

Township 25 south, range 23 east: sections 1 to 33, inclusive; northwest quarter section 34.

Township 25 south, range 24 east: north half section 1; west half section 2; northeast quarter section 2; sections 3 to 8, inclusive; west half section 9; northeast quarter section 9; northwest quarter section 10; west half section 17; northeast quarter section 17; section 18; northwest quarter section 19.

Township 25 south, range 25 east: north half section 5; north half section 6.

Township 26 south, range 22 east: north half section 1; west half southwest quarter section 1; section 2; section 11; west half west half section 12; northwest quarter section 14.

Township 26 south, range 23 east: northwest quarter section 6.

All of which contains 46,786.11 acres, more or less.

And the tract of land, including Rattlesnake Springs, lying in section 23, township 25 south, range 24 east, New Mexico principal meridian, acquired by the United States for water right purposes by warranty deed dated January 23, 1934, recorded in Eddy County, New Mexico, records in deedbook 64 on page 97, containing 79.87 acres, more or less.

(Pub. L. 88-249, §1, Dec. 30, 1963, 77 Stat. 818.)

#### § 407f. Exchange of lands

##### (a) State-owned lands; terms, conditions and reservations

For the purpose of acquiring the State-owned lands lying within the area described in section 407e of this title, consisting of 2,721.12 acres, and described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 23 east: section 36.

Township 24 south, range 24 east: section 32.

Township 24 south, range 25 east: section 32.

Township 25 south, range 24 east: lots 1, 2, 3, and 4, south half north half, southwest quarter section 2.

Township 26 south, range 22 east: south half section 2, the Secretary of the Interior may, subject to such terms, conditions, and reservations as may be necessary or are in the public interest, including the reservation of surface rights-of-way across Federal lands situated in township 25 south, range 24 east, New Mexico principal meridian, for the construction of roads and utility lines between park headquarters and Rattlesnake Springs, exchange the following described 2,719.80 acres of public land of approximately equal value:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 25 east: southeast quarter section 34.

Township 25 south, range 24 east: south half section 1; west half section 11; west half section 14; section 15; southeast quarter section 17.

Township 25 south, range 25 east: south half section 5; lot 6, northeast quarter southwest quarter, southeast quarter section 6.

Township 26 south, range 22 east: west half west half section 13; north half northeast quarter section 14.

##### (b) Private lands; terms, conditions and reservations

For the purpose of acquiring the private lands or interests in lands lying within the area described in section 407e of this title, the Secretary of the Interior may, subject to such terms, conditions, and reservations as may be necessary, exchange on an approximately equal value basis any of the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 25 south, range 24 east: southeast quarter section 9; south half, northeast quarter section 10.

Township 26 south, range 22 east: south half, south half northeast quarter section 14.

##### (c) State-leased lands; compensation of lessee for improvements; appraisal

Notwithstanding subsection (a) of this section, when an exchange involves lands in section 32, township 24 south, range 24 east, New Mexico principal meridian, which the State of New Mexico has leased, the Secretary may compensate a lessee for the reasonable value of his improvements to the lands. Reasonable value shall be determined by the Secretary of the Interior by obtaining an impartial appraisal.

(Pub. L. 88-249, §2, Dec. 30, 1963, 77 Stat. 818.)

#### § 407g. State right-of-way for park-type road; reconveyance of interest upon completion of road

The Secretary is authorized to convey to the State of New Mexico a right-of-way over lands between the western boundary of the southeast quarter of section 34, township 24 south, range 25 east, and the vicinity of the caverns for the use of the State in constructing a park-type road for public use thereon: *Provided*, That the State may construct a road which shall meet the general standards of National Park Service roads and shall agree to reconvey its interests in such lands and any improvements thereon, without cost to the United States, upon completion of such road. The location of the road shall be determined by the Secretary, after consultation with officials of the State of New Mexico.

(Pub. L. 88-249, §3, Dec. 30, 1963, 77 Stat. 819.)

#### § 407h. Authorization of appropriations

There are hereby authorized to be appropriated not more than \$500 to carry out the purposes of sections 407e to 407h of this title.

(Pub. L. 88-249, §4, Dec. 30, 1963, 77 Stat. 819.)

### SUBCHAPTER LI—INDEPENDENCE NATIONAL HISTORICAL PARK

#### § 407m. Establishment; acquisition of land; property involved

For the purpose of preserving for the benefit of the American people as a national historical park certain historical structures and properties of outstanding national significance located in Philadelphia, Pennsylvania, and associated with the American Revolution and the founding and growth of the United States, the Secretary of the Interior, following the consummation of

agreements with the city of Philadelphia and the Carpenters' Company of Philadelphia as prescribed in section 407n of this title, is authorized to acquire by donation or with donated funds, or to acquire by purchase, any property, real or personal, within the following-described areas, such park to be fully established as the "Independence National Historical Park" when, in the opinion of the Secretary, title to sufficient of the lands and interests in lands within such areas, shall be vested in the United States: *Provided*, That the park shall not be established until title to the First United States Bank property, the Merchants' Exchange property, the Bishop White house, the Dilworth-Todd-Moylan house, and the site of the Benjamin Franklin house, together with two-thirds of the remaining lands and interests in lands within the following-described areas, shall have been vested in the United States:

(a) An area of three city blocks bounded generally by Walnut Street, Fifth Street, Chestnut Street, and Second Street, but excluding the new United States customhouse at the southeast corner of Second and Chestnut Streets, identified as "project A", as described in the report of the Philadelphia National Shrines Park Commission, dated December 29, 1947.

