

SUBCHAPTER IX—COLONIAL NATIONAL
HISTORICAL PARK

§ 81. Establishment; statement of purposes

Upon proclamation of the President, as herein provided, sufficient of the areas hereinafter specified for the purposes of this subchapter shall be established and set apart as the Colonial National Historical Park for the preservation of the historical structures and remains thereon and for the benefit and enjoyment of the people.

(July 3, 1930, ch. 837, §1, 46 Stat. 855; June 5, 1936, ch. 525, §2, 49 Stat. 1483.)

CODIFICATION

Section was formerly classified to section 443 of this title.

CHANGE OF NAME

Act June 5, 1936, ch. 525, §2, 49 Stat. 1483, provided: "That the area now within the Colonial National Monument, together with such additions as may hereafter be made thereto, pursuant to section 1 hereof [section 81b of this title], shall be known as the 'Colonial National Historical Park', under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Colonial National Monument."

JAMESTOWN 400TH COMMEMORATION COMMISSION

Pub. L. 106-565, Dec. 23, 2000, 114 Stat. 2812, provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Jamestown 400th Commemoration Commission Act of 2000'.

"SEC. 2. FINDINGS AND PURPOSE.

"(a) FINDINGS.—Congress finds that—

"(1) the founding of the colony at Jamestown, Virginia in 1607, the first permanent English colony in the New World, and the capital of Virginia for 92 years, has major significance in the history of the United States;

"(2) the settlement brought people from throughout the Atlantic Basin together to form a multicultural society, including English, other Europeans, Native Americans, and Africans;

"(3) the economic, political, religious, and social institutions that developed during the first 9 decades of the existence of Jamestown continue to have profound effects on the United States, particularly in English common law and language, cross cultural relationships, and economic structure and status;

"(4) the National Park Service, the Association for the Preservation of Virginia Antiquities, and the Jamestown-Yorktown Foundation of the Commonwealth of Virginia collectively own and operate significant resources related to the early history of Jamestown; and

"(5) in 1996—

"(A) the Commonwealth of Virginia designated the Jamestown-Yorktown Foundation as the State agency responsible for planning and implementing the Commonwealth's portion of the commemoration of the 400th anniversary of the founding of the Jamestown settlement;

"(B) the Foundation created the Celebration 2007 Steering Committee, known as the Jamestown 2007 Steering Committee; and

"(C) planning for the commemoration began.

"(b) PURPOSE.—The purpose of this Act is to establish the Jamestown 400th Commemoration Commission to—

"(1) ensure a suitable national observance of the Jamestown 2007 anniversary by complementing the programs and activities of the State of Virginia;

"(2) cooperate with and assist the programs and activities of the State in observance of the Jamestown 2007 anniversary;

"(3) assist in ensuring that Jamestown 2007 observances provide an excellent visitor experience and beneficial interaction between visitors and the natural and cultural resources of the Jamestown sites;

"(4) assist in ensuring that the Jamestown 2007 observances are inclusive and appropriately recognize the experiences of all people present in 17th century Jamestown;

"(5) provide assistance to the development of Jamestown-related programs and activities;

"(6) facilitate international involvement in the Jamestown 2007 observances;

"(7) support and facilitate marketing efforts for a commemorative coin, stamp, and related activities for the Jamestown 2007 observances; and

"(8) assist in the appropriate development of heritage tourism and economic benefits to the United States.

"SEC. 3. DEFINITIONS.

"In this Act:

"(1) COMMEMORATION.—The term 'commemoration' means the commemoration of the 400th anniversary of the founding of the Jamestown settlement.

"(2) COMMISSION.—The term 'Commission' means the Jamestown 400th Commemoration Commission established by section 4(a).

"(3) GOVERNOR.—The term 'Governor' means the Governor of the State.

"(4) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(5) STATE.—

"(A) IN GENERAL.—The term 'State' means the State of Virginia.

