000, 114 Stat. 946].—Proc. No. 959, Mar. 23, 1910, 36 Stat. 2601; Proc. No. 2965, Feb. 25, 1952, 66 Stat. c22.

Sonoran Desert National Monument, Arizona.—Proc. No. 7397, Jan. 17, 2001, 66 F.R. 7354.

Statue of Liberty National Monument.—Proc. No. 1713, Oct. 15, 1924, 43 Stat. 1968; Proc. No. 2250, Sept. 7, 1937, 51 Stat. 393; Proc. No. 3656, May 11, 1965, 79 Stat. 1490.

Sunset Crater Volcano National Monument, Arizona [Monument changed from Sunset Crater National Monument by Pub. L. 101-612, §15, Nov. 16, 1990, 104 Stat. 3222].—Proc. No. 1911, May 26, 1930, 46 Stat. 3023.

Timpanogos Cave National Monument, Utah.—Proc. No. 1640, Oct. 14, 1922, 42 Stat. 2285; Proc. No. 3457, Mar. 27, 1962, 76 Stat. 1457; Pub. L. 107-329, title I, Dec. 6, 2002, 116 Stat. 2815.

Tonto National Monument, Arizona.—Proc. No. 787, Dec. 19, 1907, 35 Stat. 2168; Proc. No. 2230, Apr. 1, 1937, 50 Stat. 1825.

Tumacacori National Monument, Arizona [Monument abolished and lands incorporated in, and funds made available for, Tumacacori National Historical Park, see section 410ss of this title].—Proc. No. 821, Sept. 15, 1908, 35 Stat. 2205; Proc. No. 3228, Mar. 28, 1958, 72 Stat. c30.

Tuzigoot National Monument, Arizona.—Proc. No. 2344, July 25, 1939, 53 Stat. 2548.

Upper Missouri River Breaks National Monument, Montana.—Proc. No. 7398, Jan. 17, 2001, 66 F.R. 7359.

Verendrye National Monument, North Dakota.—Proc. No. 1380, June 29, 1917, 40 Stat. 1677.

Vermilion Cliffs National Monument, Arizona.—Proc. No. 7374, Nov. 9, 2000, 65 F.R. 69227.

Virgin Islands Coral Reef National Monument, Virgin Islands.—Proc. No. 7399, Jan. 17, 2001, 66 F.R. 7364.

Walnut Canyon National Monument, Arizona.—Proc. No. 1318, Nov. 30, 1915, 39 Stat. 1761; Proc. No. 2300, Sept. 24, 1938, 53 Stat. 2469; Pub. L. 104-333, div. I, title II, §208, Nov. 12, 1996, 110 Stat. 4107.

Wheeler National Monument, Colorado [Monument abolished by act Aug. 3, 1950, ch. 534, 64 Stat. 405].—Proc. No. 831, Dec. 7, 1908, 35 Stat. 2214.

White Sands National Monument, New Mexico.—Proc. No. 2025, Jan. 18, 1933, 47 Stat. 2551; Proc. No. 2108, Nov. 28, 1934, 49 Stat. 3426; Proc. No. 2295, Aug. 29, 1938, 53 Stat. 2465; Proc. No. 3024, June 24, 1953, 67 Stat. c53; Pub. L. 104-201, div. B, title XXVIII, §2854, Sept. 23, 1996, 110 Stat. 2803.

World War II Valor In the Pacific National Monument, Alaska, California, and Hawaii.—Proc. No. 8327, Dec. 5, 2008, 73 F.R. 75293.

Wrangell-St. Elias National Monument, Alaska.—Proc. No. 4625, Dec. 1, 1978, 93 Stat. 1470.

Wupatki National Monument, Arizona.—Proc. No. 1721, Dec. 9, 1924, 43 Stat. 1977; Proc. No. 2243, July 9, 1937, 52 Stat. 1841; Proc. No. 2454, Jan. 20, 1941, 55 Stat. 1608; Pub. L. 104-333, div. I, title II, §207, Nov. 12, 1996, 110 Stat. 4107.

Yucca House National Monument, Colorado.—Proc. No. 1549, Dec. 19, 1919, 41 Stat. 1781; Pub. L. 104-333, div. I, title II, §201, Nov. 12, 1996, 110 Stat. 4105.

Yukon-Charley National Monument, Alaska.—Proc. No. 4626, Dec. 1, 1978, 93 Stat. 1472.

Yukon Flats National Monument, Alaska.—Proc. No. 4627, Dec. 1, 1978, 93 Stat. 1473.

NATIONAL MONUMENTS ESTABLISHED UNDER  
PRESIDENTIAL PROCLAMATION—CONTINUED

Zion National Monument, Utah [Monument combined with Zion National Park into a single National park unit, see section 346b of this title. A prior Zion National Monument, formerly Mukuntuweap National Monument, Proc. No. 877, July 31, 1909, 36 Stat. 2498, and Proc. No. 1435, Mar. 18, 1918, 40 Stat. 1760, was redesignated Zion National Park, see section 344 of this title].—Proc. No. 2221, Jan. 22, 1937, 50 Stat. 1809.

MISCELLANEOUS NATIONAL MONUMENTS

Agate Fossil Beds National Monument, Nebraska.—Pub. L. 89-33, June 5, 1965, 79 Stat. 123.

Alibates Flint Quarries National Monument, Texas.—Pub. L. 89-154, Aug. 31, 1965, 79 Stat. 587. Name changed from Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument by Pub. L. 95-625, title III, §321(c), Nov. 10, 1978, 92 Stat. 3488.

Congaree Swamp National Monument, South Carolina [Monument redesignated Congaree National Park, see section 410jjj of this title].

El Malpais National Monument, New Mexico.—Pub. L. 100-225, title I, §§101-104, Dec. 31, 1987, 101 Stat. 1539 (16 U.S.C. 460uu et seq.).

Florissant Fossil Beds National Monument, Colorado.—Pub. L. 91-60, Aug. 20, 1969, 83 Stat. 101.

Fossil Butte National Monument, Wyoming.—Pub. L. 92-537, Oct. 23, 1972, 86 Stat. 1069.

Hagerman Fossil Beds National Monument, Idaho.—Pub. L. 100-696, title III, §§301-308, Nov. 18, 1988, 102 Stat. 4575, as amended by Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 1923; Pub. L. 104-333, div. I, title II, §206, Nov. 12, 1996, 110 Stat. 4106; Pub. L. 106-421, Nov. 1, 2000, 114 Stat. 1870.

Hohokam Pima National Monument, Arizona.—Pub. L. 92-525, Oct. 21, 1972, 86 Stat. 1047.

John Day Fossil Beds National Monument, Oregon.—Pub. L. 93-486, title I, §101(a)(2), Oct. 26, 1974, 88 Stat. 1461.

Kill Devil National Monument, North Carolina.—Act Mar. 2, 1927, ch. 251, 44 Stat. 1264. Name change to Wright Brothers National Memorial, Dec. 1, 1953.

Little Bighorn Battlefield National Monument, Montana.—Pub. L. 102-201, titles I, II, Dec. 10, 1991, 105 Stat. 1631.

Mount St. Helens National Volcanic Monument, Washington.—Pub. L. 97-243, Aug. 26, 1982, 96 Stat. 301; Pub. L. 105-279, Oct. 23, 1998, 112 Stat. 2690.

National Military Working Dog Teams Monument, Virginia.—Pub. L. 110-181, div. B, title XXVIII, §2877, Jan. 28, 2008, 122 Stat. 563; Pub. L. 111-84, div. B, title XXVIII, §2871, Oct. 28, 2009, 123 Stat. 2696.

Newberry National Volcanic Monument, Oregon.—Pub. L. 101-522, Nov. 5, 1990, 104 Stat. 2288.

Pecos National Monument, New Mexico [included in Pecos National Historical Park by Pub. L. 101-313, title II, §202(b), June 27, 1990, 104 Stat. 278 (16 U.S.C. 410rr-1(b))].—Pub. L. 89-54, June 28, 1965, 79 Stat. 195; repealed by Pub. L. 101-313, title II, §202(c), June 27, 1990, 104 Stat. 278 (16 U.S.C. 410rr-1(c)).

Petroglyph National Monument, New Mexico.—Pub. L. 101-313, title I, June 27, 1990, 104 Stat. 272, as amended by Pub. L. 103-50, ch. IV, §401, July 2, 1993, 107 Stat. 252; Pub. L. 104-333, div. I, title VIII, §814(d)(2)(D), Nov. 12, 1996, 110 Stat. 4196; Pub. L. 105-174, title III, §3005, May 1, 1998, 112 Stat. 82.

Poverty Point National Monument, Louisiana.—Pub. L. 100-560, Oct. 31, 1988, 102 Stat. 2803.

Prehistoric Trackways National Monument, New Mexico.—Pub. L. 111-11, title II, §§2101-2105, Mar. 30, 2009, 123 Stat. 1096-1099.

Salinas Pueblo Missions National Monument, New Mexico.—Pub. L. 96-550, title VI, §601, Dec. 19, 1980, 94 Stat. 3231, as amended by Pub. L. 100-559, title I, §101, Oct. 28, 1988, 102 Stat. 2797.

MISCELLANEOUS NATIONAL MONUMENTS—CONTINUED

Santa Rosa and San Jacinto Mountains National Monument, California.—Pub. L. 106-351, Oct. 24, 2000, 114 Stat. 1362; Pub. L. 106-434, §2, Nov. 6, 2000, 114 Stat. 1913; Pub. L. 111-11, title I, §1853, Mar. 30, 2009, 123 Stat. 1068.

NATIONAL MEMORIALS

AIDS Memorial Grove National Memorial, California.—Pub. L. 104-333, div. I, title V, §516, Nov. 12, 1996, 110 Stat. 4170.

Arkansas Post National Memorial, Arkansas.—Pub. L. 86-595, July 6, 1960, 74 Stat. 333; Pub. L. 105-83, title I, §126, Nov. 14, 1997, 111 Stat. 1567.

Astronauts Memorial, John F. Kennedy Space Center, Florida.—Recognized as national memorial to astronauts who die in line of duty by Pub. L. 102-41, May 8, 1991, 105 Stat. 242.

Battle of Midway National Memorial, Midway Atoll.—Pub. L. 106-113, div. B, §1000(a)(3) [title I, §126], Nov. 29, 1999, 113 Stat. 1535, 1501A-164.

Benjamin Franklin National Memorial, Pennsylvania.—Designation of Benjamin Franklin Memorial Hall as National Memorial by Pub. L. 92-551, Oct. 25, 1972, 86 Stat. 1164.

Bosque Redondo Memorial, New Mexico.—Pub. L. 106-511, title II, Nov. 13, 2000, 114 Stat. 2369; Pub. L. 108-204, title I, §101, Mar. 2, 2004, 118 Stat. 543.

Buffalo Soldiers Memorial, Louisiana.—Pub. L. 109-152, Dec. 30, 2005, 119 Stat. 2887.

Chamizal National Memorial, Texas.—Pub. L. 89-479, June 30, 1966, 80 Stat. 232.

Coronado National Memorial, Arizona.—Acts Aug. 18, 1941, ch. 365, §1, 55 Stat. 630, and July 9, 1952, ch. 610, 66 Stat. 510 (16 U.S.C. 450y); Proc. No. 2995, Nov. 5, 1952, 67 Stat. c18.

Custis-Lee Mansion National Memorial, Virginia.—Act Mar. 4, 1925, ch. 562, 43 Stat. 1356. Made permanent memorial by act June 29, 1955, ch. 223, 69 Stat. 190.

David Berger Memorial, Ohio.—Pub. L. 96-199, title I, §116, Mar. 5, 1980, 94 Stat. 71.

Disabled American Veterans Vietnam Veterans National Memorial, New Mexico.—Recognized as a memorial of national significance by Pub. L. 100-164, Nov. 13, 1987, 101 Stat. 905.

Father Marquette National Memorial, Michigan.—Pub. L. 94-160, Dec. 20, 1975, 89 Stat. 848.

Federal Hall National Memorial, New York.—Designated May 26, 1939. Designation changed from Federal Hall Memorial Historic Site by act Aug. 11, 1955, ch. 779, 69 Stat. 632.

Flight 93 National Memorial, Pennsylvania.—Pub. L. 107-226, Sept. 24, 2002, 116 Stat. 1345; Pub. L. 110-161, div. F, title I, §128, Dec. 26, 2007, 121 Stat. 2122.

Fort Caroline National Memorial, Florida.—Act Sept. 21, 1950, ch. 973, 64 Stat. 897. Established Jan. 16, 1953.

Franklin Delano Roosevelt National Memorial, District of Columbia.—Acts Aug. 11, 1955, ch. 833, 69 Stat. 694; Sept. 1, 1959, Pub. L. 86-214, 73 Stat. 445; Oct. 18, 1962, Pub. L. 87-842, 76 Stat. 1079; Oct. 30, 1965, Pub. L. 89-305, 79 Stat. 1126; Sept. 8, 1970, Pub. L. 91-398, 84 Stat. 837; June 30, 1972, Pub. L. 92-332, 86 Stat. 401; July 28, 1982, Pub. L. 97-224, 96 Stat. 243; Oct. 1, 1996, Pub. L. 104-221, §§3, 4, 110 Stat. 3024; July 24, 1997, Pub. L. 105-29, 111 Stat. 246; Nov. 14, 1997, Pub. L. 105-83, title III, §335, 111 Stat. 1601.

Hamilton Grange National Memorial, New York.—Pub. L. 87-438, Apr. 27, 1962, 76 Stat. 57, as amended by Pub. L. 100-701, §1, Nov. 19, 1988, 102 Stat. 4640; Pub. L. 106-482, Nov. 9, 2000, 114 Stat. 2192.

House Where Lincoln Died National Memorial, District of Columbia.—Act June 11, 1896, ch. 420, 29 Stat. 439.

Johnstown Flood National Memorial, Pennsylvania.—Pub. L. 88-546, Aug. 31, 1964, 78 Stat. 752; Pub. L. 108-313, Oct. 5, 2004, 118 Stat. 1196.

## NATIONAL MEMORIALS—CONTINUED

Lincoln Boyhood National Memorial, Indiana.—Pub. L. 87-407, Feb. 19, 1962, 76 Stat. 9.

Lincoln Museum National Memorial, District of Columbia.—Act Apr. 7, 1866, ch. 28, §1, 14 Stat. 23.

Lincoln National Memorial, District of Columbia.—Act Feb. 9, 1911, ch. 42, 36 Stat. 898.

Mount Rushmore National Memorial, South Dakota.—Act Feb. 25, 1929, ch. 315, 45 Stat. 1300.

Mt. Soledad Veterans Memorial, California.—Pub. L. 108-447, div. J, title I, §116, Dec. 8, 2004, 118 Stat. 3346; Pub. L. 109-272, Aug. 14, 2006, 120 Stat. 770; Pub. L. 109-364, div. A, title X, §1071(d), Oct. 17, 2006, 120 Stat. 2401.

National D-Day Memorial, Virginia.—Pub. L. 104-201, div. A, title X, §1080, Sept. 23, 1996, 110 Stat. 2670.

National Fallen Firefighters' Memorial, Maryland.—Pub. L. 101-347, Aug. 9, 1990, 104 Stat. 398.

National Law Enforcement Officers Memorial, District of Columbia.—Establishment of Maintenance Fund by Pub. L. 104-329, title II, §201, Oct. 20, 1996, 110 Stat. 4011; Pub. L. 109-314, Oct. 6, 2006, 120 Stat. 1739.

National Medal of Honor Sites.—Pub. L. 106-83, Oct. 28, 1999, 113 Stat. 1293.

Patrick Henry National Memorial, Virginia.—Pub. L. 99-296, May 12, 1986, 100 Stat. 429.

Port Chicago National Memorial, California.—Pub. L. 102-562, title II, Oct. 28, 1992, 106 Stat. 4235; Pub. L. 111-84, div. B, title XXVIII, §2853(a), Oct. 28, 2009, 123 Stat. 2685.

Prisoner of War/Missing in Action National Memorial, California.—Pub. L. 108-454, title VI, §601, Dec. 10, 2004, 118 Stat. 3623.

Richard L. Kohnstamm Memorial Area, Oregon.—Pub. L. 111-11, title I, §1202(b), Mar. 30, 2009, 123 Stat. 1009.

Seabees of the United States Navy Memorial.—Pub. L. 92-422, Sept. 18, 1972, 86 Stat. 678.

Signers of the Declaration of Independence Memorial, District of Columbia.—Pub. L. 95-260, Apr. 17, 1978, 92 Stat. 197.

Thomas Jefferson National Memorial, District of Columbia.—Act June 26, 1934, ch. 763, 48 Stat. 1243.

United States Marine Corps Memorial, Virginia.—Act July 1, 1947, ch. 196, 61 Stat. 242, as amended July 7, 1952, ch. 585, 66 Stat. 441; June 16, 1953, ch. 120, 67 Stat. 64.

United States National Civil Defense Monument, Maryland.—Authorized by Pub. L. 106-103, Nov. 13, 1999, 113 Stat. 1482.

United States Navy Memorial, District of Columbia.—Pub. L. 96-199, title I, §113, Mar. 5, 1980, 94 Stat. 70.

U.S.S. Indianapolis Memorial, Indiana.—Pub. L. 103-160, div. A, title XI, §1165, Nov. 30, 1993, 107 Stat. 1765.

USS Oklahoma Memorial, Hawaii.—Pub. L. 109-163, div. A, title X, §1017, Jan. 6, 2006, 119 Stat. 3425.

Vietnam Veterans Memorial, District of Columbia.—Pub. L. 96-297, July 1, 1980, 94 Stat. 827, as amended by Pub. L. 106-214, §1, June 15, 2000, 114 Stat. 335; Pub. L. 108-126, title I, §101, Nov. 17, 2003, 117 Stat. 1348; Pub. L. 111-270, §1, Oct. 12, 2010, 124 Stat. 2851.

Washington Monument National Memorial, District of Columbia.—Act Aug. 2, 1876, ch. 250, §1, 19 Stat. 123.

White Cross World War I Memorial, California.—Pub. L. 107-117, div. A, title VIII, §8137, Jan. 10, 2002, 115 Stat. 2278; Pub. L. 108-87, title VIII, §8121, Sept. 30, 2003, 117 Stat. 1100.

World War II Memorial, Guam.—Pub. L. 106-398, §1 [div. B, title XXVIII, §2886], Oct. 30, 2000, 114 Stat. 1654, 1654A-441, as amended by Pub. L. 107-107, div. B, title XXVIII, §2868, Dec. 28, 2001, 115 Stat. 1334.

Wright Brothers National Memorial, North Carolina.—Kill Devil Hill National Monument authorized by act Mar. 2, 1927, ch. 251, 44 Stat. 1264. Name changed to Wright Brothers National Memorial, Dec. 1, 1953.

## ALBERT EINSTEIN MEMORIAL

Conveyance of property to National Academy of Sciences for erection and maintenance of a Memorial to Albert Einstein on south side of Square Numbered 88 between 21st Street, 22d Street, and Constitution Avenue, District of Columbia, with reverter of title when no longer used for memorial purposes or public access is restricted, was authorized by Pub. L. 95-625, title VI, §612, Nov. 10, 1978, 92 Stat. 3521, as amended Pub. L. 96-87, title IV, §401(o), Oct. 12, 1979, 93 Stat. 666.

## STUDY TO ADD ALASKA AND HAWAII TO LINCOLN NATIONAL MEMORIAL

Pub. L. 94-556, Oct. 19, 1976, 90 Stat. 2632, directed Secretary of the Interior to study feasibility of and make recommendations for recognition at an appropriate place at Lincoln National Memorial of the addition to the Union of the States of Alaska and Hawaii, directed that recommendations, after review and approval by Commission of Fine Arts, National Capital Planning Commission, and Advisory Council on Historic Preservation, be submitted to Committees on Interior and Insular Affairs of the Senate and the House of Representatives, and, if neither committee adopted a resolution of disapproval, directed Secretary to carry out recommendations.

**§ 431a. Limitation on further extension or establishment of national monuments in Wyoming**

No further extension or establishment of national monuments in Wyoming may be undertaken except by express authorization of Congress.

(Sept. 14, 1950, ch. 950, §1, 64 Stat. 849.)

## CODIFICATION

Section comprises only part of the last sentence of section 1 of act Sept. 14, 1950. The remainder of such section, except that part of the last sentence which repealed sections 406 to 406d of this title, is set out as sections 406d-1 and 451a of this title.

## REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

**§ 432. Permits to examine ruins, excavations, and gathering of objects; regulations**

Permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and Army to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums. The Secretaries of the departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this section and sections 431 and 433 of this title.

(June 8, 1906, ch. 3060, §§3, 4, 34 Stat. 225; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

## CODIFICATION

The last sentence only of this section was derived from section 4 of act June 8, 1906, the remainder being from section 3.

## CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

## TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of the Interior related to compliance with permits issued under sections 431, 432 and 433 of this title and such functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with removal of objects of antiquity under sections 431, 432, and 433 with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas were transferred to the Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, until the first anniversary of date of initial operation of the Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§102(e), (f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

## SECRETARY OF THE AIR FORCE

For transfer of certain functions relating to real property under jurisdiction of Department of the Air Force, to Secretary of the Air Force from Secretary of the Army, see Secretary of Defense Transfer Order No. 14 [§2(25)], eff. July 1, 1948.

**§ 433. American antiquities**

Any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than \$500 or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

(June 8, 1906, ch. 3060, § 1, 34 Stat. 225.)

## TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of the Interior related to compliance with permits issued under sections 431, 432, and 433 of this title and such functions of Secretary or other offi-

cial in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with removal of objects of antiquity under sections 431, 432, and 433 with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas were transferred to the Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, until the first anniversary of date of initial operation of the Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§102(e), (f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

**§ 433a. Perry's Victory and International Peace Memorial; establishment**

The President of the United States is authorized to establish by proclamation the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the "Perry's Victory and International Peace Memorial", for the preservation of the historical associations connected therewith, to inculcate the lessons of international peace by arbitration and disarmament, and for the benefit and enjoyment of the people: Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.

(June 2, 1936, ch. 477, § 1, 49 Stat. 1393; Pub. L. 92-568, § 1, Oct. 26, 1972, 86 Stat. 1181.)

## CHANGE OF NAME

"Perry's Victory and International Peace Memorial" substituted in text for "Perry's Victory and Inter-

national Peace Memorial National Monument” to conform to the redesignation provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

#### ESTABLISHMENT OF MEMORIAL; BOUNDARIES

Memorial and boundaries established by Presidential Proc. No. 2182, July 6, 1936, 50 Stat. 1734.

#### § 433b. Administration, protection, and development

The administration, protection and development of the aforesaid peace memorial shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(June 2, 1936, ch. 477, §2, 49 Stat. 1394; Pub. L. 92-568, §1, Oct. 26, 1972, 86 Stat. 1181.)

#### CHANGE OF NAME

“Peace memorial” substituted in text for “national monument” to conform to redesignation of Perry’s Victory and International Peace Memorial National Monument as Perry’s Victory and International Peace Memorial provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

#### 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.

#### § 433c. Acceptance of donations of lands and funds; acquisition of land

After the said peace memorial has been established as provided in section 433a of this title the Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property as may be donated for the extension and improvement of the said peace memorial, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said peace memorial as may be necessary for the completion thereof. The Secretary of the Interior is authorized to purchase with appropriated funds not to exceed four acres of land, or interests in land, for addition to the Perry’s Victory and International Peace Memorial.

(June 2, 1936, ch. 477, §3, 49 Stat. 1394; Pub. L. 92-568, §§1, 2, Oct. 26, 1972, 86 Stat. 1181, 1182.)

#### CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

#### AMENDMENTS

1972—Pub. L. 92-568, §2, authorized acquisition of an additional four acres of land.

#### CHANGE OF NAME

“Peace memorial” substituted in text for “national monument” to conform to redesignation of Perry’s Victory and International Peace Memorial National Monument as Perry’s Victory and International Peace Memorial provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

#### 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.

#### AUTHORIZATION OF APPROPRIATIONS

Section 4 of Pub. L. 92-568, as amended by Pub. L. 95-625, title I, §101(21), Nov. 10, 1978, 92 Stat. 3472; Pub. L. 98-141, §7(a), Oct. 31, 1983, 97 Stat. 910; Pub. L. 98-181, title I, §1401, Nov. 30, 1983, 97 Stat. 1294, provided that: “There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act [enacting section 433f-1, amending sections 433a to 433c and 433e, and repealing section 433d of this title, and enacting provisions set out as a note hereunder], but not more than \$370,000 shall be appropriated for the acquisition of lands and interests in lands and not more than \$10,500,000 shall be appropriated for development. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act [such sections].”

#### § 433d. Repealed. Pub. L. 92-568, §3(2), Oct. 26, 1972, 86 Stat. 1182

Section, act June 2, 1936, ch. 477, §4, 49 Stat. 1394, provided that members of Perry’s Victory Memorial Commission created by act Mar. 3, 1919, ch. 116, 40 Stat. 1322, act as a board of advisors, and also provided for number of members, method of filling vacancies, and travel expenses but no compensation for the members.