(b) A memorial thoroughfare, or mall, extending generally from the south side of Walnut Street to the north side of Manning Street, identified as part of "project B" in the report of the Commission. The properties identified generally as 269, 271, 273, and 275 South Fifth Street in "project B" in the report of the Commission.

(c) The site of the residence of Benjamin Franklin, and related grounds, comprising approximately a one-hundred-foot-wide strip, extending southward from Market Street approximately three hundred feet between Third and Fourth Streets, and encompassing a portion of Orianna Street, identified as "project C" in the report of the Commission.

(d) Certain land and buildings immediately adjacent to Christ Church, situated on the west side of Second Street, and north of Market Street, identified as "project E" in the report of the Commission, and certain land and buildings adjoining "Project E", being known and numbered as 8, 10, and 12 North Second Street and 201, 203, 205, 207, 209, 211-213, 215, 217, 219, and 221 Market Street: *Provided*, That the Secretary of the Interior first enter into an agreement with the proprietor or proprietors of said property (Christ Church), said agreement to contain the usual and customary provisions for the protection of the property, assuring its physical maintenance as a national shrine, without any limitation or control over its use for customary church purposes.

(June 28, 1948, ch. 687, §1, 62 Stat. 1061; July 10, 1952, ch. 653, §1, 66 Stat. 575; Pub. L. 85-764, §3(a), Aug. 27, 1958, 72 Stat. 862.)

#### Editorial Notes

##### AMENDMENTS

1958—Subsec. (d). Pub. L. 85-764 included certain lands and buildings adjoining "project E" being known and numbered as 8, 10, and 12 North Second Street and 201, 203, 205, 207, 209, 211-213, 215, 217, 219, and 221 Market Street.

1952—Subsec. (b). Act July 10, 1952, inserted second sentence.

#### Statutory Notes and Related Subsidiaries

##### GATEWAY VISITOR CENTER

Pub. L. 106-131, Dec. 7, 1999, 113 Stat. 1678, provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Gateway Visitor Center Authorization Act of 1999'.

"SEC. 2. FINDINGS AND PURPOSE.

"(a) FINDINGS.—The Congress finds the following:

"(1) The National Park Service completed and approved in 1997 a general management plan for Independence National Historical Park that establishes goals and priorities for the park's future.

"(2) The general management plan for Independence National Historical Park calls for the revitalization of Independence Mall and recommends as a critical component of the Independence Mall's revitalization the development of a new 'Gateway Visitor Center'.

"(3) Such a visitor center would replace the existing park visitor center and would serve as an orientation center for visitors to the park and to city and regional attractions.

"(4) Subsequent to the completion of the general management plan, the National Park Service undertook and completed a design project and master plan for Independence Mall which includes the Gateway Visitor Center.

"(5) Plans for the Gateway Visitor Center call for it to be developed and managed, in cooperation with the Secretary of the Interior, by a nonprofit organization which represents the various public and civic interests of the greater Philadelphia metropolitan area.

"(6) The Gateway Visitor Center Corporation, a nonprofit organization, has been established to raise funds for and cooperate in a program to design, develop, construct, and operate the proposed Gateway Visitor Center.

"(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to enter into a cooperative agreement with the Gateway Visitor Center Corporation to construct and operate a regional visitor center on Independence Mall.

"SEC. 3. GATEWAY VISITOR CENTER AUTHORIZATION.

"(a) AGREEMENT.—The Secretary of the Interior, in administering the Independence National Historical Park, may enter into an agreement under appropriate terms and conditions with the Gateway Visitor Center Corporation (a nonprofit corporation established under the laws of the Commonwealth of Pennsylvania) to facilitate the construction and operation of a regional Gateway Visitor Center on Independence Mall.

"(b) OPERATIONS OF CENTER.—The Agreement shall authorize the Corporation to operate the Center in cooperation with the Secretary and to provide at the Center information, interpretation, facilities, and services to visitors to Independence National Historical Park, its surrounding historic sites, the City of Philadelphia, and the region, in order to assist in their enjoyment of the historic, cultural, educational, and recreational resources of the greater Philadelphia area.

"(c) MANAGEMENT-RELATED ACTIVITIES.—The Agreement shall authorize the Secretary to undertake at the Center activities related to the management of Independence National Historical Park, including, but not limited to, provision of appropriate visitor information and interpretive facilities and programs related to Independence National Historical Park.

