

“(A) affects the use of private land adjacent to the park;

“(B) preempts the authority of the State with respect to the regulation of hunting, fishing, boating, and wildlife management on private land or water outside the boundaries of the park; or

“(C) negatively affects the economic development of the areas surrounding the park.”

2003—Subsec. (b). Pub. L. 108-108, §148(1), struck out last sentence which read “The total acreage of the monument including lands described in subsection (a) and this subsection shall not exceed 22,200 acres.”

Subsecs. (c), (d). Pub. L. 108-108, §148(2), added subsecs. (c) and (d).

1988—Pub. L. 100-524 designated existing provisions as subsec. (a), struck out “, but the total area may not exceed fifteen thousand, two hundred acres” after “Federal Register”, and added subsec. (b).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Congaree National Park”, “park”, and “Park” substituted in text for “Congaree Swamp National Monument”, “monument”, and “Monument”, respectively, pursuant to Pub. L. 108-108, §135, which is set out below and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270, provided that: “Upon enactment of this Act, the Congaree Swamp National Monument shall be designated the Congaree 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 House of Representatives changed to Committee on Natural Resources of House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-524, §1, Oct. 24, 1988, 102 Stat. 2606, provided that: “This Act [enacting section 191a of Title 30, Mineral Lands and Mining, amending this section and section 410jjj-4 of this title, and enacting provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘Congaree Swamp National Monument Expansion and Wilderness Act.’”

§ 410jjj-1. Acquisition of lands

(a) Within the park the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests therein owned by the State of South Carolina or any political subdivision thereof may be acquired only by donation.

(b) With respect to any lands acquired under the provisions of this subchapter which at the time of acquisition are leased for hunting purposes, such acquisition shall permit the continued exercise of such lease in accordance with its provisions for its unexpired term, or for a period of five years, whichever is less: *Provided*, That no provision of such lease may be exercised which, in the opinion of the Secretary, is incompatible with the preservation objectives of this subchapter, or which is inconsistent with applicable Federal and State game laws, whichever is more restrictive.

(Pub. L. 94-545, §2, Oct. 18, 1976, 90 Stat. 2517; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

In subsec. (a), “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

§ 410jjj-2. Administration

(a) In general

The Secretary shall administer property acquired for the park in accordance with the Act of August 25, 1916 (39 Stat. 535),¹ as amended and supplemented, and the provisions of this subchapter.

(b) Sport fishing

The Secretary shall permit sport fishing on lands and waters under his jurisdiction within the park in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when no fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations promulgated under this subsection shall be placed in effect only after consultation with the appropriate fish and game agency of the State of South Carolina.

(c) Visitor center

At such time as the principal visitor center at such park is established, such center shall be designated as the “Harry R. E. Hampton Visitor Center”.

(Pub. L. 94-545, §3, Oct. 18, 1976, 90 Stat. 2517; Pub. L. 98-506, §1, Oct. 19, 1984, 98 Stat. 2338; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

Editorial Notes

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535), referred to in subsec. (a), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

AMENDMENTS

1984—Subsec. (c). Pub. L. 98-506 added subsec (c).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

In text, “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

¹ See References in Text note below.

§ 410jjj-3. Report

Within three years from the effective date of this subchapter, the Secretary shall review the area within the park and shall report to the President, in accordance with subsections 1132(c) and (d) of this title, his recommendation as to the suitability or unsuitability of any area within the park for preservation as wilderness, and any designation of any such area as wilderness shall be accomplished in accordance with said subsections.

(Pub. L. 94-545, §4, Oct. 18, 1976, 90 Stat. 2518; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

Editorial Notes

REFERENCES IN TEXT

The effective date of this subchapter, referred to in text, probably means the date of enactment of Pub. L. 94-545, which was approved on Oct. 18, 1976.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

In text, “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

§ 410jjj-4. Authorization of appropriations; general management plan**(a) In general**

The Secretary may not expend more than \$60,500,000 from the Land and Water Conservation Fund for land acquisition nor more than \$2,000,000 for the development of essential facilities. The Secretary may expend such additional sums as are necessary from the Land and Water Conservation Fund for acquisition of lands described in section 410jjj(b) of this title.

(b) General management plan

Within three years from the effective date of this subchapter the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan for the use and development of the park consistent with the purposes of this subchapter, indicating:

(1) the lands and interests in lands adjacent or related to the park which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this subchapter, and the estimated cost thereof;

(2) the number of visitors and types of public use within the park which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

(c) Authorization of appropriations

Notwithstanding subsection (a), there are authorized to be appropriated \$3,000,000 for construction and development within the park.

(Pub. L. 94-545, §5, Oct. 18, 1976, 90 Stat. 2518; Pub. L. 98-141, §6, Oct. 31, 1983, 97 Stat. 909; Pub. L. 100-524, §6, Oct. 24, 1988, 102 Stat. 2607; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

Editorial Notes

REFERENCES IN TEXT

The effective date of this subchapter, referred to in subsec. (b), probably means the date of enactment of Pub. L. 94-545, which was approved on Oct. 18, 1976.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-524, §6(a), inserted sentence at end relating to expenditure of additional sums for acquisition of lands.

Subsec. (c). Pub. L. 100-524, §6(b), added subsec. (c).

1983—Subsec. (a). Pub. L. 98-141 substituted “\$60,500,000” for “\$35,500,000” and “\$2,000,000” for “\$500,000”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

In subsecs. (b) and (c), “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree 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 House of Representatives changed to Committee on Natural Resources of House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

SUBCHAPTER LIX-II—LEWIS AND CLARK NATIONAL HISTORICAL PARK**§ 410kkk. Definitions**

As used in this subchapter:

(1) Park

The term “park” means the Lewis and Clark National Historical Park designated in section 410kkk-1 of this title.

(2) Secretary

The term “Secretary” means the Secretary of the Interior.

(Pub. L. 108-387, title I, §102, Oct. 30, 2004, 118 Stat. 2234.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in introductory provisions, was in the original “this title”, meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 108-387, title I, §101, Oct. 30, 2004, 118 Stat. 2234, provided that: “This title [enacting this subchapter and repealing sections 450mm to 450mm-3 of this title] may be cited as the ‘Lewis and Clark National Historical Park Designation Act’.”