"(B) INCLUSIONS.—The term 'State' includes agencies and entities of the State.

"SEC. 4. JAMESTOWN 400TH COMMEMORATION COMMISSION.

"(a) IN GENERAL.—There is established a commission to be known as the 'Jamestown 400th Commemoration Commission'.

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Commission shall be composed of 16 members, of whom—

"(A) four members shall be appointed by the Secretary, taking into consideration the recommendations of the Chairperson of the Jamestown 2007 Steering Committee;

"(B) four members shall be appointed by the Secretary, taking into consideration the recommendations of the Governor;

"(C) two members shall be employees of the National Park Service, of which—

"(i) one shall be the Director of the National Park Service (or a designee); and

"(ii) one shall be an employee of the National Park Service having experience relevant to the commemoration, to be appointed by the Secretary; and

"(D) five members shall be individuals that have an interest in, support for, and expertise appropriate to, the commemoration, to be appointed by the Secretary.

"(2) TERM; VACANCIES.—

"(A) TERM.—A member of the Commission shall be appointed for the life of the Commission.

"(B) VACANCIES.—

"(i) IN GENERAL.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

"(ii) PARTIAL TERM.—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the predecessor of the member was appointed.

"(3) MEETINGS.—

"(A) IN GENERAL.—The Commission shall meet—

"(i) at least twice each year; or

- “(ii) at the call of the Chairperson or the majority of the members of the Commission.
- “(B) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.
- “(4) VOTING.—
- “(A) IN GENERAL.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.
- “(B) QUORUM.—A majority of the Commission shall constitute a quorum.
- “(5) CHAIRPERSON.—The Secretary shall appoint a Chairperson of the Commission, taking into consideration any recommendations of the Governor.
- “(c) DUTIES.—
- “(1) IN GENERAL.—The Commission shall—
- “(A) plan, develop, and execute programs and activities appropriate to commemorate the 400th anniversary of the founding of Jamestown;
- “(B) generally facilitate Jamestown-related activities throughout the United States;
- “(C) encourage civic, patriotic, historical, educational, religious, economic, and other organizations throughout the United States to organize and participate in anniversary activities to expand the understanding and appreciation of the significance of the founding and early history of Jamestown;
- “(D) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of, Jamestown; and
- “(E) ensure that the 400th anniversary of Jamestown provides a lasting legacy and long-term public benefit by assisting in the development of appropriate programs and facilities.
- “(2) PLANS; REPORTS.—
- “(A) STRATEGIC PLAN; ANNUAL PERFORMANCE PLANS.—In accordance with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285) [see Short Title of 1993 Amendment note set out under section 1101 of Title 31, Money and Finance], the Commission shall prepare a strategic plan and annual performance plans for the activities of the Commission carried out under this Act.
- “(B) FINAL REPORT.—Not later than September 30, 2008, the Commission shall complete a final report that contains—
- “(i) a summary of the activities of the Commission;
- “(ii) a final accounting of funds received and expended by the Commission; and
- “(iii) the findings and recommendations of the Commission.
- “(d) POWERS OF THE COMMISSION.—The Commission may—
- “(1) accept donations and make dispersions of money, personal services, and real and personal property related to Jamestown and of the significance of Jamestown in the history of the United States;
- “(2) appoint such advisory committees as the Commission determines to be necessary to carry out this Act;
- “(3) authorize any member or employee of the Commission to take any action that the Commission is authorized to take by this Act;
- “(4) procure supplies, services, and property, and make or enter into contracts, leases or other legal agreements, to carry out this Act (except that any contracts, leases or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission);
- “(5) use the United States mails in the same manner and under the same conditions as other Federal agencies;
- “(6) subject to approval by the Commission, make grants in amounts not to exceed \$10,000 to communities and nonprofit organizations to develop programs to assist in the commemoration;
- “(7) make grants to research and scholarly organizations to research, publish, or distribute information relating to the early history of Jamestown; and
- “(8) provide technical assistance to States, localities, and nonprofit organizations to further the commemoration.
- “(e) COMMISSION PERSONNEL MATTERS.—
- “(1) COMPENSATION OF MEMBERS OF THE COMMISSION.—
- “(A) IN GENERAL.—Except as provided in subparagraph (B), a member of the Commission shall serve without compensation.
- “(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.
- “(C) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.
- “(2) STAFF.—
- “(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.
- “(B) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.
- “(3) COMPENSATION.—
- “(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.
- “(B) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.
- “(4) DETAIL OF GOVERNMENT EMPLOYEES.—
- “(A) FEDERAL EMPLOYEES.—
- “(i) IN GENERAL.—On the request of the Commission, the head of any Federal agency may detail, on a reimbursable or non-reimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.
- “(ii) CIVIL SERVICE STATUS.—The detail of an employee under clause (i) shall be without interruption or loss of civil service status or privilege.
- “(B) STATE EMPLOYEES.—The Commission may—
- “(i) accept the services of personnel detailed from States (including subdivisions of States); and
- “(ii) reimburse States for services of detailed personnel.
- “(5) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.
- “(6) SUPPORT SERVICES.—The Director of the National Park Service shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.
- “(f) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

