

98; Pub. L. 103-437, §6(d)(9), Nov. 2, 1994, 108 Stat. 4584.)

Editorial Notes

REFERENCES IN TEXT

Section 1302 of the 1984 Supplemental Appropriations Act, referred to in subsec. (a)(2), is section 1302 of Pub. L. 98-181, title I, Nov. 30, 1983, 97 Stat. 1292, which is not classified to the Code.

The Department of the Interior and Related Agencies Appropriations Acts for fiscal years 1991 through 1994, referred to in subsec. (k)(1), are, respectively, Pub. L. 101-512, Nov. 5, 1990, 104 Stat. 1915, Pub. L. 102-154, Nov. 13, 1991, 105 Stat. 990, Pub. L. 102-381, Oct. 5, 1992, 106 Stat. 1374, and Pub. L. 103-138, Nov. 11, 1993, 107 Stat. 1379. For complete classification of these Acts to the Code, see Tables.

AMENDMENTS

1994—Subsecs. (a)(2), (j). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Senate and the Committee on”.

Subsec. (k). Pub. L. 103-219 added subsec. (k).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2.

§ 410r-9. Boundary revision

(a) Inclusion of Tarpon Basin property

(1) Definitions

In this subsection:

(A) Hurricane Hole

The term “Hurricane Hole” means the natural salt-water body of water within the Duesenbury Tracts of the eastern parcel of the Tarpon Basin boundary adjustment and accessed by Duesenbury Creek.

(B) Map

The term “map” means the map entitled “Proposed Tarpon Basin Boundary Revision”, numbered 160/80.012, and dated May 2008.

(C) Secretary

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

(D) Tarpon Basin property

The term “Tarpon Basin property” means land that—

- (i) is comprised of approximately 600 acres of land and water surrounding Hurricane Hole, as generally depicted on the map; and
- (ii) is located in South Key Largo.

(2) Boundary revision

(A) In general

The boundary of the Everglades National Park is adjusted to include the Tarpon Basin property.

(B) Acquisition authority

The Secretary may acquire from willing sellers by donation, purchase with donated

or appropriated funds, or exchange, land, water, or interests in land and water, within the area depicted on the map, to be added to Everglades National Park.

(C) Availability of map

The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(D) Administration

Land added to Everglades National Park by this section shall be administered as part of Everglades National Park in accordance with applicable laws (including regulations).

(3) Hurricane Hole

The Secretary may allow use of Hurricane Hole by sailing vessels during emergencies, subject to such terms and conditions as the Secretary determines to be necessary.

(4) Authorization of appropriations

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

(b) Land exchanges

(1) Definitions

In this subsection:

(A) Company

The term “Company” means Florida Power & Light Company.

(B) Federal Land

The term “Federal Land” means the parcels of land that are—

- (i) owned by the United States;
- (ii) administered by the Secretary;
- (iii) located within the National Park; and
- (iv) generally depicted on the map as—
 - (I) Tract A, which is adjacent to the Tamiami Trail, U.S. Rt. 41; and
 - (II) Tract B, which is located on the eastern boundary of the National Park.

(C) Map

The term “map” means the map prepared by the National Park Service, entitled “Proposed Land Exchanges, Everglades National Park”, numbered 160/60411A, and dated September 2008.

(D) National Park

The term “National Park” means the Everglades National Park located in the State.

(E) Non-Federal land

The term “non-Federal land” means the land in the State that—

- (i) is owned by the State, the specific area and location of which shall be determined by the State; or
- (ii)(I) is owned by the Company;
- (II) comprises approximately 320 acres; and
- (III) is located within the East Everglades Acquisition Area, as generally depicted on the map as “Tract D”.

(F) Secretary

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

(G) State

The term “State” means the State of Florida and political subdivisions of the State, including the South Florida Water Management District.