#### § 433e. Repealed. Pub. L. 98-141, §7(b), Oct. 31, 1983, 97 Stat. 910

Section, acts June 2, 1936, ch. 477, §5, 49 Stat. 1395; Oct. 26, 1972, Pub. L. 92-568, §1, 86 Stat. 1181, provided that employees of the Perry’s Victory Memorial Commission on June 2, 1936, could, in the discretion of the Secretary of the Interior, be employed by the National Park Service in the administration, protection, and development of the memorial.

#### § 433f. Inconsistent laws repealed

The provisions of the Act of March 3, 1919 (ch. 116, 40 Stat. 1322-1324), and Acts supplemental thereof and amendatory thereto and all other Acts inconsistent with the provisions of section 433a to 433f of this title are repealed to the extent of such inconsistency.

(June 2, 1936, ch. 477, §6, 49 Stat. 1395.)

#### REFERENCES IN TEXT

The act of Mar. 3, 1919, and Acts supplemental and amendatory thereto were not classified to the Code.

#### § 433f-1. Change in name of Perry’s Victory and International Peace Memorial National Monument

The Perry’s Victory and International Peace Memorial National Monument, established in accordance with section 433a of this title, is redesignated the Perry’s Victory and International Peace Memorial.



(Pub. L. 92-568, §1, Oct. 26, 1972, 86 Stat. 1181.)

**§ 433g. Fort Frederica National Monument; establishment**

When title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-monument purposes, shall have been vested in the United States, said area not to exceed two hundred and fifty acres shall be, and is, set apart as a national monument for the benefit and inspiration of the people, and shall be called the “Fort Frederica National Monument.”

(May 26, 1936, ch. 451, §1, 49 Stat. 1373; Sept. 20, 1950, ch. 957, §1, 64 Stat. 869; Pub. L. 85-401, §1, May 16, 1958, 72 Stat. 110.)

AMENDMENTS

1958—Pub. L. 85-401 increased maximum acreage from one hundred acres to two hundred and fifty acres.

1950—Act Sept. 20, 1950, increased maximum acreage from eighty to one hundred acres.

APPROPRIATIONS

Section 2 of act Sept. 20, 1950, provided that: “There is hereby authorized to be appropriated not to exceed \$5,000 for the acquisition of land and interests in land for the said national monument. The Secretary of the Interior is authorized to use any funds so appropriated, together with any donated funds made available pursuant to the aforesaid Act of May 26, 1936 [sections 433g, 433h, 433i, and 433j of this title], for this procurement of land and interests in land for the national monument.”

LAND EXCHANGE AND BOUNDARY ADJUSTMENT

Pub. L. 108-417, Nov. 30, 2004, 118 Stat. 2339, provided that:

“SECTION 1. EXCHANGE OF LANDS.

“(a) IN GENERAL.—Notwithstanding section 5(b) of Public Law 90-401 (16 U.S.C. 460l-22(b)), the Secretary of the Interior is authorized to convey to Christ Church of St. Simons Island, Georgia, the approximately 6.0 acres of land within the boundary of Fort Frederica National Monument adjacent to Christ Church and depicted as ‘NPS Lands for Exchange’ on the map entitled ‘Fort Frederica National Monument 2003 Boundary Revision’ numbered 369/80016, and dated April 2003, in exchange for approximately 8.7 acres of land to be acquired by Christ Church, which is depicted as ‘Private Lands for Addition’ on the same map.

“(b) MAP AVAILABILITY.—The map referred to in subsection (a) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

“SEC. 2. BOUNDARY ADJUSTMENT.

“Upon completion of the land exchange under subsection (a) of section 1, the Secretary of the Interior shall revise the boundary of Fort Frederica National Monument to reflect the exchange and shall administer the land acquired through the exchange as part of that monument.”

**§ 433h. Donation of property; acquisition of lands**

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said national monument as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands

acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(May 26, 1936, ch. 451, §2, 49 Stat. 1373.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

**§ 433h-1. Acquisition of additional lands**

The Secretary of the Interior is authorized and directed to acquire by purchase, condemnation, or otherwise, subject to the acreage limitation contained in section 433g of this title, the site known as the Bloody Marsh Battle memorial monument located on Saint Simon Island, Georgia, together with such additional land, including the marshland across the river to the west of Fort Frederica National Monument, or interest in land, as in the judgment of the Secretary of the Interior might be desirable for the protection of such national monument. Such lands or interest in lands acquired by the Secretary pursuant to this section shall be made a part of the Fort Frederica National Monument.

(Pub. L. 85-401, §2, May 16, 1958, 72 Stat. 110.)

APPROPRIATIONS

Section 3 of Pub. L. 85-401 provided that: “There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts, not to exceed \$20,000, as may be necessary to carry out the provisions of this Act [this section].”

**§ 433i. Museum; historical markers**

**(a) Maintenance; donations**

The Secretary of the Interior is authorized, in his discretion, to maintain in some suitable structure within the national monument a museum for relics and records pertaining to Fort Frederica, and for other articles of national and patriotic interest, and in his discretion to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

**(b) State and local participation**

Any State or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets commemorating historic events or persons connected with the history of the area, within the boundaries of the Fort Frederica National Monument.

(May 26, 1936, ch. 451, §3, 49 Stat. 1373.)

**§ 433j. Administration, protection, and development**

The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service,

subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(May 26, 1936, ch. 451, § 4, 49 Stat. 1373.)

#### 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.

#### § 433k. Whitman Mission National Historic Site; acquisition of land; establishment, supervision and maintenance

The Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift, the site of the Indian mission established in 1836 by Marcus Whitman on the Walla Walla River in what is now Walla Walla County, Washington, together with such additional land, including a right-of-way to the nearest highway, as the Secretary may deem necessary to carry out the purposes of this section.

The property acquired under the provisions of the first paragraph of this section shall constitute the Whitman Mission National Historic Site and shall be a public national memorial to Marcus Whitman and his wife, Narcissa Prentiss Whitman, who here established their Indian mission and school, and ministered to the physical and spiritual needs of the Indians until massacred with twelve others<sup>1</sup> persons in 1847. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national historic site, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States.

(June 29, 1936, ch. 863, § 1, 2, 49 Stat. 2028; Pub. L. 87-471, May 31, 1962, 76 Stat. 90.)

#### CHANGE OF NAME

“Whitman Mission National Historic Site” and “national historic site” substituted in text for “Whitman National Monument” and “national monument”, respectively, pursuant to Pub. L. 87-471, which redesignated Whitman National Monument as Whitman Mission National Historic Site. See section 433n of this title.

#### 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.

#### § 433k-1. Acquisition of additional land

For the purpose of including within Whitman Mission National Historic Site, Washington, certain properties that are of historic significance in connection with the site area and which are needed to provide suitable monument facilities, the Secretary of the Interior is authorized to procure not to exceed fifty acres of land adja-

cent to the existing site and a right-of-way thereto from United States Highway 410, using therefor any land acquisition funds available for the purposes of the national park system, such property to be acquired in such manner as the Secretary shall consider to be in the public interest. Following the acquisition by the United States of land for addition to the site pursuant to this section, such addition shall be effective in each instance upon the publication of notice thereof in the Federal Register.

(Pub. L. 85-388, May 1, 1958, 72 Stat. 101; Pub. L. 87-471, May 31, 1962, 76 Stat. 90.)

#### CHANGE OF NAME

“Whitman Mission National Historic Site” and “site” substituted in text for “Whitman National Monument” and “monument”, respectively, pursuant to Pub. L. 87-471, which redesignated Whitman National Monument as Whitman Mission National Historic Site, classified to section 433n of this title.

#### § 433l. Erection of monuments and tablets

Any State, or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets within the boundaries of the Whitman Mission National Historic Site.

(June 29, 1936, ch. 863, § 3, 49 Stat. 2029; Pub. L. 87-471, May 31, 1962, 76 Stat. 90.)

#### CHANGE OF NAME

“Whitman National Monument” redesignated “Whitman Mission National Historic Site” by Pub. L. 87-471, set out as section 433n of this title.

#### § 433m. Authorization of appropriation

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 433k and 433l of this title.

(June 29, 1936, ch. 863, § 4, 49 Stat. 2029.)

#### § 433n. Change in name of Whitman National Monument

Effective January 1, 1963, the Whitman National Monument, established pursuant to sections 433k, 433l and 433m of this title, shall be known as the Whitman Mission National Historic Site.

(Pub. L. 87-471, May 31, 1962, 76 Stat. 90.)

#### § 434. National monument in Riverside County, California

The Secretary of the Interior is authorized to set apart the following-described lands located in the county of Riverside, in the State of California, as a national monument, which shall be under the exclusive control of the Secretary of the Interior, who shall administer and protect the same under the provisions of sections 431, 432 and 433 of this title, and under such regulations as he may prescribe: The west half of the southwest quarter of section 2, the southeast quarter of section 3, all of section 10, the west half of the northwest quarter of section 11, all of section 14, all in township 5 south, range 4 east, San Bernardino base and meridian, containing one thousand six hundred acres: *Provided*, That before such reservation and dedication as herein

<sup>1</sup> So in original.

authorized shall become effective the consent and relinquishment of the Agua Caliente Band of Indians shall first be obtained, covering its right, title, and interest in and to the lands herein described, and payment therefor to the members of said band on a per capita basis, at a price to be agreed upon, when there shall be donated for such purposes to the Secretary of the Interior a fund in an amount to be fixed and determined by him as sufficient to compensate the Indians therefor.

(Aug. 26, 1922, ch. 295, § 1, 42 Stat. 832.)

#### § 435. Acquiring reservation land

In order to determine the amount to be paid under section 434 of this title the Secretary of the Interior is authorized and directed to negotiate with said Indians to obtain their consent and relinquishment, and when such consent and relinquishment has been obtained and an agreement reached the Secretary of the Interior is further authorized to make payment from said donated fund for the lands relinquished to the enrolled members of the said Agua Caliente Band as authorized by section 434 of this title. The consent and relinquishment of the Indians may be obtained and payment made for the lands in such manner as the Secretary of the Interior may deem advisable. The water rights, dam, pipe lines, canals, and irrigation structures located in sections 2 and 3 of township 5 south, range 4 east, San Bernardino meridian, and also all water and water rights in Palm Canyon, are excepted from this reserve and shall remain under the exclusive control and supervision of the Bureau of Indian Affairs. The provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to this monument.

(Aug. 26, 1922, ch. 295, §§ 2, 3, 42 Stat. 832.)

#### REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of Congress approved June 10, 1920, known as the Federal Water Power Act", and was redesignated as the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§ 791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

#### CODIFICATION

This section is a combination provision, the last sentence of which is from section 3 of act Aug. 26, 1922, the remainder being derived from section 2 of that act.

#### 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.

#### § 436. Omitted

#### CODIFICATION

Section, act Apr. 9, 1924, ch. 86, § 3, 43 Stat. 90, related to transfer by Secretary of Agriculture to Secretary of the Interior for road purposes of part of material, equipment and supplies received from Secretary of War.

#### § 437. Fort McHenry; restoration and preservation

The Secretary of the Interior is authorized and directed to begin the restoration of Fort McHenry, in the State of Maryland, including the restoration of the old Fort McHenry proper to such a condition as would make it suitable for preservation permanently as a national monument and perpetual national memorial shrine as the birthplace of the immortal "Star-Spangled Banner" written by Francis Scott Key, and he is further authorized and directed, as are his successors, to hold the said Fort McHenry in perpetuity as a military reservation, national monument and historic shrine, and to maintain it as such, except that part mentioned in section 439 of this title, and that part in use on March 3, 1925, by the Department of Commerce for a light and fog-signal station under revocable license from the Interior Department with the maintenance of the electric lines thereto and such portion of the reservation, including improvement, as may be reserved by the Secretary of the Army for the use of the Chief of Engineers, the said reservation to be maintained as a national public monument, subject to such regulations as may from time to time be issued by the Secretary of the Interior.

(May 26, 1914, ch. 100, 38 Stat. 382; Mar. 3, 1925, ch. 425, 43 Stat. 1109; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933; Aug. 11, 1939, ch. 686, 53 Stat. 1405; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

#### CODIFICATION

This section and sections 438 to 440 of this title were derived from act Mar. 3, 1925, which was entitled "An act to repeal and reenact chapter 100, 1914, Public, Numbered 108, to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal 'Star-Spangled Banner,' written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes." The enacting clause reads as follows: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act authorizing the Secretary of War to grant the use of the Fort McHenry Military Reservation in the State of Maryland to the mayor and city council of Baltimore, a municipal corporation of the State of Maryland, making certain provisions in connection therewith, providing access to and from the site of the new immigration station heretofore set aside be, and hereby is, repealed and reenacted to read as follows:"

As reenacted in 1925 this section recites that Fort McHenry is "now" occupied and used as a military reservation and authorized the restoration "so soon as it may no longer be needed for uses and needs growing out of the late war." The foregoing provisions have been omitted as temporary.

The words of this section "on March 3, 1925" refer to the date of passage of the Act.

#### CHANGE OF NAME

"National monument and historic shrine" substituted in text for "national park, and memorial" in view of redesignation of Fort McHenry National Park as Fort McHenry National Monument and Historic Shrine by act Aug. 11, 1939, classified to section 440a of this title.

Department of War designated Department of the Army and title of Secretary of War changed to Sec-

retary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

#### TRANSFER OF FUNCTIONS

Administrative functions of Fort McHenry National Park transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out as notes under section 901 of Title 5, Government Organization and Employees.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

#### TERMINATION OF WAR AND EMERGENCIES

Joint Res. July 25, 1947, ch. 327, §3, 61 Stat. 451, provided that in the interpretation of these sections, the date July 25, 1947, shall be deemed to be the date of termination of any state of war theretofore declared by Congress and of the national emergencies proclaimed by the President on Sept. 8, 1939, and May 27, 1941.

### § 438. Repairs and improvements; how made

Any and all repairs, improvements, changes, and alterations in the grounds, buildings, and other appurtenances to the reservation shall be made only according to detailed plans which shall be approved by the Secretary of the Interior, and all such repairs, improvements, or alterations shall be made at the expense of the United States, and all such improvements, together with the reservation itself, shall become and remain permanently the property of the United States.

(May 26, 1914, ch. 100, 38 Stat. 382; Mar. 3, 1925, ch. 425, 43 Stat. 1109; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

#### CODIFICATION

This section and sections 437, 439, and 440 of this title were derived from act Mar. 3, 1925. See Codification note set out under section 437 of this title.

#### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 437 of this title.

#### TERMINATION OF WAR AND EMERGENCIES

Termination of state of war and national emergencies, see note set out under section 437 of this title.

### § 439. Land for use of Secretary of the Treasury

Permission is granted the Secretary of the Treasury to use permanently a strip of land sixty feet wide belonging to said fort grounds, beginning at the north corner of the grounds of the fort and extending south sixty-three degrees thirty minutes east, six hundred and eighty feet to the south corner of the site set aside for the immigration station at Baltimore, said strip of land being located along the northwest boundary of the land ceded to the Baltimore Dry Dock Company and the land of the said immigration station, the same to be used, if so desired, in lieu of acquiring, by purchase or condemnation, any of the lands of the dry dock company so that the Secretary of the Treasury may, in con-

nection with land acquired from the Baltimore and Ohio Railroad Company, have access to and from said immigration station and grounds over the right-of-way so acquired to the city streets and railroads beyond, the Secretary of the Treasury to have the same power to construct, contract for, and arrange for railroad and other facilities upon said outlet as fully as provided in the Act approved March 4, 1913, chapter 147, Thirty-seventh Statutes 889, setting aside a site for an immigration station and providing for an outlet therefrom, but the Interior Department shall have equal use of the railroad track and other roads so constructed, over which to reach the city streets and railroads beyond from the other part of the fort grounds.

(May 26, 1914, ch. 100, 38 Stat. 382; Mar. 3, 1925, ch. 425, 43 Stat. 1109; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; June 5, 1936, ch. 528, 49 Stat. 1484.)

#### REFERENCES IN TEXT

The Act approved March 4, 1913, chapter 147, Thirty-seventh Statutes 889, referred to in text, was a building authorization statute. The portion of the Act covering the Fort McHenry work was section 29, which section was not classified to the Code.

#### CODIFICATION

This section and sections 437, 438, and 440 of this title were derived from act Mar. 3, 1925. See Codification note set out under section 437 of this title.

#### AMENDMENTS

1936—Act June 5, 1936, substituted "six hundred and eighty feet" for "six hundred and fifty feet".

#### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 437 of this title.

#### TERMINATION OF WAR AND EMERGENCIES

Termination of state of war and national emergencies, see note set out under section 437 of this title.

### § 440. Closure in times of national emergency

The Secretary of the Interior may, in case of a national emergency, close the said Fort McHenry and it may be used for any and all military purposes during the period of the emergency and for such period of time thereafter, as the public needs may require.

(May 26, 1914, ch. 100, 38 Stat. 382; Mar. 3, 1925, ch. 425, 43 Stat. 1109; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

#### CODIFICATION

A proviso at the close of act Mar. 3, 1925, authorizing the disposal of the useless temporary buildings constructed during the World War and appropriating a sum from the proceeds thereof for the purposes of the act has been omitted as temporary and executed.

This section and sections 437 to 439 of this title were derived from act Mar. 3, 1925. See Codification note set out under section 437 of this title.

#### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 437 of this title.

#### TERMINATION OF WAR AND EMERGENCIES

Termination of state of war and national emergencies, see note set out under section 437 of this title.

**§ 440a. Change in name of Fort McHenry Park**

The Fort McHenry National Park, in the State of Maryland, authorized by sections 437 to 440 of this title, shall hereafter be called and known as the "Fort McHenry National Monument and Historic Shrine", and all moneys heretofore or hereafter appropriated for this area under previous designations may be used in this area as redesignated.

(Aug. 11, 1939, ch. 686, 53 Stat. 1405.)

## CODIFICATION

Section consists of a part of act Aug. 11, 1939. The remainder, relating to changing the name of "Abraham Lincoln National Park" to "Abraham Lincoln National Historical Park" (now "Abraham Lincoln Birthplace National Historical Park") is set out as section 217 of this title.

**§ 441. Badlands National Park; establishment**

When a quantum, satisfactory to the Secretary of the Interior, of the privately owned lands lying within the area hereinafter described shall have been acquired and transferred to the United States for park purposes, without expense to the Federal Treasury, such areas are dedicated and set apart as a national park for the benefit and enjoyment of the people, under the name of the Badlands National Park: *Provided*, That the State of South Dakota shall have first constructed the highways hereinafter described.

(Mar. 4, 1929, ch. 693, §1, 45 Stat. 1553; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

## REFERENCES IN TEXT

Hereinafter, referred to in text, means act Mar. 4, 1929 which is classified to sections 441 to 441e of this title. For classification of this Act to the Code, see Tables.

## CHANGE OF NAME

Words "park" and "Park" substituted in text for "monument" and "Monument", respectively, pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated the Badlands National Monument as the Badlands National Park.

## BEN REIFEL VISITOR CENTER

Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 1923, provided in part that: "hereafter the Cedar Pass Visitor Center at Badlands National Park, South Dakota, shall be known as the Ben Reifel Visitor Center".

**§ 441a. Boundaries**

The areas to be included in said Badlands National Park are situated in the State of South Dakota and lie within the boundaries particularly described as follows: Beginning at the northeast corner section 13, township 3 south, range 18 east, Black Hills meridian; thence west one-fourth mile; thence south one mile; thence west one-fourth mile; thence south one-fourth mile; thence west one mile; thence south one-fourth mile; thence west one-fourth mile; thence north one mile; thence west one and one-fourth miles; thence north one-half mile; thence west three miles, to the northwest corner section 18, township 3 south, range 18 east, Black Hills meridian.

Thence north one-fourth mile; thence west one-half mile; thence north one-fourth mile;

thence west three-fourths mile; thence south one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west three-fourths mile; thence south one-fourth mile; thence west one-half mile; thence south one-half mile; thence west one mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west one and one-fourth miles; thence north one-fourth mile; thence west one-fourth mile; thence north three-fourths mile; thence west one and one-fourth miles; thence north one-half mile, to the northeast corner section 2, township 3 south, range 16 east, Black Hills meridian.

Thence west one-half mile; thence north one mile; thence west one-fourth mile; thence north one-half mile; thence west three-fourths mile; thence north one-half mile; thence west one-half mile; thence north two miles; thence west eight miles; thence south one-half mile; thence west one mile; thence north one-half mile, to the northeast corner section 13, township 2 south, range 14 east, Black Hills meridian.

Thence west one mile; thence south one mile; thence east one-half mile; thence south one-half mile; thence west one-half mile; thence south two and one-half miles; thence east one and one-fourth miles; thence south one mile; thence east three-fourths mile, to the northeast corner section 7, township 3 south, range 15 east, Black Hills meridian.

Thence south one-fourth mile; thence east one-fourth mile; thence south one-half mile; thence west one-fourth mile; thence south one-fourth mile; thence west one mile; thence south one and three-fourths miles; thence east one mile; thence north three-fourths mile; thence east two miles; thence north one-half mile; thence east three-fourths mile; thence north one-fourth mile; thence east one-half mile; thence north three-fourths mile; thence west one-fourth mile; thence north three-fourths mile; thence west one-fourth mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence east one-fourth mile; thence north one-half mile; thence east one mile; thence south one-fourth mile; thence east one and three-fourths miles; thence north one-half mile; thence west one-half mile; thence north one-half mile, to the northwest corner section 31, township 2 south, range 16 east, Black Hills meridian.

Thence east one-half mile; thence south one-fourth mile; thence east one mile; thence south one-fourth mile; thence east one and three-fourths miles; thence south three-fourths mile; thence east three-fourths mile; thence south three-fourths mile; thence east one-half mile; thence south one-fourth mile; thence east one-fourth mile; thence south one-fourth mile; thence east one-fourth mile; thence south one-fourth mile; thence east one-fourth mile; thence south one-fourth mile; thence east one-fourth mile; thence south one-fourth mile; thence east one-half mile; thence south one and one-fourth miles; thence east three-fourths mile; thence north one-half mile; thence east one-fourth mile, to the northeast corner section 19, township 3 south, range 17 east, Black Hills meridian.

Thence north one-half mile; thence east three-fourths mile; thence south two miles; thence east one and one-half miles; thence north one and one-half miles; thence east two miles; thence south one-fourth mile; thence east one-fourth mile; thence south one-fourth mile; thence east one-half mile; thence south one-fourth mile; thence east one-half mile; thence south one-fourth mile; thence east one-half mile, to the northeast corner section 30, township 3 south, range 18 east, Black Hills meridian.

Thence south three-fourths mile; thence east one-fourth mile; thence south one-fourth mile; thence east one-half mile; thence north one-fourth mile; thence east one and one-fourth miles; thence south one-fourth mile; thence east three miles, to the northeast corner of section 36, township 3 south, range 18 east, Black Hills meridian.

Thence north one mile; thence east one mile; thence north one-half mile; thence west one-fourth mile; thence north one-fourth mile; thence west one-fourth mile; thence north one and one-fourth miles; thence west one-half mile to the point of beginning.

(Mar. 4, 1929, ch. 693, § 2, 45 Stat. 1554; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

#### CHANGE OF NAME

“Park” substituted for “Monument” in first undesignated par. pursuant to Pub. L. 95-625, § 611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

#### EXTENSION OF BOUNDARIES

Act June 26, 1936, ch. 842, title II, § 1, 49 Stat. 1979, provided that the boundaries of the Badlands National Monument as established by this section shall be “extended to include such lands adjacent or contiguous thereto, in the State of South Dakota, including, but not being restricted to, lands designated as submarginal by the Resettlement Administration, as may be determined by the President, by proclamation, within five years following the approval of this Act, to be necessary for the proper rounding out of the boundaries of said Monument or the administration thereof, providing the entire area of such Monument shall not exceed 250,000 acres.”

#### LAWS APPLICABLE

The provisions of sections 1, 2, 3, and 4 of this title were made applicable to the above added lands by act June 26, 1936, ch. 842, title II, § 2, 49 Stat. 1979.

#### § 441b. Construction of highway by State of South Dakota

The establishment of said park is conditioned upon the State of South Dakota first constructing the following highway in a manner satisfactory to the Secretary of the Interior: A highway commencing at the corporation limits of the town of Interior, thence going in a northwesterly direction to and over Big Foot Pass, and through the region known as The Pinnacles; thence in a westerly direction to Sage Creek, being a total distance of about thirty miles.

(Mar. 4, 1929, ch. 693, § 3, 45 Stat. 1555; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

#### CHANGE OF NAME

Word “park” substituted in text for “monument” pursuant to Pub. L. 95-625, § 611, which is classified to

section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

#### § 441c. Administration, protection, and promotion; franchises for hotel and lodge accommodations

The administration, protection, and promotion of said Badlands National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title: *Provided*, That in advance of the fulfillment of the conditions herein the Secretary of the Interior may grant franchises for hotel and for lodge accommodations under the provisions of this section.

(Mar. 4, 1929, ch. 693, § 4, 45 Stat. 1555; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

#### CHANGE OF NAME

“Park” substituted in text for “Monument” pursuant to Pub. L. 95-625, § 611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

#### 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.

#### § 441d. Examinations, excavations, and gathering of objects of interest within park

The Secretary of the Interior is authorized to permit examinations, excavations, and gathering of objects of interest within said park by any person or persons whom he may deem properly qualified to conduct such examinations, excavations, or gatherings, subject to such rules and regulations as he may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken only for the benefit of some reputable museum, university, college, or other recognized scientific or educational institution, with a view to increasing the knowledge of such objects and aiding the general advancement of geological and zoological science.