“(g) FACA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

“(h) NO EFFECT ON AUTHORITY.—Nothing in this section supersedes the authority of the State, the National Park Service, or the Association for the Preservation of Virginia Antiquities, concerning the commemoration.

“(i) TERMINATION.—The Commission shall terminate on December 31, 2008.

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

Pub. L. 106-554, §1(a)(4) [div. B, title I, §127], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-359, enacted provisions substantially identical to those enacted by Pub. L. 106-565, set out above.

§ 81a. Location and boundaries

The Secretary of the Interior is authorized and directed to make an examination of Jamestown Island, parts of the city of Williamsburg, and the Yorktown battlefield, all in the State of Virginia, and areas for highways to connect said island, city, and battlefield with a view to determining the area or areas thereof desirable for inclusion in the said Colonial National Historical Park, not to exceed two thousand five hundred acres of the said battlefield or five hundred feet in width as to such connecting areas, and upon completion thereof he shall make appropriate recommendations to the President, who shall establish the boundaries of said national park by proclamation: *Provided*, That the boundaries so established may be enlarged or diminished by subsequent proclamation or proclamations of the President upon the recommendations of the Secretary of the Interior, any such enlargement only to include lands donated to the United States or purchased by the United States without resort to condemnation.

(July 3, 1930, ch. 837, §2, 46 Stat. 855; June 5, 1936, ch. 525, §2, 49 Stat. 1483.)

CODIFICATION

Section was formerly classified to section 443a of this title.

CHANGE OF NAME

Act June 5, 1936, changed “Colonial National Monument” to “Colonial National Historical Park”.

BOUNDARIES OF PARK

Boundaries were established by Presidential Proc. No. 1929, Dec. 30, 1930, 46 Stat. 3041, and Proc. No. 2055, Aug. 22, 1933, 48 Stat. 1706.

§ 81b. Revision of boundaries

Subject to all the laws and regulations applicable to the Colonial National Historical Park, the boundaries of said historical park as established by section 81a of this title and as defined by Presidential Proclamation Numbered 2055, dated August 22, 1933 (48 Stat. 1706), are revised by the elimination of the parkway area described in said proclamation as running north and west of the city of Williamsburg to Jamestown Island, and the substitution therefor of a parkway area running southerly through or around the city of Williamsburg, thence continuing south of said city to the James River and thence along said river and connecting wa-

ters to Jamestown Island, the exact location of which shall be determined by the Secretary of the Interior: *Provided*, That said parkway area shall not exceed an average of five hundred feet in width outside the city of Williamsburg: *And provided further*, That condemnation proceedings shall not be had, exercised, or resorted to as to any lands in the city of Williamsburg except such lands as may be required for a right-of-way not exceeding two hundred feet in width through said city to connect with highways or parkways leading from Williamsburg to Jamestown and Yorktown.

