

**§ 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 nonsuitability 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’.”

### § 410kkk-1. Lewis and Clark National Historical Park

#### (a) Designation

In order to preserve for the benefit of the people of the United States the historic, cultural, scenic, and natural resources associated with the arrival of the Lewis and Clark Expedition in the lower Columbia River area, and for the purpose of commemorating the culmination and the winter encampment of the Lewis and Clark Expedition in the winter of 1805–1806 following its successful crossing of the North American Continent, there is designated as a unit of the National Park System the Lewis and Clark National Historical Park.

#### (b) Boundaries

The boundaries of the park are those generally depicted on the map entitled “Lewis and Clark National Historical Park, Boundary Map”, numbered 405/80027, and dated December 2003, and which includes—

(1) lands located in Clatsop County, Oregon, which are associated with the winter encampment of the Lewis and Clark Expedition, known as Fort Clatsop and designated as the Fort Clatsop National Memorial by Public Law 85-435, including the site of the salt cairn (specifically, lot number 18, block 1, Cartwright Park Addition of Seaside, Oregon) used by that expedition and adjacent portions of the old trail which led overland from the fort to the coast;

(2) lands identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in this subsection; and

(3) lands located along the lower Columbia River in the State of Washington associated with the arrival of the Lewis and Clark Expedition at the Pacific Ocean in 1805, which are identified as “Station Camp”, “Clark’s Dismal Nitch”, and “Cape Disappointment” on the map referred to in this subsection.

#### (c) Acquisition of land

##### (1) Authorization

The Secretary is authorized to acquire land, interests in land, and improvements therein within the boundaries of the park, as identified on the map referred to in subsection (b), by donation, purchase with donated or appropriated funds, exchange, transfer from any Federal agency, or by such other means as the Secretary deems to be in the public interest.

##### (2) Consent of landowner required

The lands authorized to be acquired under paragraph (1) (other than corporately owned timberlands within the area identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in subsection (b)) may be acquired only with the consent of the owner.

##### (3) Acquisition of Fort Clatsop 2002 Addition Lands

If the owner of corporately owned timberlands within the area identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in subsection (b) agrees to enter into a sale of such lands as a result of actual condemnation proceedings or in lieu of

condemnation proceedings, the Secretary shall enter into a memorandum of understanding with the owner regarding the manner in which such lands shall be managed after acquisition by the United States.

#### (d) Cape Disappointment

##### (1) Transfer

Subject to valid rights (including withdrawals), the Secretary shall transfer to the Director of the National Park Service management of any Federal land at Cape Disappointment, Washington, that is within the boundary of the park.

##### (2) Withdrawn land

###### (A) Notice

The head of any Federal agency that has administrative jurisdiction over withdrawn land at Cape Disappointment, Washington, within the boundary of the park shall notify the Secretary in writing if the head of the Federal agency does not need the withdrawn land.

###### (B) Transfer

On receipt of a notice under subparagraph (A), the withdrawn land shall be transferred to the administrative jurisdiction of the Secretary, to be administered as part of the park.

##### (3) Memorial to Thomas Jefferson

All withdrawals of the 20-acre parcel depicted as a “Memorial to Thomas Jefferson” on the map referred to in subsection (b) are revoked, and the Secretary shall establish a memorial to Thomas Jefferson on the parcel.

##### (4) Management of Cape Disappointment State Park land

The Secretary may enter into an agreement with the State of Washington providing for the administration by the State of the land within the boundary of the park known as “Cape Disappointment State Park”.

#### (e) Map availability

The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service. (Pub. L. 108-387, title I, §103, Oct. 30, 2004, 118 Stat. 2234.)

#### Editorial Notes

##### REFERENCES IN TEXT

Public Law 85-435, referred to in subsec. (b)(1), is Pub. L. 85-435, May 29, 1958, 72 Stat. 153, which enacted sections 450mm to 450mm-3 of this title and was repealed by Pub. L. 108-387, title I, §105(a), Oct. 30, 2004, 118 Stat. 2236. For complete classification of this Act to the Code, see Tables.

#### Statutory Notes and Related Subsidiaries

##### FORT CLATSOP NATIONAL MEMORIAL

Pub. L. 107-221, §2, Aug. 21, 2002, 116 Stat. 1333, provided that: “The Congress finds the following:

“(1) Fort Clatsop National Memorial is the only unit of the National Park System solely dedicated to the Lewis and Clark Expedition.

“(2) In 1805, the members of the Lewis and Clark Expedition built Fort Clatsop at the mouth of the Co-