(Mar. 4, 1929, ch. 693, § 5, 45 Stat. 1555; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

#### CHANGE OF NAME

Word “park” substituted in text for “monument” pursuant to Pub. L. 95-625, § 611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

#### § 441e. Effective date of sections 441 to 441d

Sections 441 to 441d of this title shall become effective if and when all of the above conditions shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a proclamation declaring that the conditions precedent herein required have been complied with, and said proclamation shall formally dedicate and set aside the areas herein described in accordance with the provisions of section 441 of this title.

(Mar. 4, 1929, ch. 693, § 6, 45 Stat. 1555.)

## PROCLAMATION NO. 2320

Proclamation declaring that conditions precedent required by sections 441 to 441d of this title have been complied with, and formally dedicating and setting aside the areas therein described was issued by the President on Jan. 25, 1939. See Proc. No. 2320, Jan. 25, 1939, 4 F.R. 457, 53 Stat. 2521.

**§ 441e-1. Change in name of Badlands National Monument**

The area formerly known as the "Badlands National Monument", established by Presidential Proclamation of January 25, 1939 (53 Stat. 2521), shall henceforth be known as the "Badlands National Park".

(Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

**§ 441f. Adjustment and redefinition of boundaries**

In order to establish a more appropriate boundary for the Badlands National Park and to consolidate Federal land ownership therein, the Secretary of the Interior, in his discretion, is authorized to adjust and redefine the exterior boundaries of the national park by appropriate reductions or additions of land: *Provided*, That the total acreage of the national park, as revised pursuant to sections 441f to 441i of this title, shall not exceed its area of approximately one hundred fifty-four thousand one hundred and nineteen acres as of May 7, 1952.

(May 7, 1952, ch. 244, §1, 66 Stat. 65; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

## CODIFICATION

Reference to the monument's approximately 154,119 acre area as of "May 7, 1952" was substituted for a reference in the original to the monument's "present" area.

## CHANGE OF NAME

Words "Park" and "park" substituted in text for "Monument" and "monument", respectively, pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

**§ 441g. Orders to effectuate revision of boundaries; publication**

The revision of boundaries of the national park, as authorized in section 441f of this title, shall be accomplished by the issuance, by the Secretary of the Interior, of an appropriate order, or orders, such order or orders to be effective upon publication in the Federal Register: *Provided*, That federally owned land under the administrative jurisdiction of any other department or agency of the Federal Government shall be included within the park only with the approval of the head of such department or agency.

(May 7, 1952, ch. 244, §2, 66 Stat. 65; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

## REFERENCES IN TEXT

Section 441f of this title, referred to in text, was in the original "sections 1 and 5 of this Act". Section 1 of the Act is classified to section 441f of this title. Section 5 is probably a reference to section 5 of the original bill, which would have authorized the inclusion of up to 4,000 acres of the Pine Ridge Indian Reservation within

the Badlands National Monument. Such section 5 was stricken from the bill by Senate amendment, and as enacted the Act contained only four sections.

## CHANGE OF NAME

Word "park" substituted in text for "monument" pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

**§ 441h. Jurisdiction of mining and mineral rights; patents**

Administrative jurisdiction over all Federal lands eliminated from the park, by the issuance of an order or orders of the Secretary of the Interior, is transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of title III of the Bankhead-Jones Farm Tenant Act [7 U.S.C. 1010 et seq.] and the related provisions of title IV thereof: *Provided*, That all of such lands formerly set apart and reserved from the public domain shall be subject to the mining and minerals-leasing laws: *And provided further*, That any disposition of any such lands formerly set apart and reserved from the public domain shall be evidenced by patents issued by the Secretary of the Interior.

(May 7, 1952, ch. 244, §3, 66 Stat. 65; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

## REFERENCES IN TEXT

The Bankhead-Jones Farm Tenant Act, referred to in text, is act July 22, 1937, ch. 517, 50 Stat. 522, as amended. Title III of the Act is classified generally to subchapter III (§1010 et seq.) of chapter 33 of Title 7, Agriculture. Title IV thereof, referred to in text, which was classified to sections 1014 to 1029 of title 7, was repealed by act June 25, 1948, ch. 645, §21, 62 Stat. 862, and by Pub. L. 87-128, title III, §341(a), Aug. 8, 1961, 75 Stat. 318. For complete classification of this Act to the Code, see section 1000 of Title 7 and Tables.

## CHANGE OF NAME

Word "park" substituted in text for "monument" pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

**§ 441i. Exchanges of land**

In order that exchanges of land may be effectuated for the purposes of sections 441f to 441i of this title, the Secretary of the Interior is authorized, in his discretion and in accordance with the provisions of sections 3111 and 3112 of title 40, to accept, on behalf of the United States, title to any land or interests in land within the exterior boundaries of the Badlands National Park as revised pursuant to sections 441f to 441i of this title, and, in exchange therefor, with the approval and concurrence of the Secretary of Agriculture, the Secretary of the Interior may patent lands of approximately equal value which were formerly set apart and reserved from the public domain within the Badlands Fall River soil conservation project, SD-LU-1. In effectuating such exchanges, in lieu of conveyances by the Secretary of the Interior, the Secretary of Agriculture may convey lands of approximately equal value within said project which have been acquired heretofore by the United States. All such exchanges shall, in all

other respects, be considered as exchanges under the provisions of section 32c,<sup>1</sup> title III, of the Bankhead-Jones Farm Tenant Act [7 U.S.C. 1011(c)] and shall otherwise be in accordance with provisions of said Act [7 U.S.C. 1000 et seq.]; except that, upon acceptance of title to any lands so acquired by the United States under this section, such lands and any other lands acquired otherwise by the United States within the park boundaries shall be a part of that area. In consummating land exchanges hereunder upon an equitable basis, patents and instruments of conveyance may be issued, and property may be accepted, by the United States, subject to such reservations as may be necessary or in the public interest.

(May 7, 1952, ch. 244, §4, 66 Stat. 66; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

#### REFERENCES IN TEXT

The Bankhead-Jones Farm Tenant Act, referred to in text, is act July 22, 1937, ch. 517, 50 Stat. 522, as amended, which is classified generally to chapter 33 (§1000 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 1000 of Title 7 and Tables.

#### CODIFICATION

“Sections 3111 and 3112 of title 40” substituted in text for “section 355 of the Revised Statutes” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

#### CHANGE OF NAME

Words “Park” and “park” substituted in text for “Monument” and “monument”, respectively, pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

### § 441j. Revision of boundaries

In order to include lands of outstanding scenic and scientific character in the Badlands National Park, the boundaries of the park are revised as generally depicted on the map entitled “Badlands National Monument”, numbered NM-BL-7021B, dated August 1967, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior may make minor adjustments in the boundaries, but the total acreage in the park may not exceed the acreage within the boundaries depicted on the map referred to herein. Lands within the boundaries of the park that are acquired by the United States shall be subject to the laws and regulations applicable to the park.

(Pub. L. 90-468, §1, Aug. 8, 1968, 82 Stat. 663; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

#### CHANGE OF NAME

Words “Park” and “park” substituted in text for “Monument” and “monument”, respectively, pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

### § 441k. Acquisition of property for park

#### (a) Consent of State or Oglala Sioux Tribe of South Dakota; transfer from Federal agency

Subject to the provisions of subsection (b) of this section, the Secretary of the Interior may, within the boundaries of the park, acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange, except that any lands or interests in lands owned by the State of South Dakota, a political subdivision thereof, or the Oglala Sioux Tribe of South Dakota may be acquired only with the consent of owner. Notwithstanding any other provision of law, lands and interests in lands located within the park under the administrative jurisdiction of any other Federal agency may be transferred to the administrative jurisdiction of the Secretary without a transfer of funds.

#### (b) Easements

As to lands located within the boundaries of the park but outside the boundaries of the gunnery range referred to in section 441I of this title, the Secretary of the Interior may acquire only rights-of-way and scenic easements.

(Pub. L. 90-468, §2, Aug. 8, 1968, 82 Stat. 663; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

#### CHANGE OF NAME

Word “park” substituted in text for “monument” pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

### § 441I. Exchange of lands; transfer from Federal agency to administrative jurisdiction of Secretary; terms and conditions of purchase

Inasmuch as (A) most of the lands added to the Badlands National Park by section 441j of this title are inside the boundaries of the Pine Ridge Sioux Indian Reservation, (B) such lands are also within a tract of land forty-three miles long and twelve and one-half miles wide which is in the north-western part of such Indian reservation and has been used by the United States Air Force as a gunnery range since the early part of World War II, (C) the tribal lands within such gunnery range were leased by the Federal Government and the other lands within such gunnery range were purchased by the Federal Government from the individual owners (mostly Indians), (D) the Department of the Air Force has declared most of such gunnery range lands excess to its needs and such excess lands have been requested by the National Park Service under chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, (E) the leased tribal lands and the excess lands within the enlarged Badlands National Park are needed for the park, (F) the other excess lands in such gunnery range should be restored to the former Indian owners of such lands, and (G) the tribe is unwilling to sell its tribal lands for inclusion in the national park, but is willing to exchange them or interests therein for the excess gunnery range lands, which, insofar as the lands within the gunnery range formerly held by the tribe are concerned,

<sup>1</sup> So in original. Probably should be “32(c).”



should be returned to Indian ownership in any event, the Congress hereby finds that such exchange would be in the national interest and authorizes the following actions:

(a) All Federal lands and interests in lands within the Badlands Air Force gunnery range that are outside the boundaries of the park and that heretofore or hereafter are declared excess to the needs of the Department of the Air Force shall be transferred to the administrative jurisdiction of the Secretary of the Interior without a transfer of funds.

(b) Any former Indian or non-Indian owner of a tract of such land, whether title was held in trust or fee, may purchase such tract from the Secretary of the Interior under the following terms and conditions:

(1) The purchase price to a former Indian owner shall be the total amount paid by the United States to acquire such tract and all interests therein, plus interest thereon from the date of acquisition at a rate determined by the Secretary of the Treasury taking into consideration the average market yield of all outstanding marketable obligations of the United States at the time the tract was acquired by the United States, adjusted to the nearest one-eighth of 1 per centum. The purchase price to a former non-Indian owner shall be present fair market value of the tract as determined by the Secretary of the Interior.

(2) Not less than \$100 or 20 per centum of the purchase price, whichever is less, shall be paid at the time of purchase, and the balance shall be payable in not to exceed 20 years with interest at a rate determined by the Secretary of the Treasury taking into account the current average market yield on outstanding marketable obligations of the United States with twenty years remaining to date of maturity, adjusted to the nearest one-eighth of 1 per centum.

(3) Title to the tract purchased shall be held in trust for the purchaser if it was held in trust status at the time the tract was acquired by the United States; otherwise, the title to the tract purchased shall be conveyed to the purchaser subject to a mortgage and such other security instruments as the Secretary deems appropriate. If a tract purchased under this subsection is offered for resale during the following ten-year period, the tribe must be given the first right to purchase it.

(4) The unpaid balance of the purchase price shall be a lien against the land if the title is held in trust and against all rents, bonuses, and royalties received therefrom. In the event of default in the payment of any installment of the purchase price the Secretary may take such action to enforce the lien as he deems appropriate, including foreclosure and conveyance of the land to the Oglala Sioux Tribe.

(5) An application to purchase the tract must be filed with the Secretary of the Interior within one year from the date a notice is published in the Federal Register that the tract has been transferred to the jurisdiction of the Secretary.

(6) No application may be filed by more than five of the former owners of an interest in the tract. If more than one such application is

filed for a tract the applicants must agree on not more than five of the former owners who shall make the purchase, and failing such agreement all such applications for the tract shall be rejected by the Secretary.

(7) "Former owner" means, for the purposes of subsection (b) of this section, each person from whom the United States acquired an interest in the tract, or if such person is deceased, his spouse, or if such spouse is deceased, his children.

(Pub. L. 90-468, §3, Aug. 8, 1968, 82 Stat. 663; Pub. L. 95-625, title VI, §611, Nov. 10, 1978, 92 Stat. 3521.)

#### CODIFICATION

In subpar. (D) of introductory provisions, "chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" substituted for "the Federal Property and Administrative Services Act of 1949" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

#### CHANGE OF NAME

In provision preceding subsec. (a) and in subsec. (a), "Park" and "park" substituted for "Monument" and "monument", respectively, pursuant to Pub. L. 95-625, §611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

### **§ 441m. Disposition of excess gunnery range lands and reservation lands; purchase; terms and conditions; life estates and use restrictions**

#### **(a) Gunnery range lands; reservation lands**

All Federal lands and interests in lands within the Badlands Air Force gunnery range that are outside the boundaries of the park, and that have been declared excess to the needs of the Department of the Air Force, and that are not purchased by former owners under section 441l(b) of this title, and all lands that have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent relief Acts, situated within the Pine Ridge Indian Reservation, administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order Numbered 7868, dated April 15, 1938, shall be subject to the following provisions of this section.

#### **(b) Purchases**

Any former Indian owner of land that is within the Badlands Air Force gunnery range and outside the boundaries of the park and that has not been declared excess to the needs of the Department of the Air Force on August 8, 1968, may, within the period specified in section 441l(b)(5) of this title, elect (i) to purchase an available tract of land described in subsection (a) of this section of substantially the same value, or (ii) to purchase the tract formerly owned by him at such time as such tract is declared excess and transferred to the Secretary of the Interior as provided in section 441l(a) of this title.

**(c) Life estates and use restrictions**

Any former Indian owner of a tract of land within the boundaries of the park that was acquired by the United States for the Badlands Air Force gunnery range, and that is transferred to the Secretary of the Interior pursuant to section 441k of this title, may, within the period specified in section 441l(b)(5) of this title, elect (i) to acquire from the Secretary of the Interior a life estate in such tract at no cost, subject to restrictions on use that may be prescribed in regulations applicable to the park, or (ii) to purchase an available tract of land described in subsection (a) of this section of substantially the same value.

**(d) Purchase restrictions**

Purchases under subsection (b) and clause (ii) of subsection (c) of this section shall be made on the terms provided in section 441l(b) of this title.

(Pub. L. 90-468, § 4, Aug. 8, 1968, 82 Stat. 664; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

## REFERENCES IN TEXT

The National Industrial Recovery Act of June 16, 1933, referred to in subsec. (a), is act June 16, 1933, ch. 90, 48 Stat. 195, as amended. Title II of the Act was classified principally to subchapter I (§ 401 et seq.) of chapter 8 of former Title 40, Public Buildings, Property, and Works, and was terminated June 30, 1943 by act June 27, 1942, ch. 450, § 1, 56 Stat. 410. Provisions of title II of the Act which were classified to former Title 40 were repealed by Pub. L. 107-217, § 6(b), Aug. 21, 2002, 116 Stat. 1304. For complete classification of this Act to the Code, see Tables.

Executive Order Numbered 7868, dated April 15, 1938, referred to in subsec. (a), was not classified to the Code.

## CHANGE OF NAME

Word “park” substituted for “monument” in subsecs. (a) to (c) pursuant to Pub. L. 95-625, § 611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

**§ 441n. Lands outside gunnery range; exchange of lands; reservation of mineral rights; grazing and mineral development rights of Indians; execution of instruments; trust title****(a) Exchange of lands; mineral and grazing rights**

Title to all Federal lands and interests in lands within the boundaries of the Badlands Air Force gunnery range that are outside the boundaries of the park, and that are transferred to the administrative jurisdiction of the Secretary of the Interior as provided in section 441l(a) of this title, including lands hereafter declared to be excess, and that are not selected under sections 441l(b) or 441m of this title, and title to all lands within the boundaries of the park that were acquired by the United States for the Badlands Air Force gunnery range, subject to any life estate conveyed pursuant to section 441m(c) of this title and subject to restrictions on use that may be prescribed in regulations applicable to the park, which regulations may include provisions for the protection of the black-footed ferret, may be conveyed to the Oglala Sioux Tribe in exchange (i) for the right of the United States to use all tribal land within the park for park pur-

poses, including the right to manage fish and wildlife and other resources and to construct visitor use and administrative facilities thereon, and (ii) for title to three thousand one hundred fifteen and sixty-three one-hundredths acres of land owned by the Oglala Sioux Tribe and located in the area of the Badlands Air Force gunnery range which is not excess to the needs of the Department of the Air Force and which is encompassed in civil action numbered 859 W.D. in the United States District Court for the District of South Dakota, if such exchange is approved by the Oglala Sioux Tribal Council. The lands acquired under paragraph (ii) shall become a part of the Badlands Air Force gunnery range retained by the Department of the Air Force. The United States and the Oglala Sioux Tribe shall reserve all mineral rights in the lands so conveyed. The right of the United States to use for park purposes lands that were tribally owned prior to August 8, 1968, shall not impair the right of the Oglala Sioux Tribe to use such lands for grazing purposes and mineral development, including development for oil and gas.

**(b) Execution of instruments**

The Oglala Sioux Tribal Council may authorize the execution of the necessary instruments to effect the exchange on behalf of the tribe, and the Secretary may execute the necessary instruments on behalf of the United States.

**(c) Trust title**

After the exchange is effected the title of the Oglala Sioux Tribe to the property acquired by the exchange shall be held in trust subject to the same restrictions and authorities that apply to other lands of the tribe that are held in trust.

(Pub. L. 90-468, § 5, Aug. 8, 1968, 82 Stat. 665; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

## CHANGE OF NAME

Word “park” substituted for “monument” in subsec. (a) pursuant to Pub. L. 95-625, § 611, which is classified to section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

**§ 441o. Facilities for interpretation of park and history of Sioux Nation; conveyance of reservation lands; submission of terms to Congressional committees**

The Oglala Sioux Tribe may convey and the Secretary of the Interior may acquire not to exceed forty acres of tribally owned lands on the Pine Ridge Indian Reservation for the purpose of erecting thereon permanent facilities to be used to interpret the natural phenomena of the park and the history of the Sioux Nation: *Provided*, That no such conveyance shall be made until sixty days after the terms thereof have been submitted to the Interior and Insular Affairs Committees of the House of Representatives and the Senate.

(Pub. L. 90-468, § 6, Aug. 8, 1968, 82 Stat. 666; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

## CHANGE OF NAME

Word “park” substituted in text for “monument” pursuant to Pub. L. 95-625, § 611, which is classified to

section 441e-1 of this title and which redesignated Badlands National Monument as Badlands National Park.

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4 (popularly cited as the "Committee System Reorganization Amendments of 1977"), approved Feb. 4, 1977.

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

#### § 442. George Washington Birthplace National Monument

The land owned by the United States at Wakefield, Westmoreland County, Virginia, and all structures thereon shall constitute the George Washington Birthplace National Monument at Wakefield, Virginia, which is established and set apart for the preservation of the historical associations connected therewith, for the benefit and enjoyment of the people, and the said national monument shall be after January 23, 1930, administered by the National Park Service under the direction of the Secretary of the Interior subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Jan. 23, 1930, ch. 24, §§ 1, 2, 46 Stat. 58.)

##### 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.

##### GEORGE WASHINGTON'S BOYHOOD HOME, FERRY FARM

Pub. L. 105-355, title V, § 509, Nov. 6, 1998, 112 Stat. 3264, provided that:

"(a) ACQUISITION OF EASEMENT.—The Secretary of the Interior may acquire no more than a less than fee interest in the property generally known as George Washington's Boyhood Home, Ferry Farm, located in Stafford County, Virginia, across the Rappahannock River from Fredericksburg, Virginia, comprising approximately 85 acres as generally depicted on the map entitled 'George Washington Birthplace National Monument Boundary Map', numbered 322/80,020, and dated April 1998, to ensure the preservation of the important cultural and natural resources associated with Ferry Farm. The Secretary of the Interior shall keep the map on file and available for public inspection in appropriate offices of the National Park Service.

"(b) MANAGEMENT OF EASEMENT.—The Secretary shall enter into a cooperative agreement with Kenmore Association, Inc., for the management of Ferry Farm pending completion of the study referred to in subsection (c).

"(c) RESOURCE STUDY.—Not later than 18 months after the date on which funds are made available to carry out this section, the Secretary of the Interior shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources [now Committee on Natural Resources] of the House of Representatives a resource study of the property described in subsection (a). The study shall—

"(1) identify the full range of resources and historic themes associated with Ferry Farm, including those associated with George Washington's tenure at the property and those associated with the Civil War period;

"(2) identify alternatives for further National Park Service involvement at the property beyond those that may be provided for in the acquisition authorized under subsection (a); and

"(3) include cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance associated with the alternatives identified.

"(d) AGREEMENTS.—Upon completion of the resource study under subsection (c), the Secretary of the Interior may enter into an agreement with the owner of the property described in subsection (a) or other entities for the purpose of providing programs, services, facilities, or technical assistance that further the preservation and public use of the property."

##### REVISION OF BOUNDARIES; ACQUISITION OF LANDS; ADMINISTRATION; AUTHORIZATION OF APPROPRIATIONS

Pub. L. 107-354, Dec. 17, 2002, 116 Stat. 2984, provided that:

##### "SECTION 1. ADDITION TO NATIONAL MONUMENT.

"The boundaries of the George Washington Birthplace National Monument (hereinafter referred to as the 'National Monument') are hereby modified to include the area comprising approximately 115 acres, as generally depicted on the map entitled 'George Washington Birthplace National Monument Boundary Map', numbered 332/80,023 and dated October 2001, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

##### "SEC. 2. ACQUISITION OF LANDS.

"Within the boundaries of the National Monument, the Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to acquire lands, or interests therein, from willing owners by donation, purchase with donated money or appropriated funds, or exchange.

##### "SEC. 3. ADMINISTRATION OF NATIONAL MONUMENT.

"In administering the National Monument, the Secretary shall take actions necessary to preserve and interpret the history and resources associated with George Washington, the generations of the Washington family who lived in the vicinity and their contemporaries, and 18th century plantation life and society."

Pub. L. 103-25, May 3, 1993, 107 Stat. 68, provided that:

##### "SECTION 1. ADDITION TO NATIONAL MONUMENT.

"The boundaries of the George Washington Birthplace National Monument (hereinafter referred to as the 'National Monument') are hereby modified to include the area comprising approximately 12 acres, as generally depicted on the map entitled 'George Washington Birthplace National Monument Boundary Map', numbered 332/80,011A and dated September 1992, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

##### "SEC. 2. ACQUISITION OF LANDS.

"Within the boundaries of the National Monument, the Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to acquire lands, or interests therein, by donation, purchase with donated or appropriated funds, or exchange.

##### "SEC. 3. ADMINISTRATION OF NATIONAL MONUMENT.

"In administering the National Monument, the Secretary shall take such action as is necessary to preserve and interpret the history and resources associated with George Washington, the generations of the Washington family who lived in the vicinity, and their contemporaries, as well as 18th century plantation life and society.

##### "SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as may be necessary to carry out this Act."

## ADDITIONAL LANDS

Additional lands were added to and made part of the monument by Presidential Proc. No. 1944, Mar. 30, 1931, 47 Stat. 2446.

**§§ 443 to 443f. Transferred**

## CODIFICATION

Sections, acts July 3, 1930, ch. 837, §§1-7, 46 Stat. 856; Mar. 3, 1931, ch. 405, 46 Stat. 1490; June 5, 1936, ch. 525, §§1, 2, 49 Stat. 1483, which related to Colonial National Historical Park, were transferred to sections 81, 81a, 81c, and 81e to 81i of this title.

**§ 444. Petrified Forest National Monument; elimination of private holdings of land within boundaries; exchange of lands**

The Secretary of the Interior, for the purpose of eliminating private holdings of land within the Petrified Forest National Monument, Arizona, is empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private ownership within the boundaries of the Petrified Forest National Monument, Arizona, as now or as may be hereafter defined, by accepting from the owners of such privately owned lands complete relinquishment thereof and by granting and patenting to such owners in exchange therefor, in each instance, like public lands of equal value situated in Navajo and/or Apache Counties, in the State of Arizona, after due notice of the proposed exchange has been given by publication for not less than thirty days in the counties where the lands proposed to be exchanged or taken in exchange are located: *Provided*, That the Secretary of the Interior shall, on application or otherwise, designate public lands located outside the extreme boundaries of the said monument subject to exchange under this section which are, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, and are of character similar to the privately owned lands offered in exchange.

(May 14, 1930, ch. 271, §1, 46 Stat. 278.)

## DISESTABLISHMENT OF PETRIFIED FOREST NATIONAL MONUMENT

Disestablishment of Petrified Forest National Monument upon establishment of Petrified Forest National Park, see section 119 of this title.

**§ 444a. Ascertainment of value of lands offered for exchange; evidence of title**

The value of all patented lands within said monument offered for exchange, and the value of the lands of the United States to be given in exchange therefor, shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of such privately owned lands within said monument shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange; and lands conveyed to the United States under section 444 of this title shall be and remain a part of the Petrified Forest National Monument.

(May 14, 1930, ch. 271, §2, 46 Stat. 278.)