(June 28, 1938, ch. 775, §1, 52 Stat. 1208.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

CHANGE OF NAME

Act June 5, 1936, changed “Colonial National Monument” to “Colonial National Historical Park”.

§ 81c. Addition of lands

The Secretary of the Interior is authorized, in his discretion, to acquire by purchase and/or accept by donation, in behalf of the United States, such lands, easements, and buildings comprising the former Governor Berkeley’s mansion and homestead in James City County and Carter’s Grove mansion and homestead in the same county, and the Rosewell mansion and homestead in Gloucester County as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Historical Park, and such lands as are necessary for parkways, not to exceed five hundred feet wide, to connect said mansions to the said Colonial National Historical Park, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That the said acquisition of lands and/or improvements shall be made only from such funds as may be appropriated pursuant to the authorization of section 81f of this title.

(June 5, 1936, ch. 525, §§1, 2, 49 Stat. 1483.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

Section was formerly classified to section 443a-1 of this title.

CHANGE OF NAME

Act June 5, 1936, ch. 525, §2, 49 Stat. 1483, provided: “That the area now within the Colonial National Monument, together with such additions as may hereafter be made thereto, pursuant to section 1 hereof, shall be known as the ‘Colonial National Historical Park’, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Colonial National Monument.”

§ 81d. Addition of lands

The Secretary of the Interior is authorized, in his discretion, to acquire by purchase, donation, or otherwise, in behalf of the United States, such lands or interests in lands, easements, and buildings comprising the following: Glass House Point, in James City County; the area known as

“The Hook”, including the site of the action of October 3, 1781, in Gloucester County; and such additional lands as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Historical Park: *Provided*, That the total acreage of lands to be added to the park, with the exception of parkways under the terms hereof shall not exceed seven hundred and fifty acres; *Provided further*, That the said acquisition of lands or improvements shall be made from such funds as may be appropriated pursuant to the authorization of section 81f of this title.

(June 28, 1938, ch. 775, § 2, 52 Stat. 1209.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

§ 81e. Acquisition of property; condemnation proceedings

The Secretary of the Interior is authorized to accept donations of land, interest in land, buildings, structures, and other property within the boundaries of said park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the evidence of title to such lands to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States 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 park as may be necessary for the completion thereof: *Provided further*, That condemnation proceedings herein provided for shall not be had, exercised, or resorted to as to lands belonging to the Association for the Preservation of Virginia Antiquities, a corporation chartered under the laws of Virginia, or to the city of Williamsburg, Virginia, or to any other lands in said city except such lands as may be required for a right-of-way not exceeding two hundred feet in width through the city of Williamsburg to connect with highways or parkways leading from Williamsburg to Jamestown and to Yorktown.

(July 3, 1930, ch. 837, § 3, 46 Stat. 856; June 5, 1936, ch. 525, § 2, 49 Stat. 1483.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888 (U.S.C., title 40, secs. 257, 258; 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.

Section was formerly classified to section 443b of this title.

CHANGE OF NAME

Act June 5, 1936, changed “Colonial National Monument” to “Colonial National Historical Park.”

§ 81f. Authorization of appropriation

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this subchapter, which shall not exceed the sum of \$8,572,000 to be available for all expenses incident to the examination and establishment of the said Colonial National

Historical Park and for the acquisition of lands and/or lands and improvements needed for the completion of the park, including the securing of options and other incidental expenses. The area of the Yorktown battlefield, authorized for inclusion in said park, is extended to not to exceed four thousand five hundred acres, and all Government-owned lands within the boundaries of said park as established by presidential proclamation, except those determined by the Secretary of the Interior as not necessary in carrying out the objects of said park are transferred to the administrative jurisdiction and control of the National Park Service.