(2) Land exchange with State**(A) In general**

Subject to the provisions of this paragraph, if the State offers to convey to the Secretary all right, title, and interest of the State in and to specific parcels of non-Federal land, and the offer is acceptable to the Secretary, the Secretary may, subject to valid existing rights, accept the offer and convey to the State all right, title, and interest of the United States in and to the Federal land generally depicted on the map as “Tract A”.

(B) Conditions

The land exchange under subparagraph (A) shall be subject to such terms and conditions as the Secretary may require.

(C) Valuation**(i) In general**

The values of the land involved in the land exchange under subparagraph (A) shall be equal.

(ii) Equalization

If the values of the land are not equal, the values may be equalized by donation, payment using donated or appropriated funds, or the conveyance of additional parcels of land.

(D) Appraisals

Before the exchange of land under subparagraph (A), appraisals for the Federal and non-Federal land shall be conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(E) Technical corrections

Subject to the agreement of the State, the Secretary may make minor corrections to correct technical and clerical errors in the legal descriptions of the Federal and non-Federal land and minor adjustments to the boundaries of the Federal and non-Federal land.

(F) Administration of land acquired by Secretary

Land acquired by the Secretary under subparagraph (A) shall—

- (i) become part of the National Park; and
- (ii) be administered in accordance with the laws applicable to the National Park System.

(3) Land exchange with company**(A) In general**

Subject to the provisions of this paragraph, if the Company offers to convey to the Secretary all right, title, and interest of the Company in and to the non-Federal land

generally depicted on the map as “Tract D”, and the offer is acceptable to the Secretary, the Secretary may, subject to valid existing rights, accept the offer and convey to the Company all right, title, and interest of the United States in and to the Federal land generally depicted on the map as “Tract B”, along with a perpetual easement on a corridor of land contiguous to Tract B for the purpose of vegetation management.

(B) Conditions

The land exchange under subparagraph (A) shall be subject to such terms and conditions as the Secretary may require.

(C) Valuation**(i) In general**

The values of the land involved in the land exchange under subparagraph (A) shall be equal unless the non-Federal land is of higher value than the Federal land.

(ii) Equalization

If the values of the land are not equal, the values may be equalized by donation, payment using donated or appropriated funds, or the conveyance of additional parcels of land.

(D) Appraisal

Before the exchange of land under subparagraph (A), appraisals for the Federal and non-Federal land shall be conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(E) Technical corrections

Subject to the agreement of the Company, the Secretary may make minor corrections to correct technical and clerical errors in the legal descriptions of the Federal and non-Federal land and minor adjustments to the boundaries of the Federal and non-Federal land.

(F) Administration of land acquired by Secretary

Land acquired by the Secretary under subparagraph (A) shall—

- (i) become part of the National Park; and
- (ii) be administered in accordance with the laws applicable to the National Park System.

(4) Map

The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(5) Boundary revision

On completion of the land exchanges authorized by this subsection, the Secretary shall adjust the boundary of the National Park accordingly, including removing the land conveyed out of Federal ownership.

(Pub. L. 111-11, title VII, §7107, Mar. 30, 2009, 123 Stat. 1193.)

SUBCHAPTER LV—MINUTE MAN NATIONAL HISTORICAL PARK

§ 410s. Establishment

(a) In general

In order to preserve for the benefit of the American people certain historic structures and properties of outstanding national significance associated with the opening of the War of the American Revolution, Minute Man National Historical Park is authorized to be established in the Commonwealth of Massachusetts. The purposes of the park shall include the preservation and interpretation of (1) the historic landscape along the road between Lexington and Concord, (2) sites associated with the causes and consequences of the American Revolution, and (3) the Wayside on Lexington Road in Concord, the home of Nathaniel Hawthorne, Bronson Alcott, Louisa May Alcott, and Margaret Sidney, whose works illustrate the nineteenth century American literary renaissance.

(b) Boundaries

The park shall be comprised of the lands depicted on the map entitled "Boundary Map NARO-406-20015C", dated June 1991.

(Pub. L. 86-321, §1, Sept. 21, 1959, 73 Stat. 591; Pub. L. 91-548, §1, Dec. 14, 1970, 84 Stat. 1436; Pub. L. 102-488, §2(1), Oct. 24, 1992, 106 Stat. 3135.)