## DISESTABLISHMENT OF PETRIFIED FOREST NATIONAL MONUMENT

Disestablishment of Petrified Forest National Monument upon establishment of Petrified Forest National Park, see section 119 of this title.

**§ 445. Canyon De Chelly National Monument; establishment; boundaries**

With the consent of the tribal council of the Navajo Tribe of Indians, the President of the United States is authorized to establish by presidential proclamation the Canyon De Chelly National Monument, within the Navajo Indian Reservation, Arizona, including the lands hereinafter described.

All lands in Del Muerto, De Chelly, and Monument Canyons, in the canyons tributary thereto, and the lands within one-half mile of the rims of the said canyons, situated in unsurveyed townships 4 and 5 north, range 7 west; townships 4, 5, and 6 north, range 8 west; townships 4 and 5 north, range 9 west; and in surveyed townships 4 and 5 north, range 6 west; townships 3, 6, and 7 north, range 7 west; township 6 north, range 9 west; and township 5 north, range 10 west; embracing about eighty-three thousand eight hundred and forty acres, all of the Navajo meridian, in Arizona.

(Feb. 14, 1931, ch. 188, §1, 46 Stat. 1161; Mar. 1, 1933, ch. 161, 47 Stat. 1419.)

## AMENDMENTS

1933—Act Mar. 1, 1933, redescribed lands referred to in second par.

## ESTABLISHMENT OF MONUMENT; BOUNDARIES

Monument and boundaries established by Presidential Proc. No. 1945, Apr. 1, 1931, 47 Stat. 2448; Proc. No. 2036, Mar. 3, 1933, 47 Stat. 2562.

**§ 445a. Rights and privileges of Navajo Indians in canyons**

Nothing herein shall be construed as in any way impairing the right, title, and interest of the Navajo Tribe of Indians which they now have and hold to all lands and minerals, including oil and gas, and the surface use of such lands for agricultural, grazing, and other purposes, except as defined in section 445b of this title; and the said tribe of Indians is granted the preferential right, under regulations to be prescribed by the Secretary of the Interior, of furnishing riding animals for the use of visitors to the monument.

(Feb. 14, 1931, ch. 188, §2, 46 Stat. 1161.)

## REFERENCES IN TEXT

Herein, referred to in text, means act Feb. 14, 1931, which is classified to sections 445 to 445b of this title. For complete classification of this Act to the Code, see Tables.

**§ 445b. Administration by National Park Service; powers and duties**

The National Park Service, under the direction of the Secretary of the Interior, is charged with the administration of the area of said national monument, so far as it applies to the care, maintenance, preservation and restoration of the prehistoric ruins, or other features of sci-

entific or historical interest within the area, and shall have the right to construct upon the lands such roads, trails, or other structures or improvements as may be necessary in connection with the administration and protection of the monument, and also the right to provide facilities of any nature whatsoever required for the care and accommodation of visitors to the monument.

(Feb. 14, 1931, ch. 188, § 3, 46 Stat. 1161.)

#### 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.

### § 445c. Pipestone National Monument

#### (a) Establishment; boundaries

The lands lying in Pipestone County, Minnesota, within the area hereinafter described are dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east, seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway.

#### (b) Administration, protection, and development

The administration, protection, and development of such monument shall be exercised under

the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

#### (c) Quarry rights of Indians

The quarrying of the red pipestone in the lands described in subsection (a) of this section is expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior.

(Aug. 25, 1937, ch. 768, §§1-3, 50 Stat. 804, 805.)

#### 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.

### § 445d. Acquisition of additional lands, Pipestone School Reserve and non-Federal land; redefining of boundaries; quarry rights of Indians

The Secretary of the Interior is authorized to add to the Pipestone National Monument such part of the Pipestone school reserve, not exceeding two hundred and fifty acres, as he deems necessary to protect archeological remains, to acquire by purchase or condemnation not exceeding ten acres of non-Federal land, as he deems necessary to improve the boundary and administration of the Pipestone National Monument Federal land, and to redefine the exterior boundaries of the Pipestone National Monument to include the lands so transferred and acquired pursuant to this section. All lands added to the Pipestone National Monument pursuant to this section shall be subject to the provisions of subsections (b) and (c) of section 445c of this title.

(June 18, 1956, ch. 401, 70 Stat. 290.)

### § 446. Sites for tablets at Antietam; care and supervision

All lands acquired by the United States, whether by purchase, gift, or otherwise, for the purposes of sites for tablets for the marking of the lines of battle of the Army of the Potomac and of the Army of Northern Virginia at Antietam, and of the position of each of the forty-three different commands of the Regular Army engaged in the battle of Antietam, shall be under the care and supervision of the Secretary of the Interior.

(Aug. 30, 1890, ch. 837, §1, 26 Stat. 401; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

#### TRANSFER OF FUNCTIONS

Administrative functions of certain national military parks transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out in notes under section 901 of Title 5, Government Organization and Employees.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

**§ 447. Repealed. Pub. L. 94-429, §3(d), Sept. 28, 1976, 90 Stat. 1342**

Section, act June 13, 1933, ch. 70, 48 Stat. 139, extended mining laws of United States to lands within the park subject to regulation by Secretary of the Interior.

MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

**§ 447a. Ocmulgee National Monument; establishment; acquisition of property**

When title to lands commonly known as the "Old Ocmulgee Fields", upon which certain Indian mounds of great historical importance are located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the "Ocmulgee National Monument": *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

(June 14, 1934, ch. 519, §1, 48 Stat. 958.)

ESTABLISHMENT OF MONUMENT; BOUNDARIES

Monument and boundaries established by Presidential Proc. No. 2212, Dec. 23, 1936, 50 Stat. 1798; Proc. No. 2493, June 13, 1941, 55 Stat. 1655; Pub. L. 102-67, July 9, 1991, 105 Stat. 325.

**§ 447b. Donation of property; condemnation proceedings**

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national monument as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(June 14, 1934, ch. 519, §2, 48 Stat. 959.)

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

**§ 447c. Administration, protection, and development**

The administration, protection, and development of the Ocmulgee National Monument shall

be under the supervision of the Secretary of the Interior subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(June 14, 1934, ch. 519, §3, 48 Stat. 959.)

**§ 448. Pioneer National Monument; establishment**

When title to the sites of Fort Boonesborough, Boones Station, Bryans Station, and Blue Licks Battlefield, in the State of Kentucky, comprising noncontiguous tracts to be united by a Memorial Highway, together with such historical structures and remains thereon, as may be designated by the Secretary of the Interior as necessary or desirable for national-monument purposes and for the proper commemoration of the valor and sacrifices of the pioneers of "the West", shall have been vested in the United States, said areas and improvements shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Pioneer National Monument."

(June 18, 1934, ch. 573, §1, 48 Stat. 982.)

**§ 449. Acceptance of donations of land and funds; acquisition of land**

The Secretary of the Interior be, and he is, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(June 18, 1934, ch. 573, §2, 48 Stat. 983.)

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

**§ 450. Administration, protection, and development**

The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title as amended.

(June 18, 1934, ch. 573, §3, 48 Stat. 983.)

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.

### § 450a. Chalmette, Louisiana, Monument

The sum of twenty-five thousand dollars is appropriated, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the completion of a monument to the memory of the soldiers who fell in the battle of New Orleans in the war of eighteen hundred and twelve, said monument to be completed under the direction and approval of the Secretary of the Army: *Provided*, That the State of Louisiana shall cede and transfer its jurisdiction to the property on which said monument is to be completed in accordance with the provisions of act numbered forty-one of the legislature of that State, approved July nineteenth, nineteen hundred and two: *Provided further*, That when said monument is completed the responsibility of maintaining the same and keeping the grounds surrounding it shall hereafter rest with the Government of the United States; and there is authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for such expenses.

(Mar. 4, 1907, ch. 2928, 34 Stat. 1411; June 2, 1930, ch. 369, 46 Stat. 489; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

#### AMENDMENTS

1930—Act June 2, 1930, placed responsibility for maintaining monument and grounds with United States Government and authorized appropriations for expenses.

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

#### TRANSFER OF FUNCTIONS

Administrative functions of Chalmette Monument and Grounds, Louisiana transferred to Department of the Interior by Ex. Ord. No. 6166, § 2, and Ex. Ord. No. 6228, § 1, set out as notes under section 901 of Title 5, Government Organization and Employees. National Park Service substituted for Office of National Parks, Buildings and Reservations referred to in Ex. Ord. No. 6166, § 2, by act Mar. 2, 1934, ch. 38, § 1, 48 Stat. 389.

#### CHALMETTE UNIT OF THE JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE

Designation of lands on which monument erected as Chalmette Unit of the Jean Lafitte National Historical Park and Preserve, see section 231 of this title.

### §§ 450b to 450e. Repealed. Pub. L. 94-578, title III, § 308(e), Oct. 21, 1976, 90 Stat. 2736

Section 450b, acts June 18, 1930, ch. 520, § 1, 46 Stat. 777; Aug. 13, 1935, ch. 520, § 1, 49 Stat. 613; Apr. 15, 1954, ch. 142, 68 Stat. 54, provided for creation of the Appomattox Court House National Historical Park.

Section 450c, acts June 18, 1930, ch. 520, § 2, 46 Stat. 777; Aug. 13, 1935, ch. 520, § 1, 49 Stat. 613, authorized appropriation of \$100,000 for the Appomattox Court House National Historical Park.

Section 450d, acts June 18, 1930, ch. 520, § 3, 46 Stat. 777; Aug. 13, 1935, ch. 520, § 1, 49 Stat. 613, authorized Secretary of the Interior to accept donations of land or buildings within boundaries of the park.

Section 450d-1, acts July 17, 1953, ch. 227, 67 Stat. 181; Apr. 15, 1954, ch. 142, 68 Stat. 54, authorized exchange of land in park for adjacent non-Federal land.

Section 450e, act June 18, 1930, ch. 520, § 4, as added Aug. 13, 1935, ch. 520, § 2, 49 Stat. 614; amended Apr. 15, 1954, ch. 142, 68 Stat. 54, provided for administration of park by National Park Service under the direction of Secretary of the Interior.

### § 450e-1. Appomattox Court House National Historical Park

#### (a) Boundaries

The Appomattox Court House National Historical Park shall hereafter comprise the area depicted on the map entitled "Boundary Map, Appomattox Court House National Historical Park", numbered 340/80,015 and dated June 1992, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

#### (b) Land acquisition by donation, purchase, or exchange; limitation on acquisition of State land

Within the boundaries of the park, the Secretary may acquire lands and interests in lands, by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests in lands owned by the State of Virginia or its political subdivisions may be acquired only by donation.

#### (c) Owner's reservation of right of use and occupancy of improved property for residential purposes for life or fixed term of years; compensation at fair market value; termination of right retained by owner; "improved property" defined; waiver of rights and benefits by owner

(1) The owner of an improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for non-commercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition, less the fair market value, on that date, of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this section, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(2) As used in this section, the term "improved property" means a detached, single-family dwelling, construction of which was begun before June 8, 1976, which is used for noncommer-

cial residential purposes, together with such additional lands or interests therein as the Secretary deems to be reasonably necessary for access thereto, such lands being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

(3) Whenever an owner of property elects to retain a right of use and occupancy as provided in this section, such owner shall be deemed to have waived any benefits or rights accruing under sections 4623, 4624, 4625, and 4626 of title 42, and for the purposes of such sections such owner shall not be considered a displaced person as defined in section 4601(6) of title 42.

**(d) Administration**

The Secretary shall administer the park in accordance with sections 1, 2, 3, and 4 of this title, as amended and supplemented, and sections 461 to 467 of this title.

**(e) Omitted**

**(f) Authorization of appropriation**

There are authorized to be appropriated not to exceed \$1,335,000 to carry out the purposes of this section.

(Pub. L. 94-578, title III, §308, Oct. 21, 1976, 90 Stat. 2735; Pub. L. 102-541, §3(a), Oct. 27, 1992, 106 Stat. 3565.)

CODIFICATION

Section is comprised of section 308 of Pub. L. 94-578. Subsec. (e) of section 308 of Pub. L. 94-578 repealed sections 450b to 450e of this title.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-541 substituted “numbered 340/80,015 and dated June 1992,” for “numbered 340-20,000A, and dated September 1976.”

EFFECTIVE DATE OF 1992 AMENDMENT

Section 3(a) of Pub. L. 102-541 provided in part: “That this subsection [amending this section] shall not be effective until the lands included within the proposed new boundaries of the Appomattox Court House National Historical Park pursuant to this Act [amending this section and section 425k of this title and enacting provisions set out as notes under this section and section 425k of this title] have been donated to the Secretary of the Interior.” [Lands included within proposed new boundaries were donated on Sept. 14, 1993, and Sept. 15, 1993.]

ACQUISITION OF CERTAIN LANDS BY DONATION ONLY

Section 3(b) of Pub. L. 102-541 provided that: “Lands included within the boundaries of the Appomattox Court House National Historical Park pursuant to this section [amending this section and enacting provisions set out above] may be acquired only by donation.”

**§§ 450f to 450k. Repealed. Dec. 21, 1944, ch. 634, § 1, 58 Stat. 852**

Section 450f, act Aug. 15, 1935, ch. 547, § 1, 49 Stat. 652, related to establishment of Patrick Henry National Monument.

Sections 450f-1 and 450f-2, act Jan. 29, 1940, ch. 16, 54 Stat. 18, related to acquisition of Patrick Henry's estate and erection of a permanent public memorial.

Sections 450g to 450k, act Aug. 15, 1935, ch. 547, §§ 2-6, 49 Stat. 652, 653, related to administration, etc., of Monument.

UNEXPENDED FUNDS

Section 2 of act Dec. 21, 1944, ch. 634, 58 Stat. 853, provided that all unexpended balances of amounts appro-

priated were to be covered into the surplus fund of the Treasury.

**§ 450l. Fort Stanwix National Monument; establishment**

When title to the site or portion thereof at Fort Stanwix, in the State of New York, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes, shall have been vested in the United States, said area and improvements, if any, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the “Fort Stanwix National Monument”: *Provided*, That such area shall include at least that part of Fort Stanwix now belonging to the State of New York.

(Aug. 21, 1935, ch. 592, § 1, 49 Stat. 665.)

**§ 450m. Acceptance of donations of lands and funds; acquisition of land**

The Secretary of the Interior is authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(Aug. 21, 1935, ch. 592, § 2, 49 Stat. 666.)

REFERENCES IN TEXT

Hereunder, referred to in text, means act Aug. 21, 1935, which is classified to sections 450l to 450n of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

**§ 450n. Administration, protection, and development**

The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Aug. 21, 1935, ch. 592, § 3, 49 Stat. 666.)

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.

**§ 450o. Andrew Johnson National Historic Site; authorization**

When title to the site of the Andrew Johnson Homestead and the site of the tailor shop in which Andrew Johnson worked (now owned and administered by the State of Tennessee), located in Greeneville, Tennessee, together with such buildings and property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national historic site purposes shall have been vested in the United States, said area and improvements, if any, together with the burial place of Andrew Johnson, now administered as a national cemetery, shall be designated and set apart by proclamation of the President for preservation as a national historic site for the benefit and inspiration of the people and shall be called the “Andrew Johnson National Historic Site.”

(Aug. 29, 1935, ch. 801, §1, 49 Stat. 958; Pub. L. 88-197, §1, Dec. 11, 1963, 77 Stat. 349.)

CHANGE OF NAME

“National historic site” substituted in text for “national monument” on authority of Pub. L. 88-197, which redesignated Andrew Johnson National Monument as Andrew Johnson National Historic Site.

ESTABLISHMENT OF MONUMENT; BOUNDARIES

Monument and boundaries established by Presidential Proc. No. 2554, Apr. 27, 1942, 56 Stat. 1955.

**§ 450p. Acquisition of property; donations**

The Secretary of the Interior is authorized to acquire on behalf of the United States out of any funds allotted and made available for this project by proper authority or out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, or to accept by donation, such land, interest in land, and/or buildings, structures, and other property within the boundaries of said national historic site as determined and fixed hereunder, and he is further authorized to accept donations of funds for the purchase and/or maintenance thereof.

(Aug. 29, 1935, ch. 801, §2, 49 Stat. 958; Pub. L. 88-197, §1, Dec. 11, 1963, 77 Stat. 349.)

REFERENCES IN TEXT

Hereunder, referred to in text, means act Aug. 29, 1935, which is classified to sections 450o to 450q of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888 (25 Stat. 357)” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

CHANGE OF NAME

“Historic site” substituted in text for “monument” on authority of Pub. L. 88-197, which redesignated Andrew Johnson National Monument as Andrew Johnson National Historic Site.

**§ 450q. Administration, protection, and development**

The administration, protection, and development of the aforesaid national historic site shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Aug. 29, 1935, ch. 801, §3, 49 Stat. 958; Pub. L. 88-197, §1, Dec. 11, 1963, 77 Stat. 349.)

CHANGE OF NAME

“Historic site” substituted in text for “monument” on authority of Pub. L. 88-197 which redesignated Andrew Johnson National Monument as Andrew Johnson National Historic Site.

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.

**§ 450r. Ackia Battleground National Monument; establishment**

The Secretary of the Interior is authorized in his discretion to acquire, by purchase or by condemnation and/or accept by donation in behalf of the United States, such lands, easements, and buildings not to exceed fifty acres, and when title satisfactory to the Secretary of the Interior shall have been vested in the United States such area or areas shall be, upon proclamation of the President, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the “Ackia Battleground National Monument”: *Provided*, That such area shall include the site of the Battle of Ackia.

(Aug. 27, 1935, ch. 755, §2, 49 Stat. 897.)

BOUNDARIES OF MONUMENT

Boundaries established by Presidential Proc. No. 2307, Oct. 25, 1938, 3 F.R. 2579, 53 Stat. 2494.

INCLUSION IN NATCHEZ TRACE PARKWAY

Ackia Battleground National Monument included in the Natchez Trace Parkway, see section 460-1 of this title.

**§ 450s. Omitted**

CODIFICATION

Section, act Aug. 27, 1935, ch. 755, §3, 49 Stat. 897, appropriated \$15,000 for purposes of section 450r of this title.

**§ 450t. Administration, protection, and development**

The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Aug. 27, 1935, ch. 755, §4, 49 Stat. 897.)

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-

tain 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.

**§ 450u. Homestead National Monument of America; establishment**

The Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift, purchase, or condemnation, the south half of the northwest quarter, the northeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter section 26, township 4 north, range 5 east, of the sixth principal meridian, Gage County, Nebraska, the same being the first homestead entered upon under the General Homestead Act of May 20, 1862, by Daniel Freeman, and that when so acquired, the said area be designated "The Homestead National Monument of America."

(Mar. 19, 1936, ch. 157, § 1, 49 Stat. 1184.)

REFERENCES IN TEXT

The General Homestead Act, referred to in text, is act May 20, 1862, ch. 75, 12 Stat. 392. See chapter 7 (§ 161 et seq.) of Title 43, Public Lands.

HOMESTEAD NATIONAL MONUMENT OF AMERICA  
ADDITIONS

Pub. L. 107-332, Dec. 16, 2002, 116 Stat. 2871, known as the Homestead National Monument of America Additions Act, provided for addition of certain parcels of private and State-owned land to the Homestead National Monument of America and authorized appropriations and cooperative agreements with the appropriate State and local governments.

Pub. L. 91-411, Sept. 25, 1970, 84 Stat. 863, provided for addition of the Freeman School to the Homestead National Monument of America in Nebraska and authorized appropriation of not more than \$50,000 for rehabilitation and development of the Freeman School.

**§ 450v. Omitted**

CODIFICATION

Section, act Mar. 19, 1936, ch. 157, § 2, 49 Stat. 1184, appropriated \$24,000 for purpose of acquiring tract described in section 450u of this title.

**§ 450w. Administration; establishment of museum**

It shall be the duty of the Secretary of the Interior to lay out said land in a suitable and enduring manner so that the same may be maintained as an appropriate monument to retain for posterity a proper memorial emblematical of the hardships and the pioneer life through which the early settlers passed in the settlement, cultivation, and civilization of the great West. It shall be his duty to erect suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present high state of civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of the country mainly developed by the homestead law.

(Mar. 19, 1936, ch. 157, § 3, 49 Stat. 1184.)

**§ 450x. Authorization of annual appropriations**

For the purpose of carrying out the suggestions and recommendations of the Secretary of

the Interior, the necessary annual appropriations therefor are authorized.

(Mar. 19, 1936, ch. 157, § 4, 49 Stat. 1184.)

**§ 450y. Coronado National Memorial; establishment**

For the purpose of permanently commemorating the explorations of Francisco Vásquez de Coronado, the President of the United States is authorized to declare, by proclamation, any lands within the following-described area, subject to all valid existing rights, to be established as the "Coronado National Memorial":

Gila and Salt River meridian: Township 24 south, range 20 east, section 10, south half southwest quarter, south half southeast quarter; section 11, south half southwest quarter; section 13, southwest quarter northwest quarter, south half; section 14, northwest quarter, south half, northwest quarter northeast quarter, south half northeast quarter; section 15, all; section 22, all; section 23, all; section 24, all; township 24 south, range 21 east, section 17, south half southwest quarter; section 18, southwest quarter, south half southeast quarter; section 19, all; section 20, lots 3 and 4; aggregating approximately two thousand eight hundred and eighty acres.

(Aug. 18, 1941, ch. 365, § 1, 55 Stat. 630; July 9, 1952, ch. 610, §§ 1, 2, 66 Stat. 510.)

AMENDMENTS

1952—Act July 9, 1952, changed "Coronado International Memorial" to "Coronado National Memorial", and struck out proviso which required action of Mexican Government prior to establishment of the Memorial.

ESTABLISHMENT OF MEMORIAL; BOUNDARIES

Monument and boundaries established by Presidential Proc. No. 2995, Nov. 5, 1952, 17 F.R. 10157, 67 Stat. c18.

**§ 450y-1. Administration**

The National Park Service, under the direction of the Secretary of the Interior, shall promote and regulate the use of the Coronado National Memorial for the benefit and enjoyment of the people of the United States. Insofar as applicable and not in conflict with sections 450y to 450y-4 of this title, sections 1, 2, 3, and 4 of this title, as amended and supplemented, providing for the establishment of a National Park Service, shall govern the promotion and regulation of the designated memorial area: *Provided*, That nothing in sections 450y to 450y-4 of this title shall be construed to authorize any recreational or other development by the National Park Service within the sixty-foot strip north of the international boundary between the United States and Mexico withdrawn by proclamation of the President dated May 27, 1907 (35 Stat., part II, p. 2136), unless such development has received the prior approval of the Secretary of State.

(Aug. 18, 1941, ch. 365, § 2, 55 Stat. 630; July 9, 1952, ch. 610, § 1, 66 Stat. 510.)

AMENDMENTS

1952—Act July 9, 1952, changed "Coronado International Memorial" to "Coronado National Memorial".

## 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.

**§ 450y-2. Grazing within memorial area**

The Secretary of the Interior, under such regulations as shall be prescribed by him, which regulations shall be substantially similar to those now in effect, shall permit—

Grazing of livestock within the memorial area to the extent now permitted within the said area when such grazing will not interfere with recreational development authorized by sections 450y to 450y-4 of this title.

(Aug. 18, 1941, ch. 365, §3, 55 Stat. 631; Pub. L. 94-429, §3(f), Sept. 28, 1976, 90 Stat. 1342.)

## AMENDMENTS

1976—Pub. L. 94-429 struck out designation “(a)” before “grazing of livestock” and struck out subsec. (b) which related to the surface use of the land within the memorial area for prospecting and mining.

## MINING RIGHTS EXISTING PRIOR TO 1976 AMENDMENT

Section 3 of Pub. L. 94-429 provided in part that this section was amended as indicated in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

**§ 450y-3. Construction of fences**

In the administration of the memorial area the Secretary shall not permit the construction of fences except (a) along the international boundary, (b) beside memorial roads or approach roads, and (c) around memorial areas within which improvements have been located by the National Park Service: *Provided*, That any roads constructed within the memorial area by the National Park Service shall include necessary cattle underpasses properly located for the passage of cattle across such roads: *And provided further*, That the right to the exclusive beneficial consumptive use for stock watering purposes of any water heretofore developed or used for such purposes within the memorial area shall remain in the present holders thereof, their heirs, assigns, successors, and administrators, so long as such water continues to be used exclusively for such purposes: *And provided further*, That nothing in sections 450y to 450y-4 of this title shall be construed to alter or affect any water right in the State of Arizona or the jurisdiction of said State over its waters: *And provided further*, That neither roads nor public campgrounds shall be constructed by the National Park Service within the south half southwest quarter of said section 10.

(Aug. 18, 1941, ch. 365, §4, 55 Stat. 631.)

## 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.

**§ 450y-4. Acquisition of property; donations**

Upon submission of title satisfactory to him, the Secretary of the Interior, on behalf of the United States, may accept lands and interests in lands which are within the memorial area but are not in Federal ownership and which are offered to the United States without cost.

(Aug. 18, 1941, ch. 365, §5, 55 Stat. 631.)