(July 3, 1930, ch. 837, § 4, 46 Stat. 856; Mar. 3, 1931, ch. 405, 46 Stat. 1490; June 5, 1936, ch. 525, § 2, 49 Stat. 1483; Pub. L. 90-74, Aug. 29, 1967, 81 Stat. 176; Pub. L. 93-477, title I, § 101(2), Oct. 26, 1974, 88 Stat. 1445; Pub. L. 109-418, § 3, Dec. 19, 2006, 120 Stat. 2883.)

CODIFICATION

Section was formerly classified to section 443c of this title.

AMENDMENTS

2006—Pub. L. 109-418 substituted “\$8,572,000” for “\$10,472,000”.

1974—Pub. L. 93-477 substituted “\$10,472,000” for “\$2,777,000”.

1967—Pub. L. 90-74 substituted “\$2,777,000” for “\$2,000,000”.

1931—Act Mar. 3, 1931, changed amount of appropriation and inserted last sentence extending the area of Yorktown battlefield.

CHANGE OF NAME

Act June 5, 1936, changed “Colonial National Monument” to “Colonial National Historical Park”.

GEORGE WALLER BLOW ESTATE; USE OF 1967 INCREASE IN AUTHORIZATION OF APPROPRIATIONS TO PURCHASE

Pub. L. 90-74 provided in part that the limit on the authorized appropriation was increased from \$2,000,000 to \$2,777,000 in order to permit acquisition of the Thomas Nelson House, the Edmund Smith House, the John Ballard House, and the Thomas Pate House, all of which are located within the boundaries of the Colonial National Historical Park on lots numbered 42A, 44 through 55, 84, 85, and 120 through 129, and known as the George Waller Blow Estate.

§ 81g. Administration, protection, and development

The administration, protection, and development of the aforesaid 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, as amended.

(July 3, 1930, ch. 837, § 5, 46 Stat. 856; June 5, 1936, ch. 525, § 2, 49 Stat. 1483.)

CODIFICATION

Section was formerly classified to section 443d of this title.

CHANGE OF NAME

Act June 5, 1936, changed “Colonial National Monument” to “Colonial National Historical Park”.

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.

§ 81h. Civil and criminal jurisdiction; legislative authority of State over park

Nothing in this subchapter shall be held to deprive the State of Virginia, or any political subdivision thereof, of its civil and criminal jurisdiction in and over the areas included in said national park, nor shall this subchapter in any way impair or affect the rights of citizenship of any resident therein; and save and except as the consent of the State of Virginia may be hereafter given, the legislative authority of said State in and over all areas included within said national park shall not be diminished or affected by the creation of said national park, nor by the terms and provisions of this subchapter: *Provided*, That any rules and regulations authorized in section 81g of this title, and in sections 1, 2, 3, and 4 of this title therein referred to, shall not apply to any property of a public nature in the city of Williamsburg, other than property of the United States.

(July 3, 1930, ch. 837, § 6, 46 Stat. 856; June 5, 1936, ch. 525, § 2, 49 Stat. 1483.)

CODIFICATION

Section was formerly classified to section 443e of this title.

CHANGE OF NAME

Act June 5, 1936, changed "Colonial National Monument" to "Colonial National Historical Park".

§ 81i. Donation of buildings thereafter revenue producing; disposition of proceeds

In the event that lands and/or buildings, structures, and so forth, within the city of Williamsburg are donated to the United States and are thereafter revenue producing, the United States shall pay in the treasury of the city of Williamsburg 25 per centum of any rentals included in said revenues, and 25 per centum of the net proceeds of any commercial enterprise there conducted by the United States, such payment into the treasury of the city of Williamsburg not to exceed \$20,000 in any year.

(July 3, 1930, ch. 837, § 7, 46 Stat. 856.)

CODIFICATION

Section was formerly classified to section 443f of this title.