Editorial Notes

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-488 substituted "The purposes of the park shall include the preservation and interpretation of (1) the historic landscape along the road between Lexington and Concord, (2) sites associated with the causes and consequences of the American Revolution, and (3) the Wayside on Lexington Road in Concord, the home of Nathaniel Hawthorne, Bronson Alcott, Louisa May Alcott, and Margaret Sidney, whose works illustrate the nineteenth century American literary renaissance." for "The park shall comprise not more than seven hundred and fifty acres as may be designated by the Secretary of the Interior from within the area beginning at Fiske Hill and thence lying along Massachusetts Avenue, Marrett Road and Marrett Street in the town of Lexington, along Nelson Road, Virginia Road, Old Bedford Road, and North Great Road or State Route 2-A in the town of Lincoln, and along Lexington Road, Monument Street, Liberty Street and Lowell Road in the town of Concord to and including the North Bridge and properties on both sides of the Concord River in the vicinity of the North Bridge."

Subsec. (b). Pub. L. 102-488 added subsec. (b) and struck out former subsec. (b) which read as follows: "Notwithstanding the description set forth in subsection (a) of this section, if the Secretary should determine that the relocation of Highway 2 by the Commonwealth of Massachusetts makes it desirable to establish new boundaries in common with, contiguous or adjacent to the proposed right-of-way for that highway, he is authorized to relocate such boundaries accordingly, and shall give notice thereof by publication of a map or other suitable description in the Federal Register: *Provided*, That any net acreage increase by reason of the boundary revision and land exchanges with the Commonwealth shall not be included in calculations of acreage in regard to the limitation set forth in subsection (a) of this section, but shall be in addition thereto."

Subsec. (c). Pub. L. 102-488 struck out subsec. (c) which read as follows: "Any lands added to the Minute

Man National Historical Park, pursuant to subsection (b) of this section may be acquired only if such acquisition can be accomplished without cost for land acquisition and, when so acquired, shall be subject to all laws, rules, and regulations applicable thereto."

1970—Pub. L. 91-548 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-488, §1, Oct. 24, 1992, 106 Stat. 3135, provided that: "This Act [enacting sections 410x-1 and 410x-2 of this title and amending this section and sections 410t and 410x of this title] may be cited as the 'Minute Man National Historical Park Amendments of 1991'."

§ 410t. Acquisition and transfer of lands; private owner's retention of right of use and occupancy

(a) Acquisition of lands; administrative jurisdiction of Federal lands; notice in Federal Register

The Secretary of the Interior is authorized to acquire by donation or with donated funds, or with funds authorized to be appropriated, lands and interests in lands within the area designated for the park. Administrative jurisdiction of Federal lands lying within the area designated for the park shall, with the concurrence of the Federal agency involved, be transferred to the Secretary of the Interior for administration as a part of the park.

The park shall be established as Minute Man National Historical Park by notice in the Federal Register when the Secretary of the Interior finds that sufficient lands within the designated area have been acquired to warrant such establishment.

(b) Transfer of lands

The Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Defense the two parcels currently administered by the Secretary of the Interior, as depicted on the map dated April 1990 and numbered NARO-406/80805. The Secretary of Defense shall transfer to the administrative jurisdiction of the Secretary of the Interior, without reimbursement, for inclusion in the Minute Man National Historical Park the 4 parcels now administered by the Secretary of Defense, as depicted on the maps dated April 1990 and numbered NARO-406/80804 and NARO-406/80805.

(c) Exceptions and limitations to authorization to acquire lands; condemnation

The Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange, lands or interests in lands within the areas included within the boundaries of the park pursuant to amendments made by the Minute Man National Historical Park Amendments of 1991 (hereinafter referred to as "1991 additions"), except that—

(1) lands, and interests in lands, within the 1991 additions which are owned by the State of Massachusetts or any political subdivision thereof, may be acquired only by donation, and