**§ 450y-5. Revision of boundaries**

In furtherance of the purposes of sections 450y to 450y-4 of this title and to facilitate the administration and development of the Coronado National Memorial, Arizona, the boundaries thereof are revised by the following additions and deletions of land:

(1) Inclusion in the memorial and exclusion from the Coronado National Forest of lots 2 and 7 and a portion of Homestead Entry Survey 310 situated in section 18, township 24 south, range 21 east, Gila and Salt River base and meridian, said portion of Homestead Entry Survey 310 being more particularly described as follows: Beginning at the southwest corner (identified as corner number 1), of Homestead Entry Survey 310, said point being located on the present boundary of Coronado National Memorial and marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees thirty-three minutes west, one thousand two hundred ninety-four and twenty-six hundredths feet, more or less, along the west boundary of said tract, which line is also the present boundary of said memorial, to the northeast corner of lot 8, section 18, said point being marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees twenty-three minutes east, two hundred thirty and eight-tenths feet, more or less, along the west boundary of Homestead Entry Survey 310 to a point on a circular curve marked by an iron pipe with a National Park Service brass cap, said point being located south eighty-one degrees forty-four minutes east, exactly one hundred forty feet from the point of curvature of said curve; thence southeasterly five hundred forty-eight and two-tenths feet along said circular curve to the right of radius one thousand seven hundred thirty-two and four-tenths feet and having a beginning tangent bearing of south eighty-four degrees three minutes east (from point of curvature to point of intersection), to the point of tangency of said curve; thence south sixty-one degrees sixteen minutes east, two hundred twenty-four and eight-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred ninety-two and six-tenths feet along said circular curve to the right of radius six thousand twenty-nine and six-tenths feet to the point of tangency of said curve; thence south fifty-eight degrees twenty-nine minutes east, five hundred eighty-eight and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred twenty-five and nine-tenths feet along said circular curve to the right of radius two thousand two hundred nine and nine-tenths feet to the point of tangency of said

curve; thence south fifty-two degrees thirty-eight minutes east, twenty-eight and eight-tenths feet to the point of curvature of a circular curve to the left; thence southeasterly two hundred sixteen and nine-tenths feet along said circular curve to the left of radius one thousand six hundred nine and nine-tenths feet to the point of tangency of said curve; thence south sixty degrees twenty-one minutes east, thirty and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly seven hundred thirteen and six-tenths feet, more or less, along said circular curve to the right of radius one thousand two hundred fifty-four and nine-tenths feet to a point on the southern boundary line of Homestead Entry Survey 310 marked by an iron pipe with a National Park Service brass cap, said point also being located on the present northern boundary line of Coronado National Memorial; thence north eighty-nine degrees forty-nine minutes west two thousand three hundred and sixty-one feet, more or less, along the southern boundary line of Homestead Entry Survey 310, which line is also the present northern boundary of the said memorial, to the point of beginning (all bearings referred to the true meridian).

(2) Inclusion in the Memorial and exclusion from the Coronado National Forest of lots 5 and 6 in section 20, township 24 south, range 21 east, Gila and Salt River base and meridian.

(3) Exclusion from the Memorial and inclusion in the Coronado National Forest of the north half southwest quarter northwest quarter section 13, and the north half southeast quarter northeast quarter section 14, all in township 24 south, range 20 east, Gila and Salt River base and meridian.

(Pub. L. 86-689, §1, Sept. 2, 1960, 74 Stat. 736.)

#### § 450y-6. Acquisition of lands; administration

The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundaries of the Coronado National Memorial by purchase, donation, with donated funds, or by such other means as he may consider to be in the public interest. Lands and interests in lands acquired pursuant to this Act shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended, and pursuant to sections 450y-1 to 450y-3 of this title.

(Pub. L. 86-689, §2, Sept. 2, 1960, 74 Stat. 737.)

#### REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 86-689 which enacted sections 450y-5 to 450y-7 of this title, and amended section 17j-2 of this title. For complete classification of this Act to the Code, see Tables.

#### § 450y-7. Authorization of appropriations

There is authorized to be appropriated the sum of not to exceed \$3,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act.

(Pub. L. 86-689, §4, Sept. 2, 1960, 74 Stat. 737.)

#### REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 86-689, which enacted sections 450y-5 to 450y-7 of this title, and amended section 17j-2 of this title. For complete classification of this Act to the Code, see Tables.

#### § 450z. Repealed. Pub. L. 94-429, §3(g), Sept. 28, 1976, 90 Stat. 1343

Section, act Oct. 27, 1941, ch. 459, 55 Stat. 745, provided for the prospecting and mining of surface lands within the monument area under the supervision of the Secretary of the Interior.

#### MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

#### § 450aa. George Washington Carver National Monument; acquisition of land

The Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift or purchase, the site of the birthplace of George Washington Carver, distinguished Negro scientist, located near Diamond, Missouri, together with such additional land or interests in land and any improvements thereon as the Secretary may deem necessary to carry out the purposes of sections 450aa to 450aa-2 of this title. In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized and directed to condemn such property, or any part thereof, in the manner provided by law.

(July 14, 1943, ch. 238, §1, 57 Stat. 563.)

#### AUTHORIZATION OF APPROPRIATIONS

Section 4 of act July 14, 1943, as amended Sept. 9, 1950, ch. 940, 64 Stat. 829, provided that: "There are authorized to be appropriated such sums not to exceed \$150,000 as may be necessary to carry out the provisions of this Act [sections 450aa to 450aa-2 of this title]."

#### § 450aa-1. Establishment and supervision

The property acquired under the provisions of section 450aa of this title shall constitute the George Washington Carver National Monument and shall be a public national memorial to George Washington Carver. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States.

(July 14, 1943, ch. 238, §2, 57 Stat. 563.)

#### 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.

**§ 450aa-2. Maintenance of museum; construction of roads and use of markers**

The Secretary of<sup>1</sup> Interior is authorized to—

(1) Maintain, either in an existing structure acquired under the provisions of section 450aa of this title or in a building constructed by him for the purpose, a museum for relics and records pertaining to George Washington Carver, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

(2) Construct roads and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the George Washington Carver National Monument.

(July 14, 1943, ch. 238, § 3, 57 Stat. 564.)

**§ 450bb. Harpers Ferry National Historical Park**

**(a) In general**

To carry out the purposes of sections 450bb to 450bb-2 of this title, the Secretary of the Interior (referred to in sections 450bb to 450bb-2 of this title as the “Secretary”) is authorized to acquire, by purchase from a willing seller with donated or appropriated funds, by donation, or by exchange, land or an interest in land within the boundaries as generally depicted on the map entitled “Boundary Map, Harpers Ferry National Historical Park”, numbered 385-80,021A, and dated April 1979.

**(b) Bradley and Ruth Nash Addition**

The Secretary is authorized to acquire, by donation only, approximately 27 acres of land or interests in land that are outside the boundary of the Harpers Ferry National Historical Park and generally depicted on the map entitled “Proposed Bradley and Ruth Nash Addition—Harpers Ferry National Historical Park”, numbered 385-80056, and dated April 1, 1989.

**(c) Boundary expansion**

**(1) In general**

The Secretary is authorized to acquire, by purchase from a willing seller with donated or appropriated funds, by donation, or by exchange, land or an interest in land within the area depicted as “Private Lands” on the map entitled “Harpers Ferry National Historical Park Proposed Boundary Expansion”, numbered 385/80,126, and dated July 14, 2003.

**(2) Administration**

The Secretary shall—

(A) transfer to the National Park Service for inclusion in the Harpers Ferry National Historical Park (referred to in sections 450bb to 450bb-2 of this title as the “Park”) the land depicted on the map referred to in paragraph (1) as “U.S. Fish and Wildlife Service Lands” and revise the boundary of the Park accordingly; and

(B) revise the boundary of the Park to include the land depicted on the map referred to in paragraph (1) as “Appalachian NST” and exclude that land from the boundary of the Appalachian National Scenic Trail.

<sup>1</sup> So in original. Probably should be “of the”.

**(d) Maximum number of acres**

The number of acres of the Park shall not exceed 3,745.

**(e) Maps**

The maps referred to in this section shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**(f) Acquired land**

Land or an interest in land acquired under this section shall become a part of the Park, subject to the laws (including regulations) applicable to the Park.

**(g) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section.

(June 30, 1944, ch. 328, § 1, 58 Stat. 645; Pub. L. 93-466, § 1(1), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 96-199, title I, § 108(1), Mar. 5, 1980, 94 Stat. 69; Pub. L. 101-109, § 1(a), Oct. 6, 1989, 103 Stat. 681; Pub. L. 103-437, § 6(h)(2), Nov. 2, 1994, 108 Stat. 4585; Pub. L. 108-307, § 2, Sept. 24, 2004, 118 Stat. 1133.)

AMENDMENTS

2004—Pub. L. 108-307 inserted section catchline and amended text generally. Prior to amendment, section authorized the Secretary of the Interior to acquire certain lands for the Harpers Ferry National Historical Park.

1994—Pub. L. 103-437 substituted “Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives” for “Committees on Interior and Insular Affairs of the Congress of the United States”.

1989—Pub. L. 101-109 substituted “two thousand five hundred and five acres” for “two thousand four hundred and seventy-five acres” in first sentence and inserted after first sentence “The Secretary is authorized to acquire, by donation only, approximately twenty-seven acres of land or interests therein which are outside the boundary of the Harpers Ferry National Historical Park and generally depicted on a map entitled ‘Proposed Bradley and Ruth Nash Addition—Harpers Ferry National Historical Park,’ dated April 1, 1989 and numbered 385-80056. Such map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia. When acquired, such lands or interests therein shall become a part of the park, subject to the laws and regulations applicable thereto.”

1980—Pub. L. 96-199 substituted “Boundary Map, Harpers Ferry National Historical Park”, numbered 385-80,021A and dated April 1979” for “Boundary Map, Harpers Ferry National Historical Park”, numbered 385-40,000D and dated April 1974” and “two thousand four hundred and seventy-five acres” for “two thousand acres”.

1974—Pub. L. 93-466 inserted reference to updated map, prohibited the Secretary from exercising any power of condemnation on lands in which a less than fee interest has been previously acquired, authorized the acquisition of land with appropriated funds and by exchange, authorized an increase in total area from 1500 to 2000 acres, and authorized the Secretary to make minor boundary changes by publication of a revised description in the Federal Register, after advising the Committees on Interior and Insular Affairs.

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-307, § 1, Sept. 24, 2004, 118 Stat. 1133, provided that: “This Act [amending this section and sections 450bb-1 and 450bb-2 of this title] may be cited as the ‘Harpers Ferry National Historical Park Boundary Revision Act of 2004.’”

ACQUISITION OF CLEAR AND MARKETABLE TITLE TO  
ADDITIONAL PARK LANDS

Section 1(b) of Pub. L. 101-109 provided that: "Nothing in this Act [amending this section] shall be deemed to prohibit the Secretary from using such measures as may be necessary to acquire a clear and marketable title, free of any and all encumbrances, to the lands identified for acquisition in paragraph (a)(2) of this Act."

## AUTHORIZATION OF APPROPRIATIONS

Section 4 of act June 30, 1944, as amended by Pub. L. 93-466, §1(3), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 95-625, title I, §101(14), Nov. 10, 1978, 92 Stat. 3471; Pub. L. 96-199, title I, §108(2), Mar. 5, 1980, 94 Stat. 69, provided that: "In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act [sections 450bb to 450bb-2 of this title], but not more than \$1,600,000 for the acquisition of lands and interests in lands, and not more than \$12,385,000 for development."

**§ 450bb-1. Administration**

The property acquired under the provisions of section 450bb of this title shall constitute the Harpers Ferry National Historical Park and shall be a public national memorial commemorating historical events at or near Harpers Ferry. The Director of the National Park Service under the direction of the Secretary, shall have the supervision, management, and control of such national historical park, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(June 30, 1944, ch. 328, §2, 58 Stat. 646; Pub. L. 88-33, May 29, 1963, 77 Stat. 52; Pub. L. 108-307, §3, Sept. 24, 2004, 118 Stat. 1134.)

## AMENDMENTS

2004—Pub. L. 108-307 substituted "Secretary" for "Secretary of the Interior" in second sentence.

## CHANGE OF NAME

Words "national historical park" substituted in text for "national monument" in view of redesignation of Harpers Ferry National Monument as Harpers Ferry National Historical Park by Pub. L. 88-33, classified to section 450bb-6 of this title.

## 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.

**§ 450bb-2. Maintenance of museum; acceptance of museum articles; construction of roads, etc.**

The Secretary is authorized to—

(1) Maintain, either in an existing structure acquired under the provisions of section 450bb of this title or in a building constructed by him for the purpose, a museum for relics and records pertaining to historic events that took place at Harpers Ferry, and for other relics of national and patriotic interest, and to accept on behalf of the United States, for installation

in such museum, articles which may be offered as additions to the museum;

(2) Construct roads and facilities and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the Harpers Ferry National Historical Park; and

(3) Provide, directly or by contract, subject to the provisions of the Act of June 7, 1974, an interpretive shuttle transportation service within, between, and among lands acquired for the purpose of sections 450bb to 450bb-2 of this title for such times and upon such terms as in his judgment will best accomplish the purposes of sections 450bb to 450bb-2 of this title. (June 30, 1944, ch. 328, §3, 58 Stat. 646; Pub. L. 88-33, May 29, 1963, 77 Stat. 52; Pub. L. 93-466, §1(2), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 108-307, §3, Sept. 24, 2004, 118 Stat. 1134.)

## REFERENCES IN TEXT

Act of June 7, 1974, referred to in par. (3), is Pub. L. 93-303, June 7, 1974, 88 Stat. 192, which amended sections 460l-6a, 460l-8, and 460l-10a of this title. For complete classification of this Act to the Code, see Tables.

## AMENDMENTS

2004—Pub. L. 108-307 substituted "Secretary" for "Secretary of the Interior" in introductory provisions. 1974—Par. (3). Pub. L. 93-466 added par. (3).

## CHANGE OF NAME

"Harpers Ferry National Historical Park" substituted in text for "Harpers Ferry National Monument" in view of redesignation of Harpers Ferry National Monument as Harpers Ferry National Historical Park by Pub. L. 88-33, classified to section 450bb-6 of this title.

**§ 450bb-3. Acquisition of additional lands**

To further the commemorative purposes of sections 450bb to 450bb-2 of this title, by providing historic properties and administrative facilities, the Secretary of the Interior is authorized to acquire, in the manner hereafter stated, the Storer College site, the original site of John Brown's "Fort" and the old Federal armory, comprising altogether approximately thirty acres, for addition to Harpers Ferry National Historical Park.

(Pub. L. 86-655, §1, July 14, 1960, 74 Stat. 520; Pub. L. 88-33, May 29, 1963, 77 Stat. 52.)

## CHANGE OF NAME

"Harpers Ferry National Historical Park" substituted in text for "Harpers Ferry National Monument" in view of redesignation of Harpers Ferry National Monument as Harpers Ferry National Historical Park by Pub. L. 88-33, classified to section 450bb-6 of this title.

**§ 450bb-4. Acceptance and purchase of lands and improvements; payment; exchange of lands**

(a) The Secretary of the Interior may accept the conveyance of all right, title, and interest of the trustees of Storer College in and to the lands and improvements in Harpers Ferry, West Virginia, granted to their predecessors for educational purposes pursuant to section 2 of the Act of December 15, 1868 (15 Stat. 266), upon payment to said trustees of not more than the current fair market value of the improvements located upon such lands. The Secretary may also

purchase lands, interests therein, and improvements thereon, which lands were granted to the trustees of Storer College pursuant to such Act of 1868 and subsequently were alienated by the trustees: *Provided*, That he may pay not in excess of the amount paid therefor by the then owners plus the cost of existing improvements placed thereon by them, and, in no event may he pay more than the current fair market value. The Secretary may also purchase from the trustees of Storer College, at not more than their fair market value, other lands and interests in lands acquired by them or their predecessors as a part of the college site, together with any improvements thereon. In addition, up to seven acres of privately owned lands, interests therein, and improvements thereon, which are interspersed with the aforesaid college lands may be purchased by the Secretary. Lands and interests purchased under this subsection may be exchanged for other lands, and interests therein, of approximately equal value, which comprise the college and interspersed lands otherwise authorized herein for purchase.

(b) To facilitate the acquisition of the original site of the engine house known as John Brown's "Fort" and the old Federal arsenal, the Secretary of the Interior is authorized to exchange therefor federally owned park lands or interests in lands of approximately equal value in the vicinity of Cumberland, Maryland, which he finds are no longer required for park purposes.

(Pub. L. 86-655, §2, July 14, 1960, 74 Stat. 520.)

#### REFERENCES IN TEXT

Section 2 of the Act of December 15, 1868, referred to in subsec. (a), means act Dec. 15, 1868, ch. 2, §2, 15 Stat. 266, which was not classified to the Code.

#### § 450bb-5. Authorization of appropriations

There are authorized to be appropriated such sums, not to exceed \$300,000, as may be necessary for the purchase of lands, interests therein, and improvements thereon pursuant to sections 450bb-3 to 450bb-5 of this title.

(Pub. L. 86-655, §3, July 14, 1960, 74 Stat. 521.)

#### § 450bb-6. Change in name of Harpers Ferry National Monument

The Harpers Ferry National Monument established pursuant to sections 450bb to 450bb-2 of this title, shall on and after May 29, 1963, be known as Harpers Ferry National Historical Park, and any law, regulation, document, or record of the United States in which such monument is designated or referred to under the name of Harpers Ferry National Monument shall be held to refer to such monument under and by the name of Harpers Ferry National Historical Park.

(Pub. L. 88-33, May 29, 1963, 77 Stat. 52.)

#### § 450cc. Castle Clinton National Monument; establishment

The Secretary of the Interior is authorized to accept, on behalf of the United States, title to the site, comprising approximately one acre and situated in Battery Park, New York City, of the historic structure known as Castle Clinton, to-

gether with such structure and any other improvement on or appurtenant to such site. When title to such property is vested in the United States, it shall constitute the Castle Clinton National Monument.

(Aug. 12, 1946, ch. 954, §1, 60 Stat. 997.)

#### PRESERVATION AND ADMINISTRATION OF CASTLE CLINTON NATIONAL MONUMENT

Study by New York City National Shrines Advisory Board concerning preservation and administration of Castle Clinton National Monument, see act Aug. 11, 1955, ch. 779, 69 Stat. 632, set out in a note under section 463 of this title.

#### § 450cc-1. Administration, protection, and development

The administration, protection, and development of the Castle Clinton National Monument shall be under the supervision of the Secretary of the Interior, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Aug. 12, 1946, ch. 954, §2, 60 Stat. 997.)

#### 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.

#### § 450dd. De Soto National Memorial; establishment

For the purpose of establishing an appropriate memorial to Hernando De Soto, the Secretary of the Interior is authorized, in his discretion, to acquire on behalf of the United States, by donation, by purchase with donated funds when purchaseable<sup>1</sup> at prices deemed by him reasonable, or by condemnation with donated funds, such lands and interests in land within an area of not to exceed thirty acres as he may select in the vicinity of Tampa Bay and Bradenton, Florida, and to construct thereon a suitable memorial structure, together with such connecting roads and public facilities as may be desirable.

(Mar. 11, 1948, ch. 109, §1, 62 Stat. 78; Pub. L. 86-728, §1A, Sept. 8, 1960, 74 Stat. 856.)

#### AMENDMENTS

1960—Pub. L. 86-728 increased limitation on acquisition of land from twenty-five to thirty acres.

#### AUTHORIZATION OF APPROPRIATIONS

Section 3 of act Mar. 11, 1948, as amended Aug. 21, 1950, ch. 768, 64 Stat. 469; Sept. 8, 1960, Pub. L. 86-728, §1B, 74 Stat. 856; Nov. 10, 1978, Pub. L. 95-625, title I, §101(8), 92 Stat. 3471; Oct. 12, 1979, Pub. L. 96-87, title IV, §401(a), 93 Stat. 665, provided that: "There is hereby authorized to be appropriated such sums, not to exceed \$292,000, as may be necessary to carry out the provisions of this Act [sections 450dd and 450dd-1 of this title]."

#### § 450dd-1. Administration

Upon a determination by the Secretary of the Interior that sufficient land has been acquired

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

by the United States for the memorial, such property shall be established as the “De Soto National Memorial”, and shall be administered by the Secretary of the Interior, through the National Park Service, for the benefit of the people of the United States. An order of the Secretary of the Interior, constituting notice of such establishment, shall be published in the Federal Register. Insofar as applicable and not in conflict with this section and section 450dd of this title, sections 1, 2, 3, and 4 of this title, providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and development of the national memorial.

(Mar. 11, 1948, ch. 109, §2, 62 Stat. 78.)

#### 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.

#### § 450ee. Fort Sumter National Monument; establishment

The Secretary of the Army is authorized and directed to transfer, without consideration, to the Secretary of the Interior title to the site of the historic structure known as Fort Sumter, situated in Charleston Harbor, Charleston, South Carolina, together with such buildings and other improvements as are appurtenant to such site.

(Apr. 28, 1948, ch. 239, §1, 62 Stat. 204.)

#### § 450ee-1. Administration

The property acquired by the Secretary of the Interior under this joint resolution shall constitute the Fort Sumter National Monument and shall be a public national memorial commemorating historical events at or near Fort Sumter. The Director of the National Park Service under the direction of the Secretary of the Interior shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Apr. 28, 1948, ch. 239, §2, 62 Stat. 204.)

#### REFERENCES IN TEXT

This joint resolution, referred to in text, means act Apr. 28, 1948, which is classified to sections 450ee and 450ee-1 of this title.

#### 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.

#### § 450ff. Fort Vancouver National Historic Site; establishment

For the purpose of establishing a Federal area of national historical importance for the benefit

of the people of the United States, to be known as the “Fort Vancouver National Historic Site,” the Administrator of General Services and the Secretary of the Army are authorized to transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property, real or personal, under their jurisdiction, including the site of the old Hudson’s Bay Company stockade in the State of Washington, as they shall find to be surplus to the needs of their respective agencies, such properties to be selected, with their approval, by the Secretary of the Interior for inclusion within the national historic site.

(June 19, 1948, ch. 546, §1, 62 Stat. 532; June 30, 1949, ch. 288, title I, §105, 63 Stat. 381; Pub. L. 87-78, §4, June 30, 1961, 75 Stat. 197.)

#### CHANGE OF NAME

Words “national historic site” substituted in text for “national monument” in view of redesignation of Fort Vancouver National Monument as Fort Vancouver National Historic Site by Pub. L. 87-78, classified to section 450ff-6 of this title.

#### TRANSFER OF FUNCTIONS

“Administrator of General Services” substituted in text for “Administrator of the War Assets Administration” pursuant to act June 30, 1949, which transferred functions of Administrator of War Assets Administration and War Assets Administration to Administrator of General Services and General Services Administration.

#### McLOUGHLIN HOUSE ADDITION TO FORT VANCOUVER NATIONAL HISTORIC SITE

Pub. L. 108-63, July 29, 2003, 117 Stat. 872, provided that:

#### “SECTION 1. SHORT TITLE; DEFINITIONS.

“(a) SHORT TITLE.—This Act may be cited as the ‘McLoughlin House Addition to Fort Vancouver National Historic Site Act’.

“(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

“(1) CITY.—The term ‘City’ means Oregon City, Oregon.

“(2) McLOUGHLIN HOUSE.—The term ‘McLoughlin House’ means the McLoughlin House National Historic Site which is described in the Acting Assistant Secretary of the Interior’s Order of June 27, 1941, and generally depicted on the map entitled ‘McLoughlin House, Fort Vancouver National Historic Site’, numbered 389/92,002, and dated 5/01/03, and includes the McLoughlin House, the Barclay House, and other associated real property, improvements, and personal property.

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

#### “SEC. 2. McLOUGHLIN HOUSE ADDITION TO FORT VANCOUVER.

“(a) ACQUISITION.—The Secretary is authorized to acquire the McLoughlin House, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange, except that lands or interests in lands owned by the City may be acquired by donation only.

“(b) MAP AVAILABILITY.—The map identifying the McLoughlin House referred to in section 1(b)(2) shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

“(c) BOUNDARIES; ADMINISTRATION.—Upon acquisition of the McLoughlin House, the acquired property shall be included within the boundaries of, and be adminis-



tered as part of, the Fort Vancouver National Historic Site in accordance with all applicable laws and regulations.

“(d) NAME CHANGE.—Upon acquisition of the McLoughlin House, the Secretary shall change the name of the site from the ‘McLoughlin House National Historic Site’ to the ‘McLoughlin House’.

“(e) FEDERAL LAWS.—After the McLoughlin House is acquired and added to Fort Vancouver National Historic Site, any reference in a law, map, regulation, document, paper, or other record of the United States to the ‘McLoughlin House National Historic Site’ (other than this Act) shall be deemed a reference to the ‘McLoughlin House’, a unit of Fort Vancouver National Historic Site.”

#### § 450ff-1. Size of site; effective date; additional lands

The total area of the national historic site as established or as enlarged by transfers pursuant to sections 450ff to 450ff-2 of this title shall not exceed ninety acres. Establishment of the historic site shall be effective, upon publication in the Federal Register of notice of such establishment, following the transfer to the Secretary of the Interior of administrative jurisdiction over such lands as the Secretary of the Interior shall deem to be sufficient for purposes of establishing the national historic site. Additional lands may be added to the historic site in accordance with the procedure prescribed in section 450ff of this title, governing surplus properties, or by donation, subject to the maximum acreage limitation prescribed by sections 450ff to 450ff-2 of this title, upon publication of notice thereof in the Federal Register.