§ 81j. Transfer of lands to Secretary of Navy

The Secretary of the Interior be, and he is, authorized and directed to transfer to the Secretary of the Navy complete control and jurisdiction over a parcel of land within the Colonial National Historical Park, Yorktown, Virginia, described as follows:

Beginning at a point on the existing property line between the United States naval mine depot and the Colonial National Monument Parkway properties, said point being a fence corner seven hundred and sixty-five feet, more or less, south-east of the marine barracks gate; thence south

fifty-six degrees thirty-eight minutes east fifty-three and fifteen one-hundredths feet, more or less; thence south fifty degrees sixteen minutes east three hundred and twelve feet, more or less; thence south thirty-nine degrees forty-four minutes west one hundred and twenty-five and seven one-hundredths feet, more or less, to the property line between the United States naval mine depot and the Colonial National Monument Parkway; thence along the said property line north thirty-nine degrees fifty-four minutes west one hundred and twenty-eight and ninety-six one-hundredths feet, more or less; thence continuing along said property line north twenty-eight degrees eighteen minutes west two hundred and fifty-six and fifty-nine one-hundredths feet, more or less, to the point of beginning; containing six hundred and twenty-one one-thousandths of an acre, more or less.

(Dec. 23, 1944, ch. 721, 58 Stat. 923.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

SEWAGE-DISPOSAL SYSTEM FOR YORKTOWN AREA

Act Mar. 29, 1956, ch. 111, 70 Stat. 64, provided for the modernization of the sanitary facilities in the Yorktown area of Colonial National Historical Park, and in anticipation of the 1957 Jamestown-Williamsburg-Yorktown celebration, authorized the Secretary of the Interior to construct, operate, and maintain a sewage-disposal system to serve Federal and non-Federal properties in the Yorktown area.

TEMPORARY TRANSFER OF JURISDICTION OF PORTION

Act Dec. 24, 1942, ch. 820, 56 Stat. 1085, provided: "That the Secretary of the Interior be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Department of the Navy a portion of the Colonial National Historical Park, Yorktown, Virginia, south of Ballards Creek and adjacent to the east boundary of the naval mine depot, containing approximately sixteen acres.

"SEC. 2. The President of the United States is authorized by Executive order to retransfer jurisdiction over the property to the Secretary of the Interior upon his application when, in the judgment of the President, the property has become surplus to the needs of the Department of the Navy, in which event it again shall become a part of the Colonial National Historical Park."

§ 81k. Exchange of lands

The Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States from the York County School Board, State of Virginia, title to approximately one-half acre of land in Nelson District, York County, Virginia, situated within the authorized boundaries of the Colonial National Historical Park, and in exchange therefor to convey by deed, on behalf of the United States, to the school board approximately one-half acre of land of approximately equal value situated within the Colonial National Historical Park.

(Sept. 23, 1950, ch. 999, 64 Stat. 979.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

§ 81l. Additional exchange of lands

In order to consolidate Federal holdings in, and to improve, Colonial National Historical

Park, the Secretary of the Interior, when he finds that the public interest will be served thereby, is authorized to accept on behalf of the United States from the York County School Board, State of Virginia, the conveyance of any land or interests in land located within the authorized area of the Colonial National Historical Park, together with the structures situated upon such properties, as may be agreed upon by the Secretary and the school board; and, in exchange therefor, to convey on behalf of the United States to the school board not more than fifty-five acres of land or interests in land situated within the Colonial National Historical Park.

(May 13, 1953, ch. 38, 67 Stat. 27.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

§ 81m. Additional exchange of lands

For the purpose of preserving more effectively for the public benefit the historic properties within Colonial National Historical Park, Virginia, the Secretary of the Interior is authorized to consummate desirable land exchanges, as hereafter prescribed, and thereby to reduce and adjust the boundaries of the park. Any lands eliminated from the park hereunder shall not subsequently be added to the park except by Act of Congress.