"(d) ACTIVITIES OF CORPORATION.—The Agreement shall authorize the Corporation, acting as a private nonprofit organization, to engage in activities appropriate for operation of a regional visitor center that

may include, but are not limited to, charging fees, conducting events, and selling merchandise, tickets, and food to visitors to the Center.

“(e) USE OF REVENUES.—Revenues from activities engaged in by the Corporation shall be used for the operation and administration of the Center.

“(f) PROTECTION OF PARK.—Nothing in this section authorizes the Secretary or the Corporation to take any actions in derogation of the preservation and protection of the values and resources of Independence National Historical Park.

“(g) DEFINITIONS.—In this section:

“(1) AGREEMENT.—The term ‘Agreement’ means an agreement under this section between the Secretary and the Corporation.

“(2) CENTER.—The term ‘Center’ means a Gateway Visitor Center constructed and operated in accordance with the Agreement.

“(3) CORPORATION.—The term ‘Corporation’ means the Gateway Visitor Center Corporation (a nonprofit corporation established under the laws of the Commonwealth of Pennsylvania).

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

#### MIKVEH ISRAEL CEMETERY

Act Aug. 6, 1956, ch. 1018, 70 Stat. 1074, provided that: “Upon compliance with the provisions of section 2 of this Act, the Mikveh Israel Cemetery, located in Philadelphia, Pennsylvania, and containing the graves of Haym Salomon and other outstanding patriots of the Revolutionary War who played important parts in the early history of the United States, shall be declared to be a unit of the Independence National Historical Park: *Provided*, That the United States shall not thereby assume any responsibility to provide for the administration, care, or maintenance of said Mikveh Israel Cemetery.

“SEC. 2. This Act shall become effective if and when the Mikveh Israel Congregation, through its duly authorized representatives, has executed an agreement in terms and conditions satisfactory to the Secretary of the Interior, providing for the continuing administration, care, and maintenance, without expense to the United States, of the Mikveh Israel Cemetery, whereupon said Secretary shall issue a notice declaring that said requirement has been met and that Mikveh Israel Cemetery is formally designated a unit of the Independence National Historical Park.”

#### § 407m-1. Acquisition of additional lands and buildings

The Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase, the land and buildings immediately adjacent to, but not including, the St. George’s Methodist Church property, which land and buildings are identified generally as 318, 320, and 322 New Street, for inclusion in the Independence National Historical Park: *Provided*, That the Secretary shall first enter into an agreement with the proprietor or proprietors of the St. George’s Methodist Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of said church property, without expense to the United States, in keeping with, but not as a part of, the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes.

(Pub. L. 86-54, §1, June 23, 1959, 73 Stat. 88.)

#### Editorial Notes

##### CODIFICATION

Section was not enacted as a part of act June 28, 1948, ch. 687, 62 Stat. 1061, as amended, which comprises this subchapter.

#### Statutory Notes and Related Subsidiaries

##### APPROPRIATIONS

Pub. L. 86-54, §2, June 23, 1959, 73 Stat. 88, provided that: “There are hereby authorized to be appropriated such sums, not exceeding \$25,000, as may be necessary to carry out the purposes of section 1 of this Act [this section].”

#### § 407m-2. Acquisition of property adjacent to Old Saint Joseph’s Church

The Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase, from the Redevelopment Authority of the City of Philadelphia the land and interests in land immediately adjacent to, but not including the Old Saint Joseph’s Church property in the city of Philadelphia, Pennsylvania, which land and interests in land are identified on the records of the city of Philadelphia as 324, 326, 328, 330, 332, 334 and 336 Walnut Street, for inclusion in the Independence National Historical Park: *Provided*, That the Secretary shall first enter into an agreement with the proprietor or proprietors of the Old Saint Joseph’s Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of such church property, without expense to the United States, in keeping with, but not as a part of the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes.

(Pub. L. 86-273, §1, Sept. 14, 1959, 73 Stat. 556.)

#### Editorial Notes

##### CODIFICATION

Section was not enacted as a part of act June 28, 1948, ch. 687, 62 Stat. 1061, as amended, which comprises this subchapter.

#### Statutory Notes and Related Subsidiaries

##### APPROPRIATIONS

Section 2 of Pub. L. 86-273 authorized to be appropriated such sums, not exceeding \$46,200 as were necessary to carry out the purposes of this section.

#### § 407m-3. Acquisition of site of Graff House

In order to include in Independence National Historical Park the site of the Graff House where Thomas Jefferson wrote the Declaration of Independence, the Secretary of the Interior is authorized to acquire by purchase, donation, or with donated funds all or any interests in the land and improvements thereon located at the southwest corner of Market and South Seventh Streets, in the city of Philadelphia, State of Pennsylvania, and more particularly described as follows:

Beginning at a point located at the intersection of the southerly line of Market Street with the westerly line of South Seventh Street,