(June 19, 1948, ch. 546, § 2, 62 Stat. 532; Pub. L. 87-78, § 4, June 30, 1961, 75 Stat. 197.)

##### CHANGE OF NAME

Words “national historic site” and “historic site” substituted in text for “national monument” and “monument”, respectively, in view of redesignation of Fort Vancouver National Monument as Fort Vancouver National Historic Site by Pub. L. 87-78, classified to section 450ff-6 of this title.

#### § 450ff-2. Administration, protection, and development

The administration, protection, and development of the aforesaid national historic site shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title as amended.

(June 19, 1948, ch. 546, § 3, 62 Stat. 533; Pub. L. 87-78, § 4, June 30, 1961, 75 Stat. 197.)

##### CHANGE OF NAME

Words “national historic site” substituted in text for “national monument” in view of redesignation of Fort Vancouver National Monument as Fort Vancouver National Historic Site by Pub. L. 87-78, classified to section 450ff-6 of this title.

##### 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.

#### § 450ff-3. Revision of boundaries

For the purpose of preserving certain historic properties associated with the Fort Vancouver National Historic Site, established pursuant to sections 450ff to 450ff-2 of this title, the Secretary of the Interior may revise the boundaries of the historic site to include therein not more than one hundred and thirty additional acres of land adjacent to, contiguous to, or in the vicinity of, the existing historic site.

(Pub. L. 87-78, § 1, June 30, 1961, 75 Stat. 196.)

##### CHANGE OF NAME

“National Historic Site” and “historic site” substituted in text for “National Monument” and “monument”, respectively, in view of redesignation of Fort Vancouver National Monument as Fort Vancouver National Historic Site by Pub. L. 87-78, classified to section 450ff-6 of this title.

#### § 450ff-4. Acquisition of lands

The Secretary of the Interior may acquire in such manner as he may consider to be in the public interest the non-Federal lands and interests in lands within the revised boundaries.

(Pub. L. 87-78, § 2, June 30, 1961, 75 Stat. 197.)

#### § 450ff-5. Administrative jurisdiction of Federal lands

The heads of executive departments may transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property under their administrative jurisdictions within the revised boundary as may become excess to the needs of their respective agencies, for inclusion in the Fort Vancouver National Historic Site.

(Pub. L. 87-78, § 3, June 30, 1961, 75 Stat. 197.)

##### CHANGE OF NAME

“National Historic Site” substituted in text for “National Monument” in view of redesignation of Fort Vancouver National Monument as Fort Vancouver National Historic Site by Pub. L. 87-78, classified to section 450ff-6 of this title.

#### § 450ff-6. Change in name of Fort Vancouver National Monument

Fort Vancouver National Monument is redesignated Fort Vancouver National Historic Site.

(Pub. L. 87-78, § 4, June 30, 1961, 75 Stat. 197.)

#### §§ 450gg to 450gg-3. Repealed. Pub. L. 91-660, § 5, Jan. 8, 1971, 84 Stat. 1969

Sections, act July 2, 1948, ch. 806, §§ 1-4, 62 Stat. 1220, provided for establishment of the Pensacola National Monument, maintenance of a museum for relics and records of Pensacola and its harbor defenses, and the transfer of title to the land and jurisdiction of the area to the State of Florida, upon determination by Secretary of the Interior that the area would be more suitably administered as a State historical park.

#### § 450hh. Saint Croix Island International Historic Site; establishment; acceptance of land; size

For the purpose of establishing a Federal area of national historical importance for the benefit of the people of the United States, the Secretary

of the Interior is authorized to accept, for national monument purposes, on behalf of the United States, the donation of all non-Federal lands and interests in land situated on Saint Croix (Dochet) Island, located in the Saint Croix River, in the State of Maine. The Secretary is authorized to acquire, in such manner as he may consider to be in the public interest, not to exceed fifty acres of land or interests therein situated on the mainland, such property to be used for general administrative purposes and for a landing dock in order to provide a suitable approach and ready access to the island.

(June 8, 1949, ch. 180, § 1, 63 Stat. 158.)

#### AUTHORIZATION OF APPROPRIATIONS

Section 4 of act June 8, 1949, provided that: "There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act [sections 450hh to 450hh-2 of this title]."

#### SAINT CROIX ISLAND HERITAGE CENTER

Pub. L. 106-529, Nov. 22, 2000, 114 Stat. 2524, provided that:

##### "SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Saint Croix Island Heritage Act'.

##### "SEC. 2. FINDINGS AND PURPOSES.

"(a) FINDINGS.—Congress finds that—

"(1) Saint Croix Island is located in the Saint Croix River, a river that is the boundary between the State of Maine and Canada;

"(2) the Island is the only international historic site in the National Park System;

"(3) in 1604, French nobleman Pierre Dugua Sieur de Mons, accompanied by a courageous group of adventurers that included Samuel Champlain, landed on the Island and began the construction of a settlement;

"(4) the French settlement on the Island in 1604 and 1605 was the initial site of the first permanent settlement in the New World, predating the English settlement of 1607 at Jamestown, Virginia;

"(5) many people view the expedition that settled on the Island in 1604 as the beginning of the Acadian culture in North America;

"(6) in October, 1998, the National Park Service completed a general management plan to manage and interpret the Saint Croix Island International Historic Site;

"(7) the plan addresses a variety of management alternatives, and concludes that the best management strategy entails developing an interpretive trail and ranger station at Red Beach, Maine, and a regional heritage center in downtown Calais, Maine, in cooperation with Federal, State, and local agencies;

"(8) a 1982 memorandum of understanding, signed by the Department of the Interior and the Canadian Department for the Environment, outlines a cooperative program to commemorate the international heritage of the Saint Croix Island site and specifically to prepare for the 400th anniversary of the settlement in 2004; and

"(9) only 4 years remain before the 400th anniversary of the settlement at Saint Croix Island, an occasion that should be appropriately commemorated.

"(b) PURPOSE.—The purpose of this Act is to direct the Secretary of the Interior to take all necessary and appropriate steps to work with Federal, State, and local agencies, historical societies, and nonprofit organizations to facilitate the development of a regional heritage center in downtown Calais, Maine[,] before the 400th anniversary of the settlement of Saint Croix Island.

##### "SEC. 3. DEFINITIONS.

"In this Act:

"(1) ISLAND.—The term 'Island' means Saint Croix Island, located in the Saint Croix River, between Canada and the State of Maine.

"(2) SECRETARY.—The term 'Secretary' means the Secretary of the Interior, acting through the Director of the National Park Service.

##### "SEC. 4. SAINT CROIX ISLAND REGIONAL HERITAGE CENTER.

"(a) IN GENERAL.—The Secretary shall provide assistance in planning, constructing, and operating a regional heritage center in downtown Calais, Maine, to facilitate the management and interpretation of the Saint Croix Island International Historic Site.

"(b) COOPERATIVE AGREEMENTS.—To carry out subsection (a), in administering the Saint Croix Island International Historic Site, the Secretary may enter into cooperative agreements under appropriate terms and conditions with other Federal agencies, State and local agencies and nonprofit organizations—

"(1) to provide exhibits, interpretive services (including employing individuals to provide such services), and technical assistance;

"(2) to conduct activities that facilitate the dissemination of information relating to the Saint Croix Island International Historic Site;

"(3) to provide financial assistance for the construction of the regional heritage center in exchange for space in the center that is sufficient to interpret the Saint Croix Island International Historic Site; and

"(4) to assist with the operation and maintenance of the regional heritage center.

##### "SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

"(a) DESIGN AND CONSTRUCTION.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act (including the design and construction of the regional heritage center) \$2,000,000.

"(2) EXPENDITURE.—Paragraph (1) authorizes funds to be appropriated on the condition that any expenditure of those funds shall be matched on a dollar-for-dollar basis by funds from non-Federal sources.

"(b) OPERATION AND MAINTENANCE.—There are authorized to be appropriated such sums as are necessary to maintain and operate interpretive exhibits in the regional heritage center."

#### § 450hh-1. Designation; acquisition of additional lands; lands excluded

Upon a determination by the Secretary of the Interior that sufficient land and interests in land situated on the island have been acquired by the United States for the establishment of a suitable national monument, such acquired property, and any Federal properties on the island that are not required for other public purposes, shall be established as the "Saint Croix Island International Historic Site". An order of the Secretary of the Interior, constituting notice of such determination, shall be published in the Federal Register. Following establishment of the national monument, other properties situated upon the island may become a part of the monument upon acquisition of title to such properties by the United States, and Federal properties situated upon the island, upon a determination by the agency administering such Federal properties that they are no longer required by that agency, may be transferred to the Secretary of the Interior by such agency to become a part of the national monument. Notice of the addition of any such properties to the monument shall be published in the Federal Register by the Secretary of the Interior. There shall be excluded from the national monument,

for such time as the United States Coast Guard shall consider it to be necessary, any portion of the island which is being used and which is required for the purposes of a Coast Guard light station.

(June 8, 1949, ch. 180, §2, 63 Stat. 158; Pub. L. 98-422, Sept. 25, 1984, 98 Stat. 1615.)

#### CHANGE OF NAME

Pub. L. 98-422 provided:

“That (a) in recognition of its historic significance to the United States and Canada, the Saint Croix Island National Monument in the State of Maine is hereby redesignated as the ‘Saint Croix Island International Historic Site’.

“(b) Any reference in a law, map, regulation, document, record, or other paper of the United States to such monument shall be deemed to be a reference to the ‘Saint Croix Island International Historic Site’.

“(c) Nothing in this joint resolution shall affect the status of the ‘Saint Croix Island International Historic Site’ as a national monument and a unit of the National Park System.”

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### § 450hh-2. Administration

The national monument shall be administered by the Secretary of the Interior, through the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented, and sections 461 to 467 of this title.

(June 8, 1949, ch. 180, §3, 63 Stat. 158.)

#### 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.

#### § 450ii. Joshua Tree National Monument; revision of boundaries

Joshua Tree National Monument, in the State of California, established by Proclamation Numbered 2193, of August 10, 1936 (50 Stat. 1760), after September 25, 1950, shall comprise the following-described area:

##### SAN BERNARDINO MERIDIAN

Township 1 south, range 5 east, sections 22 to 27, inclusive, and sections 34 to 36, inclusive; township 2 south, range 5 east, portion of east half lying north of the north right-of-way line of the Colorado River aqueduct but excluding therefrom that portion of the Long Canyon Camp and dump area in section 27; township 1 south, range 6 east, sections 19 to 36, inclusive; township 2 south, range 6 east, sections 1 to 30, inclusive, that portion of section 31 lying north

of the north right-of-way line of the Colorado River aqueduct, and sections 32 to 36, inclusive; township 3 south, range 6 east, portion lying north of the north right-of-way line of the Colorado River aqueduct but excluding therefrom that portion of the Deception Camp and dump area in section 14, that portion of the West Deception Camp and dump area in section 10, and the portions of the East Wide Canyon Camps and dump areas in sections 5 and 6; township 1 south, range 7 east, sections 1 to 4, inclusive, and 9 to 15, inclusive, unsurveyed, section 16, sections 19 to 23, inclusive, section 24, unsurveyed, and sections 25 to 36, inclusive; township 2 south, range 7 east; township 3 south, range 7 east, portion lying north of the north right-of-way line of the Colorado River aqueduct but excluding therefrom that portion of the Fan Hill Camp and dump area in section 20; township 1 south, range 8 east, partly unsurveyed; townships 2 and 3 south, range 8 east; township 1 south, range 9 east, sections 5 to 9, inclusive, sections 16 to 23, inclusive, and sections 26 to 35, inclusive; township 2 south, range 9 east, sections 2 to 11, inclusive, and sections 14 to 36, inclusive, partly unsurveyed; township 3 south, range 9 east; township 4 south, range 9 east; sections 1 to 5, inclusive, and sections 11 to 14, inclusive; township 2 south, range 10 east, sections 25 to 36, inclusive, unsurveyed; township 3 south, range 10 east, partly unsurveyed; township 4 south, range 10 east, sections 1 to 18, inclusive, sections 22 to 26, inclusive, and sections 35 and 36; township 5 south, range 10 east, section 1; township 2 south, range 11 east, sections 25 to 36, inclusive, unsurveyed; townships 3 and 4 south, range 11 east, partly unsurveyed; township 5 south, range 11 east, sections 1 to 18, inclusive, sections 22 to 27, inclusive, and sections 34, 35, and 36; township 6 south, range 11 east, portion of sections 1, 2, and 3 lying north of north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct but excluding therefrom the Aggregate Deposit in section 3; township 2 south, range 12 east, section 13 and sections 23 to 36, inclusive, partly unsurveyed; townships 3 and 4 south, range 12 east, partly unsurveyed; township 5 south, range 12 east, sections 1 to 24, inclusive, and sections 26 to 34, inclusive, partly unsurveyed, and portions of sections 25 and 35 lying north of north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct; township 6 south, range 12 east, portions of sections 2, 3, 4, 5, 6, and 10, lying north of north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct but excluding therefrom the Bumpani's Aggregate Deposit in section 4; township 2 south, range 13 east, sections 1 and 2 and sections 7 to 36, inclusive, partly unsurveyed; township 3 south, range 13 east, sections 1 to 18, inclusive, partly unsurveyed; township 5 south, range 13 east, sections 6, 7, 18, and 19, unsurveyed; township 1 south, range 14 east, sections 33 to 36, inclusive, partly unsurveyed; township 2 south, range 14 east, partly unsurveyed; township 3 south, range 14 east, sections 1 to 18, inclusive, partly unsurveyed; township 1 south, range 15 east, sections 31 to 35, inclusive, partly unsurveyed; township 2 south,

range 15 east, sections 2 to 36, inclusive, partly unsurveyed; township 3 south, range 15 east, sections 1 to 12, inclusive, partly unsurveyed, and section 18, unsurveyed; township 2 south, range 16 east, sections 18, 19, 30, and 31, unsurveyed; and township 3 south, range 16 east, sections 6 and 7 unsurveyed. Also, all that portion of the south half of the northeast quarter and of the north half of the southeast quarter of section 33, township 1 north, range 9 east, San Bernardino base and meridian, in the county of San Bernardino, State of California, shown on map titled "Record of Survey" by H. F. Cameron, Junior, licensed engineer 6826, dated December 29, 1948, and James B. Hommon, licensed engineer 6916, dated October 5, 1949, and made for the National Park Service, Department of the Interior, and recorded October 17, 1949, in volume 7, page 72, of the official records of the county of San Bernardino, said land being described as follows:

Beginning at the United States Government Land Office monument marked as the east quarter corner of said section 33, thence proceeding on a true bearing south 89 degrees 02 minutes 10 seconds west a distance of 50.01 feet to the true point of beginning of the herein-after described parcel of land;

Thence north 0 degrees 02 minutes 55 seconds west a distance of 250.08 feet to a point of curve; thence along the arc of a curve to the left having a radius of 20.00 feet a distance of 31.73 feet to a point of tangency; thence south 89 degrees 02 minutes 40 seconds west a distance of 2,559.24 feet; thence south 0 degrees 19 minutes 50 seconds east a distance of 270.76 feet;

Thence south 0 degrees 21 minutes 02 seconds east a distance of 409.32 feet to the beginning of a curve; thence along the arc of a curve to the left having a radius of 280.98 feet a distance of 275.93 feet to a point of compound curvature; thence along the arc of a curve to the left having a radius of 800.00 feet a distance of 753.98 feet to a point of tangency; thence north 69 degrees 22 minutes 58 seconds east a distance of 125.31 feet to the beginning of a curve;

Thence along the arc of a curve to the right having a radius of 1,400.00 feet a distance of 1,042.74 feet to a point of tangency; thence south 67 degrees 56 minutes 33 seconds east a distance of 94.55 feet to the beginning of a curve; thence along the arc of a curve to the left having a radius of 700.00 feet a distance of 366.52 feet to a point of compound curvature;

Thence along the arc of a curve to the left having a radius of 167.60 feet a distance of 240.17 feet to a point of tangency; thence north 0 degrees 02 minutes 55 seconds west a distance of 648.91 feet to the point of beginning containing 57.839 acres, more or less.

(Sept. 25, 1950, ch. 1030, § 1, 64 Stat. 1033; Pub. L. 87-80, June 30, 1961, 75 Stat. 197.)

#### AMENDMENTS

1961—Pub. L. 87-80 included within the boundaries of Joshua Tree National Monument certain federally owned lands situate in county of San Bernardino, California.

#### ABOLITION OF JOSHUA TREE NATIONAL MONUMENT

Joshua Tree National Monument abolished and incorporated in Joshua Tree National Park, see section 410aaa-22 of this title.

#### § 450ii-1. Excluded lands opened to entry under mining laws

All public-domain lands included before September 25, 1950, within the Joshua Tree National Monument which are eliminated from the National Monument by sections 450ii to 450ii-3 of this title are opened to location, entry, and patenting under the United States mining laws: *Provided*, That such public-domain lands or portions thereof shall be restored to application and entry under other applicable public land laws, including the mineral leasing laws.

(Sept. 25, 1950, ch. 1030, § 2, 64 Stat. 1035.)

#### ABOLITION OF JOSHUA TREE NATIONAL MONUMENT

Joshua Tree National Monument abolished and incorporated in Joshua Tree National Park, see section 410aaa-22 of this title.

#### § 450ii-2. Continuation of leases, permits, and licenses

All leases, permits, and licenses issued or authorized by any department, establishment, or agency of the United States, with respect to the Federal lands excluded from the Joshua Tree National Monument by sections 450ii to 450ii-3 of this title, which are in effect on September 25, 1950, shall continue in effect, subject to compliance with the terms and conditions therein set forth, until terminated in accordance with the provisions thereof.

(Sept. 25, 1950, ch. 1030, § 3, 64 Stat. 1035.)

#### ABOLITION OF JOSHUA TREE NATIONAL MONUMENT

Joshua Tree National Monument abolished and incorporated in Joshua Tree National Park, see section 410aaa-22 of this title.

#### § 450ii-3. Survey and report of mineral value

The Secretary of the Interior is authorized and directed, through the United States Bureau of Mines, the United States Geological Survey, and the National Park Service, to cause a survey to be made of the area within the revised boundaries of the Joshua Tree National Monument with a view to determining to what extent the said area is more valuable for minerals than for the National Monument purposes for which it was created. Report of said survey shall be filed with the President of the United States Senate and the Speaker of the House of Representatives on or before February 1, 1951.

(Sept. 25, 1950, ch. 1030, § 4, 64 Stat. 1035; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000; Pub. L. 102-285, § 10(b), May 18, 1992, 106 Stat. 172.)

#### CHANGE OF NAME

"United States Bureau of Mines" substituted in text for "Bureau of Mines" pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of Title 30, Mineral Lands and Mining. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of Title 30.

"United States Geological Survey" substituted in text for "Geological Survey" pursuant to provision of

title I of Pub. L. 102-154, set out as a note under section 31 of Title 43, Public Lands.

#### ABOLITION OF JOSHUA TREE NATIONAL MONUMENT

Joshua Tree National Monument abolished and incorporated in Joshua Tree National Park, see section 410aaa-22 of this title.

#### § 450jj. Jefferson National Expansion Memorial; authorization

There is authorized to be constructed by the Secretary of the Interior upon the Jefferson National Expansion Memorial National Historic Site, Saint Louis, Missouri, an appropriate national memorial to those persons who made possible the territorial expansion of the United States, including President Thomas Jefferson and his aides, Livingston and Monroe, who negotiated the Louisiana Purchase, the great explorers, Lewis and Clark, and the hardy hunters, trappers, frontiersmen, pioneers, and others who contributed to such expansion.

(May 17, 1954, ch. 204, § 1, 68 Stat. 98.)

#### SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-398, title II, §203, Aug. 24, 1984, 98 Stat. 1472, provided that: "This title [enacting sections 450jj-3 to 450jj-9 of this title, enacting provisions set out as a note under section 450jj-3 of this title, and amending provisions set out as a note under this section] may be cited as the 'Jefferson National Expansion Memorial Amendments Act of 1984'."

#### DISPOSITION OF FUNDS RECEIVED BY NATIONAL PARK SERVICE AS REIMBURSEMENT FOR COSTS INCURRED

Pub. L. 99-500, §101(h) [title I, §100], Oct. 18, 1986, 100 Stat. 1783-242, 1783-251, and Pub. L. 99-591, §101(h) [title I, §100], Oct. 30, 1986, 100 Stat. 3341-242, 3341-251, provided: "That notwithstanding any other provision of law, hereafter funds received by the National Park Service as reimbursement for the cost of providing security, law enforcement, interpretive, and other services with respect to the operation of facilities at the Jefferson National Expansion Memorial National Historic Site shall be credited to the appropriation bearing the cost of providing such services."

#### AUTHORIZATION OF APPROPRIATIONS; FEDERAL AND NON-FEDERAL RATIO OF EXPENDITURES

Section 11, formerly section 4, of act May 17, 1954, as amended by Pub. L. 85-936, Sept. 6, 1958, 72 Stat. 1794; Pub. L. 89-269, Oct. 19, 1965, 79 Stat. 991; Pub. L. 94-578, title II, §201(6), Oct. 21, 1976, 90 Stat. 2733; and renumbered §11 and amended by Pub. L. 98-398, title II, §201(b), Aug. 24, 1984, 98 Stat. 1471; Pub. L. 102-355, §1(3), Aug. 26, 1992, 106 Stat. 947, provided that:

"(a) There is hereby authorized to be appropriated not to exceed \$32,750,000 to carry out the purposes of this Act [sections 450jj to 450jj-9 of this title]: *Provided*, That funds authorized to be appropriated by this Act shall be expended by the United States for construction of the memorial in the ratio of \$3 of Federal funds for each \$1 of money contributed hereafter by the city of Saint Louis or other non-Federal source for purposes of the memorial, and for such purposes the Secretary is authorized to accept from the said city or other non-Federal sources, and to utilize for purposes of this Act, any money so contributed: *Provided further*, That the value of any land hereafter contributed by the city of Saint Louis shall be excluded from the computation of the city's share.

"(b)(1) For the purposes of the East St. Louis portion of the memorial, there are authorized to be appropriated \$2,000,000 for land acquisition and, subject to the provisions of paragraphs (2) and (3), such sums as may be necessary for development: *Provided*, That such

authorization shall not include any sums for the acquisition, removal, or relocation of the grain elevator and business located within the East St. Louis unit of the Memorial. Such development shall be consistent with the level of development described in phase one of the draft Development and Management Plan and Environmental Assessment, East St. Louis Addition to Jefferson National Expansion Memorial—Illinois/Missouri, dated August 1987.

"(2) Federal funds expended under paragraph (1) for development may not exceed 75 percent of the actual cost of such development. The remaining share of such actual costs shall be provided from non-Federal funds, services, or materials, or a combination thereof, fairly valued as determined by the Secretary. Any non-Federal expenditures for the acquisition, removal, or relocation of the grain elevator and business shall be included as part of the non-Federal cost share: *Provided*, That credit shall not be given for any such expenditures which exceed the cost of acquisition, removal, or relocation of the grain elevator and business located within the East St. Louis unit of the Memorial if such action had been accomplished by the Federal Government as determined by the Secretary under existing law: *Provided further*, That only those non-Federal funds expended at least sixty days after the transmission of the report referred to in paragraph (3) for the removal of such grain elevator shall be credited towards the non-Federal cost share. For the purposes of this paragraph, the Secretary may accept and utilize for such purposes any non-Federal funds, services, and materials so contributed.

"(3) Within one year after the date of enactment of this paragraph [Aug. 26, 1992], the Secretary, in direct consultation with the city of East St. Louis, Gateway Arch Park Expansion, and the Southwestern Illinois Development Authority, shall develop and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs [now Committee on Natural Resources] of the United States House of Representatives a study of alternatives to, and costs associated with, the removal of the grain elevator located within the East St. Louis unit of the Memorial. The study shall contain, but need not be limited to, at least one alternative which would incorporate and retain the existing grain elevator into the draft development and management plan and environmental assessment referred to in paragraph (1).

"(c) Funds appropriated under subsection (b) of this section shall remain available until expended."

#### § 450jj-1. Construction of memorial

##### (a) Plan; contracts; employment and compensation of personnel

The memorial authorized herein shall be constructed in general, in accordance with the plan approved by the United States Territorial Expansion Memorial Commission on May 25, 1948. The Secretary of the Interior is authorized to enter into such contracts as may be necessary to carry out the purposes of sections 450jj to 450jj-9 of this title. The Secretary is also authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, engineers, sculptors, artists, other expert consultants, or firms, partnerships, or associations thereof, and to include in any such contract provision for the utilization of the services and facilities, and the payment of the travel and other expenses, of their respective organizations, in accordance with the usual customs of the several professions and at the prevailing rates for such services and facilities, without regard to the civil-service laws or regulations, chapter 51 and subchapter III of chapter 53 of title 5, section 6101 of

title 41, or any other law or regulation relating to either employment or compensation.

