

funds, or exchange, except that lands owned by the State of Illinois or any political subdivision thereof may be acquired only by donation.

(May 17, 1954, ch. 204, § 4, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1467; amended Pub. L. 102-355, § 1(1), Aug. 26, 1992, 106 Stat. 947.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 4 of act May 17, 1954, was renumbered section 11 and is set out as a note under section 450jj of this title.

##### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-355 substituted “There is hereby designated” for “The Secretary of the Interior is further authorized to designate”, “approximately” for “not more than”, and “366-80013, dated January 1992,” for “MWR-366/80,004, and dated February 9, 1984,”.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Jefferson National Expansion Memorial redesignated Gateway Arch National Park by Pub. L. 115-128, § 2, Feb. 22, 2018, 132 Stat. 328, which is classified to section 450jj-10 of this title.

##### COMPLIANCE WITH CONGRESSIONAL BUDGET ACT

Pub. L. 98-398, title II, § 202, Aug. 24, 1984, 98 Stat. 1472, provided that any provision of title II of Pub. L. 98-398 (enacting sections 450jj-3 to 450jj-9 of this title and enacting and amending provisions set out as notes under section 450jj of this title) authorizing the enactment of new budget authority described in former section 652(a) of Title 2, The Congress, would be effective only for fiscal years beginning after Sept. 30, 1983.

#### § 450jj-4. Transfer of land

Where appropriate in the discretion of the Secretary of the Interior, he may transfer by lease or otherwise, to any appropriate person or governmental entity, land owned by the United States (or any interest therein) which has been acquired by the Secretary under section 450jj-3 of this title. Any such transfer shall be consistent with the management plan for the area and with the requirements of sections 100903 and 102901 of title 54 and shall be subject to such conditions and restrictions as the Secretary deems necessary to carry out the purposes of sections 450jj to 450jj-9 of this title, including terms and conditions which provide for—

- (1) the continuation of existing uses of the land which are compatible with the Memorial,
- (2) the protection of the important historical resources of the leased area, and
- (3) the retention by the Secretary of such access and development rights as the Secretary deems necessary to provide for appropriate visitor use and resource management.

In transferring any lands or interest in lands under this section, the Secretary shall take into account the views of the Commission established under section 450jj-6 of this title.

(May 17, 1954, ch. 204, § 5, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1468.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 450jj-6 of this title, referred to in text, was in the original “section 8”, meaning section 8 of act May 17, 1954, ch. 204, and was translated as reading “section 7” of such act, to reflect the probable intent of Congress, because section 7 related to the establishment of the Jefferson National Expansion Memorial Commission.

##### CODIFICATION

In introductory provisions, “sections 100903 and 102901 of title 54” substituted for “section 5 of the Act of July 15, 1968 (82 Stat. 356; 16 U.S.C. 4601-22)” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

##### PRIOR PROVISIONS

A prior section 5 of act May 17, 1954, contained a limitation on appropriation authorization and a prohibition on expenditure of Government funds and was classified as a note under section 450jj of this title, prior to the general amendment made by Pub. L. 85-936, Sept. 6, 1958, 72 Stat. 1794.

#### § 450jj-5. Administration of Memorial; cooperation with State and local governments and private sector

Lands and interests in lands acquired pursuant to section 450jj-3 of this title shall, upon acquisition, be a part of the Memorial. The Secretary of the Interior shall administer the Memorial in accordance with sections 450jj to 450jj-9 of this title and the provisions of law generally applicable to units of the national park system, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4)<sup>1</sup> and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).<sup>1</sup> In the development, management, and operation of that portion of the Memorial which is added to the Memorial under section 450jj-3 of this title, the Secretary shall, to the maximum extent feasible, utilize the assistance of State and local government agencies and the private sector. For such purposes, the Secretary may, consistent with the management plan for the area, enter into cooperative agreements with the State, with any political subdivision of the State, or with any person. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Secretary of any action proposed by the State, such political subdivision, or such person, which may affect the area.

(May 17, 1954, ch. 204, § 6, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1468.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), referred to in text, 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

<sup>1</sup> See References in Text note below.