In furtherance of these purposes, the Secretary is authorized on behalf of the United States to accept from grantors title to non-Federal land and interests in land, together with the improvements thereon, situated within the authorized park boundaries, and in exchange therefor, to convey by deed on behalf of the United States to the aforesaid grantors land or interests therein, together with the improvements thereon, situated within Colonial National Historical Park that may be used advantageously for exchange purposes. The aforesaid exchanges are authorized to be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value. When, however, the properties are not of approximately equal value, as may be determined by the Secretary, an additional payment of funds shall be required by the Secretary or by the grantor of non-Federal properties, as the case may be, in order to make an equal exchange. The Secretary is authorized to use any land acquisition funds relating to the National Park System for such purposes. The Secretary may consummate land exchanges herein authorized upon such terms, conditions, and procedures as he may find to be necessary or desirable in carrying out the purposes of this section and section 81n of this title; and in evaluating non-Federal properties to be acquired hereunder, he is authorized to make such allowance as he may find to be equitable for the value of any residential properties that may be situated upon land to be acquired pursuant to this section and section 81n of this title. If expedient and in the public interest to do so, he may assist in the removal of structures from property to be acquired hereunder through the

exchange procedure, and he may cooperate with public or private agencies and persons in the securing of housing for the aforesaid grantors who may require new housing accommodations or facilities as a result of the land exchanges herein authorized.

(Mar. 29, 1956, ch. 105, § 1, 70 Stat. 61.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

§ 81n. Transfer of lands for State Park

The Secretary is further authorized to transfer without compensation up to fifteen acres of the Colonial National Historical Park, Virginia, to the Commonwealth of Virginia for use by agencies of the Commonwealth in the establishment of a State Park in furtherance of the purposes of the Colonial National Historical Park.

(Mar. 29, 1956, ch. 105, § 2, 70 Stat. 62.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

§ 81o. Transfer of administrative jurisdiction over land

The Secretary of the Interior may transfer administrative jurisdiction over approximately 0.23 acres of land within Colonial National Historical Park, Virginia, to the Secretary of the Army, and in exchange therefor, he may accept administrative jurisdiction over a like amount of land from the Secretary of the Army, transfer of which is hereby authorized, for the purpose of relocating the Cape Henry Memorial Cross. Land over which jurisdiction is transferred to the Secretary of the Interior shall become part of Colonial National Historical Park, and land over which jurisdiction is transferred to the Secretary of the Army shall become part of Fort Story Military Reservation.

(Pub. L. 99-390, Aug. 23, 1986, 100 Stat. 831.)

CODIFICATION

Section was not enacted as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

§ 81p. Property transfers

(a) Transfer and rights-of-way

The Secretary of the Interior (hereinafter in this section referred to as the "Secretary") is authorized to transfer, without reimbursement, to York County, Virginia, that portion of the existing sewage disposal system, including related improvements and structures, owned by the United States and located within the Colonial National Historical Park, together with such rights-of-way as are determined by the Secretary to be necessary to maintain and operate such system.

(b) Repair and rehabilitation of system

The Secretary is authorized to enter into a cooperative agreement with York County, Virginia, under which the Secretary will pay a portion, not to exceed \$110,000, of the costs of repair and rehabilitation of the sewage disposal system referred to in subsection (a) of this section.

(c) Fees and charges

In consideration for the rights-of-way granted under subsection (a) of this section, and in recognition of the National Park Service's contribution authorized under subsection (b) of this section, the cooperative agreement under subsection (b) of this section shall provide for a reduction in, or the elimination of, the amounts charged to the National Park Service for its sewage disposal. The cooperative agreement shall also provide for minimizing the impact of the sewage disposal system on the park and its resources. Such system may not be enlarged or substantially altered without National Park Service concurrence.

(d) Inclusion of land in Colonial National Historical Park

Notwithstanding the provisions of sections 81b and 81d of this title, limiting the average width of the Colonial Parkway, the Secretary of the Interior is authorized to include within the boundaries of Colonial National Historical Park and to acquire by donation, exchange, or purchase with donated or appropriated funds the lands or interests in lands (with or without improvements) within the areas depicted on the map dated August 1996, numbered 333/80031B, and entitled "Page Landing Addition to Colonial National Historical Park". Such map shall be on file and available for inspection in the offices of the National Park Service at Colonial National Historical Park and in Washington, District of Columbia.