**(b) Easements; above-ground parking**

The Secretary of the Interior, in connection with the construction and operation of the memorial, is authorized to grant such easements as are in the public interest, and, in his discretion, to convey to the city of Saint Louis for above-ground parking structures, under such terms and conditions as he may consider to be compatible with maintaining the integrity, appearance, and purposes of said memorial, such portion of the historic site as may in his judgment be excluded therefrom without detriment thereto, subject, however, to reversion of such portion of the historic site to the United States if such excluded area ceases to be used for parking purposes by said city.

**(c) Easements; public protection**

The Secretary of the Interior is authorized to grant easements for the purpose of erecting under-ground structures suitable for public protection under such terms and conditions as he may consider to be compatible with maintaining the integrity, appearance, and purposes of said memorial.

(May 17, 1954, ch. 204, § 2, 68 Stat. 99.)

REFERENCES IN TEXT

Herein, referred to in subsec. (a), means act May 17, 1954, which is generally classified to sections 450jj to 450jj-9 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

In subsec. (a), “chapter 51 and subchapter III of chapter 53 of title 5” substituted for “the Classification Act of 1949, as amended” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

In subsec. (a), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes, as amended” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

**§ 450jj-2. Railroad agreement as condition precedent to undertaking memorial project**

The memorial project authorized herein shall not be undertaken until there shall have been reached an agreement satisfactory to the Secretary of the Interior providing for the relocation of the railroad tracks and structures now situated on lands adjacent to the Jefferson National Expansion Memorial National Historic Site, between the boundary of the site and the river. Such agreement shall contain such terms as may be deemed desirable by the Secretary but shall contain a provision limiting the Federal expenditure of funds in connection with such relocation of the tracks and structures to work undertaken within the historic site area.

(May 17, 1954, ch. 204, § 3, 68 Stat. 99.)

REFERENCES IN TEXT

Herein, referred to in text, means act May 17, 1954, which is generally classified to sections 450jj to 450jj-9 of this title. For complete classification of this Act to the Code, see Tables.

**§ 450jj-3. Designation of additional land by Secretary; manner of acquiring additional land**

(a) There is hereby designated for addition to the Jefferson National Expansion Memorial (hereinafter in sections 450jj-3 to 450jj-9 of this title referred to as the “Memorial”) approximately one hundred acres in the city of East Saint Louis, Illinois, contiguous with the Mississippi River and between the Eads Bridge and the Poplar Street Bridge, as generally depicted on the map entitled “Boundary Map, Jefferson National Expansion Memorial”, numbered 366-80013, dated January 1992, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The additional acreage authorized by this section is in recognition of the historical significance of the Memorial site to the westward expansion of the United States and the historical linkage of this site on the Mississippi in both Missouri and Illinois to such expansion, the international recognition of the Gateway Arch, designed by Eero Saarinen, as one of the world’s great sculptural and architectural achievements, and the increasing use of the Memorial site by millions of people from all over the United States and the world.

(b) Within the area designated in accordance with this section, the Secretary of the Interior may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange, except that lands owned by the State of Illinois or any political subdivision thereof may be acquired only by donation.

(May 17, 1954, ch. 204, § 4, as added Pub. L. 98-398, title II, §201(a), Aug. 24, 1984, 98 Stat. 1467; amended Pub. L. 102-355, §1(1), Aug. 26, 1992, 106 Stat. 947.)

PRIOR PROVISIONS

A prior section 4 of act May 17, 1954, was renumbered section 11 and is set out as a note under section 450jj of this title.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-355 substituted “There is hereby designated” for “The Secretary of the Interior is further authorized to designate”, “approximately” for “not more than”, and “366-80013, dated January 1992,” for “MWR-366/80,004, and dated February 9, 1984,”.

COMPLIANCE WITH CONGRESSIONAL BUDGET ACT

Section 202 of title II of Pub. L. 98-398 provided that: “Any provision of this title (or any amendment made by this title) [enacting sections 450jj-3 to 450jj-9 of this title and enacting and amending provisions set out as notes under section 450jj of this title] which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 [2 U.S.C. 652(a)] shall be effective only for fiscal years beginning after September 30, 1983.”

**§ 450jj-4. Transfer of land**

Where appropriate in the discretion of the Secretary of the Interior, he may transfer by lease or otherwise, to any appropriate person or governmental entity, land owned by the United States (or any interest therein) which has been acquired by the Secretary under section 450jj-3 of this title. Any such transfer shall be consist-

ent with the management plan for the area and with the requirements of section 460l-22 of this title and shall be subject to such conditions and restrictions as the Secretary deems necessary to carry out the purposes of sections 450jj to 450jj-9 of this title, including terms and conditions which provide for—

- (1) the continuation of existing uses of the land which are compatible with the Memorial,
- (2) the protection of the important historical resources of the leased area, and
- (3) the retention by the Secretary of such access and development rights as the Secretary deems necessary to provide for appropriate visitor use and resource management.

In transferring any lands or interest in lands under this section, the Secretary shall take into account the views of the Commission established under section 450jj-6 of this title.

(May 17, 1954, ch. 204, § 5, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1468.)

#### REFERENCES IN TEXT

Section 450jj-6 of this title, referred to in text, was in the original “section 8”, meaning section 8 of act May 17, 1954, ch. 204, and was translated as reading “section 7” of such act, to reflect the probable intent of Congress, because section 7 related to the establishment of the Jefferson National Expansion Memorial Commission.

#### PRIOR PROVISIONS

A prior section 5 of act May 17, 1954, contained a limitation on appropriation authorization and a prohibition on expenditure of Government funds and was classified as a note under section 450jj of this title, prior to the general amendment made by Pub. L. 85-936, Sept. 6, 1958, 72 Stat. 1794.

#### § 450jj-5. Administration of Memorial; cooperation with State and local governments and private sector

Lands and interests in lands acquired pursuant to section 450jj-3 of this title shall, upon acquisition, be a part of the Memorial. The Secretary of the Interior shall administer the Memorial in accordance with sections 450jj to 450jj-9 of this title and the provisions of law generally applicable to units of the national park system, including sections 1, 2, 3, and 4 of this title and sections 461 to 467 of this title. In the development, management, and operation of that portion of the Memorial which is added to the Memorial under section 450jj-3 of this title, the Secretary shall, to the maximum extent feasible, utilize the assistance of State and local government agencies and the private sector. For such purposes, the Secretary may, consistent with the management plan for the area, enter into cooperative agreements with the State, with any political subdivision of the State, or with any person. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Secretary of any action proposed by the State, such political subdivision, or such person, which may affect the area.

(May 17, 1954, ch. 204, § 6, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1468.)

#### § 450jj-6. Jefferson National Expansion Memorial Commission

##### (a) Establishment

There is hereby established the Jefferson National Expansion Memorial Commission (hereinafter in sections 450jj-6 to 450jj-9 of this title referred to as the “Commission”).

##### (b) Composition

The Commission shall be composed of twenty members as follows:

(1) The county executive of Saint Louis County, Missouri, ex officio, or a delegate.

(2) The chairman of the Saint Clair County Board of Supervisors, Illinois, ex officio, or a delegate.

(3)(A) The executive director of the Bi-State Development Agency, Saint Louis, Missouri, ex officio, or a delegate.

(B) A member of the Bi-State Development Agency, Saint Louis, Missouri, who is not a resident of the same State as the executive director of such agency, appointed by a majority of the members of such agency, or a delegate.

(4) The mayor of the city of East Saint Louis, Illinois, ex officio, or a delegate.

(5) The mayor of Saint Louis, Missouri, ex officio, or a delegate.

(6) The Governor of the State of Illinois, ex officio, or a delegate.

(7) The Governor of the State of Missouri, ex officio, or a delegate.

(8) The Secretary of the Interior, ex officio, or a delegate.

(9) The Secretary of Housing and Urban Development, ex officio, or a delegate.

(10) The Secretary of Transportation, ex officio, or a delegate.

(11) The Secretary of the Treasury, ex officio, or a delegate.

(12) The Secretary of Commerce, ex officio, or a delegate.

(13) The Secretary of the Smithsonian Institution, ex officio, or a delegate.

(14) Three individuals appointed by the Secretary of the Interior from a list of individuals nominated by the mayor of East Saint Louis, Illinois, and the Governor of the State of Illinois.

(15) Three individuals appointed by the Secretary of the Interior from a list of individuals nominated by the mayor of Saint Louis, Missouri, and the Governor of the State of Missouri.

Individuals nominated for appointment under paragraphs (14) and (15) shall be individuals who have knowledge and experience in one or more of the fields of parks and recreation, environmental protection, historic preservation, cultural affairs, tourism, economic development, city planning and management, finance, or public administration. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

##### (c) Term of office of members

(1) Except as provided in paragraphs (2) and (3), members of the Commission shall be appointed for terms of three years.

(2) Of the members of the Commission first appointed under paragraphs (14) and (15) of subsection (c) of this section—

(A) two shall be appointed for terms of one year;

(B) two shall be appointed for terms of two years; and

(C) two shall be appointed for terms of three years;

as designated by the Secretary of the Interior at the time of appointment.

(3) Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member of the Commission may serve after the expiration of his term until his successor has taken office.

**(d) Compensation of members; travel expenses and per diem**

Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

**(e) Chairperson**

The chairperson of the Commission shall be elected by the members of the Commission.

**(f) Assistance from Federal agencies**

Upon request of the Commission, the head of any Federal agency represented by members on the Commission may detail any of the personnel or<sup>1</sup> such agency, or provide administrative services to the Commission to assist the Commission in carrying out the Commission's duties under section 450jj-7 of this title.

**(g) Gifts, bequests, or donations**

The Commission may, for the purposes of carrying out the Commission's duties under section 450jj-7 of this title, seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services, received from any source.

**(h) Termination; extension**

(1) Except as provided in paragraph (2), the Commission shall terminate on the day occurring ten years after August 24, 1984.

(2) The Secretary of the Interior may extend the life of the Commission for a period of not more than five years beginning on the day referred to in paragraph (1) if the Commission determines that such extension is necessary in order for the Commission to carry out sections 450jj to 450jj-9 of this title.

(May 17, 1954, ch. 204, § 7, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1469.)

**§ 450jj-7. Development and management plan for East Saint Louis, Illinois, portion of Memorial**

(a) Within two years from August 24, 1984, the Commission shall develop and transmit to the Secretary a development and management plan

for the East Saint Louis, Illinois, portion of the Memorial. The plan shall include—

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems, and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and cost estimates;

(3) identification of any implementation commitments for visitor carrying capacities for all areas of the area;

(4) indications of potential modifications to the external boundaries of the area, the reasons therefore,<sup>1</sup> and cost estimates;

(5) measures and commitments for insuring that the development, management, and operation of the area in the State of Illinois are compatible with the portion of the Memorial in the State of Missouri;

(6) opportunities and commitments for cooperative activities in the development, management, and operation of the East Saint Louis portion of the Memorial with other Federal, State, and local agencies, and the private sector; and

(7) effective and appropriate ways to increase local participation in the management of the East Saint Louis portion of the Memorial to help reduce the day-to-day operational and management responsibilities of the National Park Service and to increase opportunities for local employment.

(b) The plan shall also identify and include—

(1) needs, opportunities, and commitments for the aesthetic and economic rehabilitation of the entire East Saint Louis, Illinois, waterfront and adjacent areas, in a manner compatible with and complementary to, the Memorial, including the appropriate commitments and roles of the Federal, State, and local governments and the private sector; and

(2) cost estimates and recommendations for Federal, State, and local administrative and legislative actions.

In carrying out its duties under this section, the Commission shall take into account Federal, State, and local plans and studies respecting the area, including the study by the National Park Service on the feasibility of a museum of American ethnic culture to be a part of any development plans for the Memorial.

(May 17, 1954, ch. 204, § 8, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1470.)

**§ 450jj-8. Repealed. Pub. L. 102-355, § 1(2), Aug. 26, 1992, 106 Stat. 947**

Section, act May 17, 1954, ch. 204, § 9, as added Aug. 24, 1984, Pub. L. 98-398, title II, § 201(a), 98 Stat. 1471, related to approval of development and management plan for East Saint Louis, Illinois, portion of Jefferson National Expansion Memorial, and transmission by Secretary of notice of approval of plan to Congressional committees.

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

<sup>1</sup> So in original. Probably should be "therefor,".



**§ 450jj-9. Activities in Memorial area pending submission of plan**

Pending submission of the Commission's plan, any Federal entity conducting or supporting significant activities directly affecting East Saint Louis, Illinois, generally and the site specifically referred to in section 450jj-3 of this title shall—

(1) consult with the Secretary of the Interior and the Commission with respect to such activities;

(2) cooperate with the Secretary of the Interior and the Commission in carrying out their duties under sections 450jj to 450jj-9 of this title, and to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

(3) to the maximum extent practicable, conduct or support such activities in a manner which the Secretary determines will not have an adverse effect on the Memorial.

(May 17, 1954, ch. 204, §10, as added Pub. L. 98-398, title II, §201(a), Aug. 24, 1984, 98 Stat. 1471.)

**§ 450kk. Fort Union National Monument; acquisition of site and other lands; reversions and reservations**

In order to preserve and protect, in the public interest, the historic Old Fort Union, situated in the county of Mora, State of New Mexico, and to provide adequate public access thereto, the Secretary of the Interior is authorized to acquire on behalf of the United States by donation, or he may procure with donated funds, the site and remaining structures of Old Fort Union, together with such additional land, interests in land, and improvements thereon as the Secretary in his discretion may deem necessary to carry out the purposes of this section and section 450kk-1 of this title. Donated lands may be accepted subject to such reservations, terms, and conditions as may be satisfactory to the Secretary, including right of reversion to donor, or its successors and assigns, upon abandonment as a national monument, and reservation of mineral rights subject to condition that surface of donated lands may not be used or disturbed in connection therewith, without the consent of the Secretary.

(June 28, 1954, ch. 401, §1, 68 Stat. 298.)

**§ 450kk-1. Establishment; publication in Federal Register; additional properties**

Upon a determination of the Secretary of the Interior that sufficient land and other property have been acquired by the United States for national-monument purposes, as provided in section 450kk of this title, such property shall be established as the "Fort Union National Monument" and thereafter shall be administered by the Secretary of the Interior in accordance with the laws and regulations applicable to national monuments. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

Following establishment of the national monument, additional properties may be acquired as provided in section 450kk of this title,

which properties, upon acquisition of title thereto by the United States, shall become a part of the national monument: *Provided*, That the total area of the national monument established pursuant to this section and section 450kk of this title shall not exceed one thousand acres, exclusive of such adjoining lands as may be covered by scenic easements.

(June 28, 1954, ch. 401, §2, 68 Stat. 299.)

**§ 450ll. Booker T. Washington National Monument; acquisition of site**

The Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift, purchase, or condemnation, all right, title, and interest in and to the real property located at Booker Washington Birthplace, Virginia.

(Apr. 2, 1956, ch. 158, §1, 70 Stat. 86.)

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-215, §1, Aug. 21, 2002, 116 Stat. 1054, provided that: "This Act [enacting section 450ll-3 of this title] may be cited as the 'Booker T. Washington National Monument Boundary Adjustment Act of 2002'."

AUTHORIZATION OF APPROPRIATIONS

Section 4 of act Apr. 2, 1956, as amended by Pub. L. 92-272, title II, §201(2), Apr. 11, 1972, 86 Stat. 120, provided that: "There are authorized to be appropriated such sums not to exceed \$600,000 as may be necessary to carry out the provisions of this act [sections 450ll to 450ll-2 of this title]."

**§ 450ll-1. Establishment and supervision**

The real property acquired under section 450ll of this title shall constitute the Booker T. Washington National Monument and shall be a public national memorial to Booker T. Washington, noted Negro educator and apostle of good will. The Secretary of the Interior shall have the supervision, management, and control of such national monument, and shall maintain and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States.

(Apr. 2, 1956, ch. 158, §2, 70 Stat. 86.)

**§ 450ll-2. Maintenance of museum; provision for parks, construction of roads and use of markers**

The Secretary of the Interior is authorized to—

(1) maintain, either in an existing structure acquired under section 450ll of this title or in a building constructed by him for the purpose, a museum for relics and records pertaining to Booker T. Washington, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

(2) provide for public parks and recreational areas, construct roads and mark with monuments, tablets, or otherwise, points of interest, within the boundaries of the Booker T. Washington National Monument.

(Apr. 2, 1956, ch. 158, §3, 70 Stat. 86.)

**§ 450ll-3. Additional lands****(a) Lands added to Monument**

The boundary of the Booker T. Washington National Monument is modified to include the approximately 15 acres, as generally depicted on the map entitled "Boundary Map, Booker T. Washington National Monument, Franklin County, Virginia", numbered BOWA 404/80,024, and dated February 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

**(b) Acquisition of additional lands**

The Secretary of the Interior is authorized to acquire from willing owners the land or interests in land described in subsection (a) of this section by donation, purchase with donated or appropriated funds, or exchange.

**(c) Administration of additional lands**

Lands added to the Booker T. Washington National Monument by subsection (a) of this section shall be administered by the Secretary of the Interior as part of the monument in accordance with applicable laws and regulations.

(Apr. 2, 1956, ch. 158, §5, as added Pub. L. 107-215, §2, Aug. 21, 2002, 116 Stat. 1054.)

**§§ 450mm to 450mm-3. Repealed. Pub. L. 108-387, title I, § 105(a), Oct. 30, 2004, 118 Stat. 2236**

Section 450mm, Pub. L. 85-435, §1, May 29, 1958, 72 Stat. 153, established the Fort Clatsop National Memorial.

Section 450mm-1, Pub. L. 85-435, §2, May 29, 1958, 72 Stat. 153; Pub. L. 95-625, title III, §311, Nov. 10, 1978, 92 Stat. 3478; Pub. L. 107-221, §3(a), Aug. 21, 2002, 116 Stat. 1333, related to designation of land for, improvements to, and size of, the Memorial.

Section 450mm-2, Pub. L. 85-435, §3, May 29, 1958, 72 Stat. 153; Pub. L. 107-221, §3(b), Aug. 21, 2002, 116 Stat. 1334, provided authority for Secretary of the Interior to acquire land for the Memorial.

Section 450mm-3, Pub. L. 85-435, §4, May 29, 1958, 72 Stat. 153; Pub. L. 107-221, §3(c), Aug. 21, 2002, 116 Stat. 1334, related to administration of the Memorial by the Secretary.

**SHORT TITLE OF 2002 AMENDMENT**

Pub. L. 107-221, §1, Aug. 21, 2002, 116 Stat. 1333, provided that: "This Act [amending sections 450mm-1 to 450mm-3 of this title and enacting provisions set out as a note under section 450mm-1 of this title] may be cited as the 'Fort Clatsop National Memorial Expansion Act of 2002'."

**§ 450nn. General Grant National Memorial; establishment**

The Secretary of the Interior is authorized and directed to accept, as a gift to the United States, title to the real property known as Grant's Tomb at Riverside Drive and West One Hundred and Twenty-Second Street in New York, New York, and thereafter to administer and maintain such real property as the General Grant National Memorial.

(Pub. L. 85-659, Aug. 14, 1958, 72 Stat. 614.)

**§ 450oo. Grand Portage National Monument; establishment; effective date**

For the purpose of preserving an area containing unique historical values, there is authorized

to be established, in the manner hereinafter provided, the Grand Portage National Monument in the State of Minnesota which, subject to valid existing rights, shall comprise the following described lands:

**NORTHWEST COMPANY AREA**

Tract numbered 1 beginning at a point about 28 feet from the water line of Lake Superior and on the east boundary of the southwest quarter of the southeast quarter of section 4, said point marked by a brass plug numbered I; thence northerly along said boundary line a distance of 273.70 feet to a point marked by a brass plug numbered II; thence in a westerly direction parallel to the south one-sixteenth line of section 4 a distance of 1,320 feet to the intersection of said line with the north-south quarter line of section 4, said point of intersection being in the bed of a stream and witnessed by an iron pipe located 60 feet southerly from said point and on the north-south quarter line, and on the west bank of said stream; thence southerly along said north-south quarter line a distance of 120 feet to the point of intersection of said north-south quarter line and the south one-sixteenth line of section 4 marked by an iron pipe set in concrete; thence westerly along said one-sixteenth line a distance of 120 feet to a point in path marked by brass plug numbered IV; thence southerly in a direction parallel to the north-south quarter line of section 4 a distance of 660 feet to an iron bolt in road intersection; thence westerly parallel to the south one-sixteenth line of section 4 a distance of 1,200 feet to the point of intersection of said line with the west one-sixteenth line of said section 4 and marked by a brass plug numbered VI; thence southerly along said west one-sixteenth line a distance of 1,760 feet to a point marked by a brass plug numbered VII; thence easterly along a line parallel to the north section line of section 9 a distance of 486.21 feet to a point marked by an inclined iron pipe, said point being the point where the said iron pipe enters the concrete; thence along the said line extended a distance of approximately 39 feet to the water's edge; thence along the shore line of Lake Superior to the point where said shore line intersects the east one-sixteenth line of section 4 extended; thence northerly along said one-sixteenth line to place of beginning, all being located in sections 4 and 9, township 63, north, range 6 east, in Grand Portage Indian Reservation, State of Minnesota. Right-of-way for existing Bureau of Indian Affairs roads within the above described parcel of land is excluded therefrom.

Tract numbered 2 beginning at the point on the west one-sixteenth line of section 9 marked by brass plug numbered VII referred to in the description of tract numbered 1 above, thence westerly along a line parallel to the north section line of section 9 a distance of 275 feet to a point marked by an iron pipe; thence northerly along a line parallel to the west one-sixteenth line of section 9 a distance of 443.63 feet to a point marked by an iron pipe; thence easterly along a line parallel to the north section line of section 9 to the point of intersection of west one-sixteenth line of section 9; thence southerly along said one-sixteenth line to point of begin-

ning, all lying in section 9 of township 63 north, range 6 east, in the Grand Portage Indian Reservation, State of Minnesota.

#### FORT CHARLOTTE AREA

The northeast quarter, section 29, township 64 north, range 5 east, or such lands within this quarter section as the Secretary of the Interior shall determine to be necessary for the protection and interpretation of the site of Fort Charlotte.

#### GRAND PORTAGE TRAIL SECTION

A strip of land 100 feet wide centering along the old Portage Trail beginning at the point where the trail intersects the present road to Grand Portage School, and continuing to the proposed United States Highway 61 right-of-way relocation in the northeast quarter of the northwest quarter, section 4, township 63 north, range 6 east, a strip of land 600 feet wide centering along the old Portage Trail as delineated on original General Land Office survey maps, from the north side of the proposed right-of-way to lands described at the Fort Charlotte site.

Establishment of the foregoing areas as the Grand Portage National Monument shall be effective when title to that portion of the aforesaid lands and interests in lands which is held in trust by the United States of America for the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, has been relinquished in accordance with section 4500-1 of this title to the Secretary of the Interior for administration as a part of the Grand Portage National Monument. Notice of the establishment of the monument as authorized and prescribed by sections 4500 to 4500-10 of this title shall be published in the Federal Register. (Pub. L. 85-910, §1, Sept. 2, 1958, 72 Stat. 1751.)

#### § 4500-1. Acceptance of donations of land; instruments of relinquishment; life assignments

The Secretary of the Interior is authorized to accept, as a donation, the relinquishment of all right, title, and interest of the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, in and to any of the lands described in section 4500 of this title which is now held in trust by the United States of America for the said tribe or band; the executive committee of the Minnesota Chippewa Tribe and the tribal council of the Grand Portage Band of Chippewa Indians, Minnesota, are authorized to execute such instruments of relinquishment in favor of the United States; and acceptance of the relinquishment by the Secretary shall operate as a transfer of custody, control and administration of such properties for administration and as a part of the Grand Portage National Monument: *Provided*, That upon the acceptance of any donated lands and interests therein the Secretary shall recognize, honor, and respect, in accordance with the terms thereof, any existing life assignments on such properties.

(Pub. L. 85-910, §2, Sept. 2, 1958, 72 Stat. 1752.)

#### § 4500-2. Procurement of other lands within monument

The Secretary of the Interior is authorized to procure any and all other lands or interests therein within the monument, including, but not limited to, any and all nontrust lands therein owned in fee simple by the Grand Portage Band of Chippewa Indians, Minnesota, and the council of said band is authorized to sell and convey such nontrust lands to the United States of America.

(Pub. L. 85-910, §3, Sept. 2, 1958, 72 Stat. 1752.)

#### § 4500-3. Visitor accommodations and services

The Secretary of the Interior, under regulations prescribed by him, shall grant recognized members of the Minnesota Chippewa Tribe the preferential privilege to provide those visitor accommodations and services, including guide services, which he deems are necessary within the monument.

(Pub. L. 85-910, §4, Sept. 2, 1958, 72 Stat. 1753.)

#### § 4500-4. Employment preferences

The Secretary of the Interior shall, insofar as practicable, give first preference to employment of recognized members of the Minnesota Chippewa Tribe in the performance of any construction, maintenance, or any other service within the monument for which they are qualified.

(Pub. L. 85-910, §5, Sept. 2, 1958, 72 Stat. 1753.)

#### § 4500-5. Production and sale of handicraft objects; noninterference with trade or business outside monument

The Secretary of the Interior shall encourage recognized members of the Minnesota Chippewa Tribe in the production and sale of handicraft objects within the monument. The administration of the Grand Portage National Monument shall not in any manner interfere with the operation or existence of any trade or business of said tribe outside the boundaries of the national monument.