(e) Authorization of appropriations

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

(Pub. L. 104-333, div. I, title II, §211, Nov. 12, 1996, 110 Stat. 4109; Pub. L. 106-113, div. B, §1000(a)(3) [title I, §122], Nov. 29, 1999, 113 Stat. 1535, 1501A-159; Pub. L. 106-176, title I, §102, Mar. 10, 2000, 114 Stat. 25.)

CODIFICATION

Section was enacted as part of the Omnibus Parks and Public Lands Management Act of 1996, and not as part of act July 3, 1930, ch. 837, 46 Stat. 855, which comprises this subchapter.

AMENDMENTS

2000—Subsec. (d). Pub. L. 106-176 directed amendment identical to amendment by Pub. L. 106-113. See 1999 Amendment note below.

1999—Subsec. (d). Pub. L. 106-113 substituted "depicted on the map dated August 1996, numbered 333/80031B," for "depicted on the map dated August 1993, numbered 333/80031A,".

SUBCHAPTER X—NORTH CASCADES
NATIONAL PARK**§ 90. Establishment; statement of purposes; description of area**

In order to preserve for the benefit, use, and inspiration of present and future generations certain majestic mountain scenery, snow fields, glaciers, alpine meadows, and other unique natural features in the North Cascade Mountains of the State of Washington, there is hereby established, subject to valid existing rights, the North Cascades National Park (hereinafter re-

ferred to in this subchapter as the "park"). The park shall consist of the lands, waters, and interests therein within the area designated "national park" on the map entitled "Proposed Management Units, North Cascades, Washington," numbered NP-CAS-7002, and dated October 1967. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior, and in the office of the Chief, Forest Service, Department of Agriculture.

(Pub. L. 90-544, title I, §101, Oct. 2, 1968, 82 Stat. 926.)

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-668, §1, Nov. 16, 1988, 102 Stat. 3961, provided: "That this Act [enacting section 110c of this title, amending sections 90b, 90c-1, 90d-4, 251n, 256b, 256c, and 1274 of this title, and enacting provisions listed in a table of Wilderness Areas set out under section 1132 of this title and provisions set out as a note under section 251n of this title] may be cited as the 'Washington Park Wilderness Act of 1988'."

DEDICATION OF PARK TO SENATOR HENRY M. JACKSON

Pub. L. 100-85, Aug. 10, 1987, 101 Stat. 551, provided: "That the North Cascades National Park, Washington, is hereby dedicated to Senator Henry M. Jackson in recognition of his leadership in establishing the North Cascades National Park, his outstanding contributions to the National Park System, the National Wilderness Preservation System, and to the protection and preservation of our great natural resources for the benefit of the people of the United States for all time.

"SEC. 2. In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such identification by signs, including, but not limited to changes in existing signs, materials, maps, markers, interpretive programs, or other means as will adequately inform the public of the contributions of Henry M. Jackson.

"SEC. 3. The Secretary of the Interior is further authorized and directed to cause to be erected and maintained, within the boundaries of the North Cascades National Park, an appropriate memorial to Henry M. Jackson. Such memorial shall include but not be limited to an appropriate permanent marker describing the contributions of Henry M. Jackson to the Nation.

"SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

§ 90a. Ross Lake National Recreation Area; establishment; statement of purposes; description of area

In order to provide for the public outdoor recreation use and enjoyment of portions of the Skagit River and Ross, Diablo, and Gorge Lakes, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Ross Lake National Recreation Area (hereinafter referred to in this subchapter as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Ross Lake National Recreation Area" on the map referred to in section 90 of this title.

(Pub. L. 90-544, title II, §201, Oct. 2, 1968, 82 Stat. 927.)