(Pub. L. 85-910, §6, Sept. 2, 1958, 72 Stat. 1753.)

#### § 4500-6. Traversing privileges; regulations

Recognized members of the Minnesota Chippewa Tribe shall not be denied the privilege of traversing the area included within the Grand Portage National Monument for the purposes of logging their land, fishing, or boating, or as a means of access to their homes, businesses, or other areas of use and they shall have the right to traverse such area in pursuit of their traditional rights to hunt and trap outside the monument: *Provided*, That, in order to preserve and interpret the historic features and attractions within the monument, the Secretary may prescribe reasonable regulations under which the monument may be traversed.

(Pub. L. 85-910, §7, Sept. 2, 1958, 72 Stat. 1753.)

#### § 4500-7. Docking facilities

The Secretary of the Interior, subject to the availability of appropriated funds, shall construct and maintain docking facilities at the

Northwest Company area for use in connection with the monument. Such facilities shall be available for use by the Minnesota Chippewa Tribe and its recognized members, without charge to them, under regulations to be prescribed by the Secretary.

(Pub. L. 85-910, §8, Sept. 2, 1958, 72 Stat. 1753.)

**§ 450oo-8. Advisory assistance for developments upon adjacent lands**

To the extent that appropriated funds and personnel are available therefor, the Secretary of the Interior shall provide consultative or advisory assistance to the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, in the planning of facilities or developments upon the lands adjacent to the monument.

(Pub. L. 85-910, §9, Sept. 2, 1958, 72 Stat. 1753.)

**§ 450oo-9. Administration, protection, and development**

When establishment of the monument has been effected, pursuant to sections 450oo to 450oo-10 of this title, the Secretary of the Interior shall administer, protect, and develop the monument in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Pub. L. 85-910, §10, Sept. 2, 1958, 72 Stat. 1753.)

**§ 450oo-10. Reversion upon abandonment**

In the event the Grand Portage National Monument is abandoned at any time after its establishment, title to the lands relinquished by the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, pursuant to section 450oo-1 of this title shall thereupon automatically revert to the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, their successors or assigns. In such event, the title will be taken in a fee simple status unless the United States holds other lands in trust for the Minnesota Chippewa Tribe or the Grand Portage Band of Chippewa Indians, Minnesota, in which event the title shall revert to the United States in trust for the Minnesota Chippewa Tribe or the Grand Portage Band of Chippewa Indians, Minnesota.

(Pub. L. 85-910, §11, Sept. 2, 1958, 72 Stat. 1753.)

**§ 450pp. Roger Williams National Memorial; acquisition of site**

The Secretary of the Interior may acquire by gift, purchase with appropriated or donated funds, transfer from any Federal agency, exchange, or otherwise, not to exceed five acres of land (together with any buildings or other improvements thereon) and interests in land at the site of the old town spring, traditionally called Roger Williams Spring, in Providence, Rhode Island, for the purpose of establishing thereon a national memorial to Roger Williams in commemoration of his outstanding contributions to the development of the principles of freedom in this country: *Provided*, That property owned by the city of Providence or the Providence Redevelopment Agency may be acquired only with the consent of such owner.

(Pub. L. 89-293, §1, Oct. 22, 1965, 79 Stat. 1069.)

**§ 450pp-1. Establishment; notice of establishment; administration**

The property acquired pursuant to section 450pp of this title shall be established as the Roger Williams National Memorial and the Secretary of the Interior shall publish notice of such establishment in the Federal Register. Such national Memorial shall be administered by the Secretary subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented, and sections 461 to 467 of this title.

(Pub. L. 89-293, §2, Oct. 22, 1965, 79 Stat. 1069.)

**§ 450pp-2. Cooperation with city of Providence and local historical and preservation societies**

**(a) Maintenance, operation, and development**

The Secretary is authorized to cooperate with the city of Providence, local historical and preservation societies, and interested persons in the maintenance and operation of the Roger Williams National Memorial, and he may seek the assistance of and consult with such city, societies, and persons from time to time with respect to matters concerning the development and operation of the memorial.

**(b) Acceptance of gifts**

The Secretary may accept on behalf of the people of the United States gifts of historic objects and records pertaining to Roger Williams for appropriate display or other use in keeping with the commemoration of the founding of the principles of freedom in the United States and of the historical events that took place in the city of Providence in connection therewith.

(Pub. L. 89-293, §3, Oct. 22, 1965, 79 Stat. 1070.)

**§ 450pp-3. Authorization of appropriations**

There are hereby authorized to be appropriated not more than \$146,000 for the acquisition of lands and interests in land and not more than \$1,862,000 for the development of the Roger Williams National Memorial, as provided in sections 450pp to 450pp-3 of this title.

(Pub. L. 89-293, §4, Oct. 22, 1965, 79 Stat. 1070; Pub. L. 96-607, title I, §101, Dec. 28, 1980, 94 Stat. 3539.)

AMENDMENTS

1980—Pub. L. 96-607 substituted “\$146,000 for the acquisition of lands and interests in land and not more than \$1,862,000” for “\$700,000 for the acquisition of lands and interests in land and”.

**§§ 450qq to 450qq-4. Omitted**

CODIFICATION

Sections provided for the Biscayne National Monument which was abolished and its lands, waters, and interests incorporated within and made part of the Biscayne National Park and funds of and authorizations of funds for the Monument made available for the Park pursuant to Pub. L. 96-287, title I, §103(b), June 28, 1980, 94 Stat. 600, classified to section 410gg-2(b) of this title.

Section 450qq, Pub. L. 90-606, §1, Oct. 18, 1968, 82 Stat. 1188, authorized establishment of the Monument, made

drawings of the Monument area available for public inspection in the offices of the National Park Service, authorized revision of boundaries, prescribed limitation of ninety-six thousand three hundred acres, and prohibited outward revision of the Monument or obstruction of prospective seaport channels. See section 410gg of this title.

Section 450qq-1, Pub. L. 90-606, §2, Oct. 18, 1968, 82 Stat. 1188, provided for acquisition of property, authorized maximum of eighty acres for a mainland headquarters site and forty acres for a Key Largo visitor contact site, and authorized exchange of Federal for non-Federal property, including cash equalization payments. See section 410gg-1 of this title.

Section 450qq-2, Pub. L. 90-606, §3, Oct. 18, 1968, 82 Stat. 1189, required the donation and transfer of State lands as condition for establishment of the Monument and Federal acquisition of other lands, and authorized land options for the Secretary and acquisitions to be made after State transfers.

Section 450qq-3, Pub. L. 90-606, §4, Oct. 18, 1968, 82 Stat. 1189, provided for administration of the Monument and recognition of fishing rights under Florida law as otherwise regulated by the Secretary. See section 410gg-2 of this title.

Section 450qq-4, Pub. L. 90-606, §5, Oct. 18, 1968, 82 Stat. 1189; Pub. L. 93-477, title I, §101(1), Oct. 26, 1974, 88 Stat. 1445; Pub. L. 95-625, title I, §101(4), Nov. 10, 1978, 92 Stat. 3470, authorized appropriation of \$28,350,000 and \$6,565,000 for land acquisition and development. See section 410gg-5 of this title.

#### **§ 450rr. R.M.S. Titanic; international maritime memorial; findings and purposes**

##### **(a) Findings**

The Congress finds that—

(1) the R.M.S. Titanic, the ocean liner which sank on her maiden voyage after striking an iceberg on April 14, 1912, should be designated as an international maritime memorial to the men, women, and children who perished aboard her;

(2) the recent discovery of the R.M.S. Titanic, lying more than twelve thousand feet beneath the ocean surface, demonstrates the practical applications of ocean science and engineering;

(3) the R.M.S. Titanic, well preserved in the cold, oxygen-poor waters of the deep North Atlantic Ocean, is of major national and international cultural and historical significance, and merits appropriate international protection; and

(4) the R.M.S. Titanic represents a special opportunity for deep ocean scientific research and exploration.

##### **(b) Purposes**

The Congress declares that the purposes of sections 450rr to 450rr-6 of this title are—

(1) to encourage international efforts to designate the R.M.S. Titanic as an international maritime memorial to those who lost their lives aboard her in 1912;

(2) to direct the United States to enter into negotiations with other interested nations to establish an international agreement which will provide for the designation of the R.M.S. Titanic as an international maritime memorial, and protect the scientific, cultural, and historical significance of the R.M.S. Titanic;

(3) to encourage, in those negotiations or in other fora, the development and implementation of international guidelines for conducting

research on, exploration of, and if appropriate, salvage of the R.M.S. Titanic; and

(4) to express the sense of the United States Congress that, pending such international agreement or guidelines, no person should physically alter, disturb, or salvage the R.M.S. Titanic in any research or exploratory activities which are conducted.

(Pub. L. 99-513, §2, Oct. 21, 1986, 100 Stat. 2082.)

##### **SHORT TITLE**

Section 1 of Pub. L. 99-513 provided that: "This Act [enacting this section and sections 450rr-1 to 450rr-6 of this title] may be cited as the 'R.M.S. Titanic Maritime Memorial Act of 1986'."

#### **§ 450rr-1. Definitions**

For the purposes of sections 450rr to 450rr-6 of this title, the term—

(a) "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration (NOAA);

(b) "person" means any individual (whether or not a citizen or national of the United States), any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government;

(c) "R.M.S. Titanic" means the shipwrecked vessel R.M.S. Titanic, her cargo or other contents, including those items which are scattered on the ocean floor in her vicinity; and

(d) "Secretary" means the Secretary of State.

(Pub. L. 99-513, §3, Oct. 21, 1986, 100 Stat. 2082.)

#### **§ 450rr-2. Commendation**

The Congress of the United States highly commends the members of the joint international expedition which discovered the R.M.S. Titanic.

(Pub. L. 99-513, §4, Oct. 21, 1986, 100 Stat. 2083.)

#### **§ 450rr-3. International guidelines**

(a) The Administrator is directed to enter into consultations with the United Kingdom, France, Canada, and other interested nations to develop international guidelines for research on, exploration of, and if appropriate, salvage of the R.M.S. Titanic, which—

(1) are consistent with its national and international scientific, cultural, and historical significance and the purposes of sections 450rr to 450rr-6 of this title; and

(2) promote the safety of individuals involved in such operations.

(b) In carrying out subsection (a) of this section, the Administrator shall consult with the Secretary and shall promote full participation by other interested Federal agencies, academic and research institutions, and members of the public.

(Pub. L. 99-513, §5, Oct. 21, 1986, 100 Stat. 2083.)

#### **§ 450rr-4. International agreement**

##### **(a) Negotiations**

The Secretary is directed to enter into negotiations with the United Kingdom, France, Can-

ada, and other interested nations to develop an international agreement which provides for—

- (1) the designation of the R.M.S. Titanic as an international maritime memorial; and
- (2) research on, exploration of, and if appropriate, salvage of the R.M.S. Titanic consistent with the international guidelines developed pursuant to section 450rr-3 of this title and the purposes of sections 450rr to 450rr-6 of this title.

**(b) Consultation with Administrator**

In carrying out the requirements of subsection (a) of this section, the Secretary shall consult with the Administrator, who shall provide research and technical assistance to the Secretary.

**(c) Reports to Congressional committees on progress of negotiations and consultations**

The Secretary and the Administrator shall report semiannually to the Committee on Merchant Marine and Fisheries and the Committee on Foreign Affairs in the House of Representatives and to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation in the Senate on the progress of the negotiations and consultations.

**(d) Notification of agreement and recommendations to Congressional committees**

Upon adoption of an international agreement as described in subsection (a) of this section, the Secretary shall provide notification of the agreement and recommendations for legislation to implement the agreement to the Committee on Merchant Marine and Fisheries and the Committee on Foreign Affairs in the House of Representatives and to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation in the Senate.

(Pub. L. 99-513, § 6, Oct. 21, 1986, 100 Stat. 2083.)

ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE  
AND FISHERIES

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. For treatment of references to Committee on Merchant Marine and Fisheries, see section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

**§ 450rr-5. Sense of Congress regarding conduct of future activities**

It is the sense of Congress that research and limited exploration activities concerning the R.M.S. Titanic should continue for the purpose of enhancing public knowledge of its scientific, cultural, and historical significance: *Provided*, That, pending adoption of the international agreement described in section 450rr-4(a) of this title or implementation of the international guidelines described in section 450rr-3 of this title, no person should conduct any such research or exploration activity which would physically alter, disturb, or salvage the R.M.S. Titanic.

(Pub. L. 99-513, § 7, Oct. 21, 1986, 100 Stat. 2084.)

**§ 450rr-6. Disclaimer of extraterritorial sovereignty**

By enactment of sections 450rr to 450rr-6 of this title, the United States does not assert sovereignty, or sovereign or exclusive rights or jurisdiction over, or the ownership of, any marine areas or the R.M.S. Titanic.

(Pub. L. 99-513, § 8, Oct. 21, 1986, 100 Stat. 2084.)

**§ 450ss. Findings and purposes**

Congress finds that—

(1) few events in the past quarter-century have rocked Americans' perception of themselves and their institutions, and brought together the people of our Nation with greater intensity than the April 19, 1995, bombing of the Alfred P. Murrah Federal Building in downtown Oklahoma City;

(2) the resulting deaths of 168 people, some of whom were children, immediately touched thousands of family members whose lives will forever bear scars of having those precious to them taken away so brutally;

(3) suffering with such families are countless survivors, including children, who struggle not only with the suffering around them, but their own physical and emotional injuries and with shaping a life beyond April 19;

(4) such losses and struggles are personal and, since they resulted from so public an attack, they are also shared with a community, a Nation, and the world;

(5) the story of the bombing does not stop with the attack itself or with the many losses it caused. The responses of Oklahoma's public servants and private citizens, and those from throughout the Nation, remain as a testament to the sense of unity, compassion, even heroism, that characterized the rescue and recovery following the bombing;

(6) during the days immediately following the Oklahoma City bombing, Americans and people from around the world of all races, political philosophies, religions and walks of life responded with unprecedented solidarity and selflessness; and

(7) given the national and international impact and reaction, the Federal character of the site of the bombing, and the significant percentage of the victims and survivors who were Federal employees, the Oklahoma City Memorial will be established, designed, managed and maintained to educate present and future generations, through a public/private partnership, to work together efficiently and respectfully in developing a National Memorial relating to all aspects of the April 19, 1995, bombing in Oklahoma City.

(Pub. L. 105-58, § 2, Oct. 9, 1997, 111 Stat. 1261.)

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-199, div. F, title V, § 544(a), Jan. 23, 2004, 118 Stat. 347, provided that: "This section [amending sections 450ss-1 to 450ss-3 and 450ss-5 of this title, repealing sections 450ss-4, 450ss-6, and 450ss-7 of this title, and enacting provisions set out as notes under sections 450ss-3 and 450ss-4 of this title] may be cited as the 'Oklahoma City National Memorial Act Amendments of 2003'."

## SHORT TITLE

Section 1 of Pub. L. 105-58 provided that: “This Act [enacting this section and sections 450ss-1 to 450ss-7 of this title] may be cited as the ‘Oklahoma City National Memorial Act of 1997.’”

**§ 450ss-1. Definitions**

In sections 450ss to 450ss-7 of this title:

**(1) Foundation**

The term “Foundation” means the Oklahoma City National Memorial Foundation, a not-for-profit corporation that is—

- (A) described in section 501(c)(3) of title 26;
- (B) exempt from taxation under section 501(a) of such title; and
- (C) dedicated to the support of the Memorial.

**(2) Memorial**

The term “Memorial” means the Oklahoma City National Memorial designated under section 450ss-2(a) of this title.

**(3) Secretary**

The term “Secretary” means the Secretary of the Interior.

**(4) Trust**

The term “Trust” means the Oklahoma City National Memorial Trust.

(Pub. L. 105-58, §3, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, §544(b), Jan. 23, 2004, 118 Stat. 347.)

## AMENDMENTS

2004—Pub. L. 108-199 added par. (1), redesignated former pars. (1) to (3) as pars. (2) to (4), respectively, and struck out “designated under section 450ss-3(a) of this title” before the period in par. (4).

**§ 450ss-2. Oklahoma City National Memorial**

(a) In order to preserve for the benefit and inspiration of the people of the United States and the world, as a National Memorial certain lands located in Oklahoma City, Oklahoma, there is established as an affiliate of the National Park System the Oklahoma City National Memorial.

(b) ADMINISTRATION OF MEMORIAL.—The Foundation shall administer the Memorial in accordance with sections 450ss to 450ss-7 of this title and the general objectives of the “Memorial Mission Statement”, adopted March 26, 1996, by the Foundation.

(c) The Memorial area shall be comprised of the lands, facilities and structures generally depicted on the map entitled “Oklahoma City National Memorial”, numbered OCNM 001, and dated May 1997. The map shall be on file and available for public inspection in the appropriate office of the Foundation.

(Pub. L. 105-58, §4, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, §544(c), Jan. 23, 2004, 118 Stat. 347.)

## AMENDMENTS

2004—Subsec. (a). Pub. L. 108-199, §544(c)(1), substituted “an affiliate” for “a unit” in first sentence and struck out second sentence, which read as follows: “The Memorial shall be administered by the Trust in cooperation with the Secretary and in accordance with the provisions of sections 450ss to 450ss-7 of this title,

sections 1, 2, 3, and 4 of this title, and sections 461 to 467 of this title.”

Subsec. (b). Pub. L. 108-199, §544(c)(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 108-199, §544(c)(2), (4), redesignated subsec. (b) as (c), substituted “1997. The map shall be on file and available for public inspection in the appropriate office of the Foundation.” for “1997 (hereafter referred to in sections 450ss to 450ss-7 of this title as the ‘map’)”, and struck out pars. (1) and (2) which read as follows:

“(1) Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Trust.

“(2) After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, in writing, the Trust, as established by section 450ss-3 of this title, in consultation with the Secretary, may make minor revisions of the boundaries of the Memorial when necessary by publication of a revised drawing or other boundary description in the Federal Register.”

**§ 450ss-3. Transfer of Memorial property, rights, authorities, and duties****(a) Transfer of Memorial property****(1) In general**

Not later than 90 days after January 23, 2004, the Trust shall transfer to the Foundation—

(A) all assets of the Trust, including all real and personal property of the Memorial, any appurtenances, buildings, facilities, monuments, contents, artifacts, contracts and contract rights, accounts, deposits, intangibles, trademarks, trade names, copyrights, all other intellectual property, all other real and personal property of every kind and character comprising the Memorial, and any amounts appropriated for the Trust;

(B) any property owned by the Trust that is adjacent or related to the Memorial; and

(C) all property maintained for the Memorial, together with all rights, authorities, and duties relating to the ownership, administration, operation, and management of the Memorial.

**(2) Subsequent gifts**

Any artifact, memorial, or other personal property that is received by, or is intended by any person to be given to, the Trust after the date of transfer of property under paragraph (1) shall be the property of the Foundation.

**(b) Assumption of Trust obligations**

Any obligations of the Trust relating to the Memorial that have been approved by the Trust before the date on which the property is transferred under subsection (a) of this section shall become the responsibility of the Foundation on the date of the transfer.

**(c) Dissolution of Trust**

Not later than 30 days after the transfer under subsection (a) of this section is completed—

- (1) the Trust shall be dissolved; and
- (2) the Trust shall notify the Secretary of the date of dissolution.

**(d) Authority to enter into agreements**

The Secretary, acting through the National Park Service, is authorized to enter into 1 or more cooperative agreements with the Founda-

tion for the National Park Service to provide interpretive services related to the Memorial and such other assistance as may be agreed upon between the Secretary and the Foundation. The costs of the services and other agreed assistance shall be paid by the Secretary.

**(e) General Services Administration authority**

The Administrator of General Services shall provide, on a non-reimbursable basis, services necessary for the facilitation of the transfer of the Memorial to the Foundation.

**(f) Limitation**

Nothing in sections 450ss to 450ss-7 of this title shall prohibit the use of State and local law enforcement for the purposes of security related to the Memorial.

(Pub. L. 105-58, § 5, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, § 544(d), Jan. 23, 2004, 118 Stat. 347.)

AMENDMENTS

2004—Pub. L. 108-199 amended section generally. Prior to amendment, section provided for establishment of the Oklahoma City National Memorial Trust, its Board of Directors, staff, powers, and tax exempt status.

AUTHORIZATION OF SECRETARY TO REIMBURSE  
PREVIOUS COSTS PAID BY FOUNDATION OR TRUST

Pub. L. 108-199, div. F, title V, § 544(g), Jan. 23, 2004, 118 Stat. 348, provided that: "To the extent that funds are made available for the Trust, the Secretary of the Interior shall reimburse the Oklahoma City National Memorial Foundation for funds obligated or expended by the Oklahoma City National Memorial Foundation or the Oklahoma City National Memorial Trust to the Secretary of the Interior for interpretive services, security, and other costs and services related to the Oklahoma City National Memorial before the date of the enactment of this Act [Jan. 23, 2004]. The Oklahoma City National Memorial Foundation may use such reimbursed funds for the operation, maintenance, and permanent endowment of the Oklahoma City National Memorial."

**§ 450ss-4. Repealed. Pub. L. 108-199, div. F, title V, § 544(e)(1), Jan. 23, 2004, 118 Stat. 348**

Section, Pub. L. 105-58, § 6, Oct. 9, 1997, 111 Stat. 1264, provided for duties and authorities of Oklahoma City National Memorial Trust.

EFFECTIVE DATE OF REPEAL

Pub. L. 108-199, div. F, title V, § 544(e)(2), Jan. 23, 2004, 118 Stat. 348, provided that: "The repeal under this subsection [repealing this section] shall take effect upon the transfer of the Memorial property, rights, authorities, and duties pursuant to the amendments made by subsection (d) [amending section 450ss-3 of this title]."

**§ 450ss-5. Limitations on funding**

Authorization of Appropriations:<sup>1</sup>

**(1) In general**

In furtherance of the purposes of sections 450ss to 450ss-7 of this title, there is hereby authorized the sum of \$5,000,000 for an endowment fund subject to paragraph (2), to remain available until expended.

**(2) Matching requirement**

Amounts appropriated in any fiscal year to carry out the provisions of sections 450ss to

450ss-7 may only be expended on a matching basis in a ratio of at least one non-Federal dollar to every Federal dollar. For the purposes of this provision, each non-Federal dollar donated to the Foundation for the creation, maintenance, operation, or endowment of the Memorial shall satisfy the matching dollar requirement without regard to the fiscal year in which such donation is made.

(Pub. L. 105-58, § 7, Oct. 9, 1997, 111 Stat. 1266; Pub. L. 108-199, div. F, title V, § 544(f), Jan. 23, 2004, 118 Stat. 348.)

AMENDMENTS

2004—Par. (1). Pub. L. 108-199, § 544(f)(1), inserted "for an endowment fund subject to paragraph (2)" after "the sum of \$5,000,000".

Par. (2). Pub. L. 108-199, § 544(f)(2), struck out "Trust or to the Oklahoma City Memorial" after "each non-Federal dollar donated to the" and substituted "operation, or endowment" for "or operation".

**§§ 450ss-6, 450ss-7. Repealed. Pub. L. 108-199, div. F, title V, § 544(h), (i), Jan. 23, 2004, 118 Stat. 349**

Section 450ss-6, Pub. L. 105-58, § 8, Oct. 9, 1997, 111 Stat. 1266, provided for disposal of site of Alfred P. Murrah Federal Building to the Trust.

Section 450ss-7, Pub. L. 105-58, § 9, Oct. 9, 1997, 111 Stat. 1266, provided for General Accounting Office study.

SUBCHAPTER LXII—MISCELLANEOUS

**§ 451. Repealed. Pub. L. 104-333, div. I, title VIII, § 801, Nov. 12, 1996, 110 Stat. 4186**

Section, acts Aug. 24, 1912, ch. 355, § 1, 37 Stat. 460; July 1, 1918, ch. 113, § 1, 40 Stat. 677; Feb. 13, 1940, ch. 30, 54 Stat. 36, related to limit on cost of buildings erected in national parks.

**§ 451a. Limitation on further extension or establishment of national parks in Wyoming**

No further extension or establishment of national parks in Wyoming may be undertaken except by express authorization of Congress.

(Sept. 14, 1950, ch. 950, § 1, 64 Stat. 849.)

CODIFICATION

Section comprises only part of the last sentence of section 1 of act Sept. 14, 1950. The remainder of section, except that part of the last sentence which repealed sections 406 to 406d of this title, is set out as sections 406d-1 and 431a of this title.

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

**§ 452. Revenues of national parks covered into Treasury; estimates for care of parks**

All revenues of the national parks shall be covered into the Treasury to the credit of miscellaneous receipts, except in case of Hot Springs National Park such as may be necessary to pay obligations outstanding on June 30, 1922.

(June 12, 1917, ch. 27, § 1, 40 Stat. 153; May 24, 1922, ch. 199, 42 Stat. 590; Sept. 12, 1950, ch. 946, title III, § 301(95), 64 Stat. 844.)

CODIFICATION

The words referring to Hot Springs National Park are taken from a part of the Interior Appropriation Act,

<sup>1</sup> So in original. "Appropriations" probably should not be capitalized.