

ernment and without compliance with section 6101 of title 41.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3167.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
104902	16 U.S.C. 17b.	May 26, 1930, ch. 324, §3, 46 Stat. 382.

§ 104903. Care, removal, and burial of indigents

The Secretary may provide, out of amounts appropriated for the general expenses of System units, for the temporary care and removal from a System unit of indigents, and in case of death to provide for their burial in System units not under local jurisdiction for these purposes. This section does not authorize transportation of indigents or deceased for a distance of more than 50 miles from the System unit.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3168.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
104903	16 U.S.C. 17e.	May 26, 1930, ch. 324, §6, 46 Stat. 382.

§ 104904. Hire of work animals, vehicles, and equipment with or without personal services

The Secretary may hire, with or without personal services, work animals and animal-drawn and motor-propelled vehicles and equipment at rates to be approved by the Secretary and without compliance with section 6101 of title 41.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3168.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
104904	16 U.S.C. 17i.	May 26, 1930, ch. 324, §10, 46 Stat. 383.

The word “Secretary” is substituted for “National Park Service” to reflect the transfer of functions of other officers, employees, and agencies of the Department of the Interior to the Secretary by sections 1 and 2 of Reorganization Plan No. 3 of 1950 (5 U.S.C. App.). The reference to section 16 of title 41 is omitted as obsolete because section 3744 of the Revised Statutes, classified to 41 U.S.C. 16, was repealed by the Act of October 21, 1941 (ch. 452, 55 Stat. 743).

§ 104905. Preparation of mats for reproduction of photographs

The Secretary shall prepare mats that may be used for the reproduction in magazines and newspapers of photographs of scenery in a System unit that, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. The mats may be furnished, without charge and under regulations the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications that may carry photographic reproductions.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3168.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
104905	16 U.S.C. 458a.	Aug. 27, 1940, ch. 690, §1, 54 Stat. 861.

§ 104906. Protection of right of individuals to bear arms

(a) FINDINGS.—Congress finds the following:

(1) The 2d amendment to the Constitution provides that “the right of the people to keep and bear Arms, shall not be infringed”.

(2) Section 2.4(a)(1) of title 36, Code of Federal Regulations, provides that “except as otherwise provided in this section and parts 7 (special regulations) and 13 (Alaska regulations), the following are prohibited: (i) Possessing a weapon, trap or net (ii) Carrying a weapon, trap or net (iii) Using a weapon, trap or net”.

(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the 2d amendment rights of the individuals while at System units.

(4) The existence of different laws relating to the transportation and possession of firearms at different System units entrapped law-abiding gun owners while at System units.

(5) Although the Bush administration issued new regulations relating to the 2d amendment rights of law-abiding citizens in System units that went into effect on January 9, 2009—

(A) on March 19, 2009, the United States District Court for the District of Columbia granted a preliminary injunction with respect to the implementation and enforcement of the new regulations; and

(B) the new regulations—
(i) are under review by the Obama administration; and
(ii) may be altered.

(6) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the 2d amendment rights of law-abiding citizens on 83,600,000 acres of System land.

(7) Federal laws should make it clear that the 2d amendment rights of an individual at a System unit should not be infringed.

(b) PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS IN SYSTEM UNITS.—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, in any System unit if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the System unit is located.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3168.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
104906	16 U.S.C. 1a–7b (relating to National Park System).	Pub. L. 111–24, title V, §512 (relating to National Park System), May 22, 2009, 123 Stat. 1764.

In subsection (a)(5)(B)(i), the words “the Obama administration” are substituted for “the administration” for clarity.

§ 104907. Limitation on extension or establishment of national parks in Wyoming

No extension or establishment of national parks in Wyoming may be undertaken except by express authorization of Congress.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3169.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
104907	16 U.S.C. 451a.	Sept. 14, 1950, ch. 950, §1 (proviso relating to national parks), 64 Stat. 849.

The word “further” is omitted as obsolete.

§ 104908. Bows in parks

(a) DEFINITION OF NOT READY FOR IMMEDIATE USE.—The term “not ready for immediate use” means—

- (1) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and
- (2) with respect to a crossbow, uncocked.

(b) VEHICULAR TRANSPORTATION AUTHORIZED.—The Director shall not promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit in the vehicle of the individual if—

- (1) the individual is not otherwise prohibited by law from possessing the bows and crossbows;
- (2) the bows or crossbows that are not ready for immediate use remain inside the vehicle of the individual throughout the period during which the bows or crossbows are transported across System land; and
- (3) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located.

(Added Pub. L. 116–9, title II, §2409(a), Mar. 12, 2019, 133 Stat. 751.)

§ 104909. Wildlife management in parks

(a) USE OF QUALIFIED VOLUNTEERS.—If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law (including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.

(b) REQUIREMENTS FOR QUALIFIED VOLUNTEERS.—Qualified volunteers providing assistance under subsection (a) shall be subject to—

- (1) any training requirements or qualifications established by the Secretary; and
- (2) any other terms and conditions that the Secretary may require.

(c) DONATIONS.—The Secretary may authorize the donation and distribution of meat from wildlife management activities carried out under this section, including the donation and distribution to Indian Tribes, qualified volunteers, food banks, and other organizations that work

to address hunger, in accordance with applicable health guidelines and such terms and conditions as the Secretary may require.

(Added Pub. L. 116–9, title II, §2410(a), Mar. 12, 2019, 133 Stat. 752.)

DIVISION B—SYSTEM UNITS AND RELATED AREAS—RESERVED

DIVISION C—NATIONAL HERITAGE AREAS

CHAPTER 1201—NATIONAL HERITAGE AREA SYSTEM

Sec.

120101. Definition of National Heritage Area.
 120102. Establishment of National Heritage Area System.
 120103. National Heritage Area studies and designation.
 120104. Evaluation.

§ 120101. Definition of National Heritage Area

In this chapter, the term “National Heritage Area” means a component of the National Heritage Area System described in section 120102(b).

(Added Pub. L. 117–339, §2(a), Jan. 5, 2023, 136 Stat. 6158.)

Statutory Notes and Related Subsidiaries

PRIVATE PROPERTY AND REGULATORY PROTECTIONS

Pub. L. 117–339, §2(b)(1), Jan. 5, 2023, 136 Stat. 6162, provided that:

“(1) IN GENERAL.—Nothing in this section [enacting this chapter, amending provisions listed in a table of National Heritage and River Corridors, a table of National Heritage Areas, and a table of National Heritage Canalways set out under section 120102 of this title, and repealing provisions set out as a note under section 120102 of this title] (including an amendment made by this section)—

“(A) abridges any right of a public or private property owner, including the right to refrain from participating in any plan, project, program, or activity conducted within a National Heritage Area;

“(B) requires any property owner to permit public access (including Federal, State, Tribal government, or local government access) to a property;

“(C) modifies any provision of Federal, State, Tribal, or local law with respect to public access or use of private land;

“(D)(i) alters any applicable land use regulation, land use plan, or other regulatory authority of any Federal, State, or local agency or Tribal government; or

“(ii) conveys to any local coordinating entity any land use or other regulatory authority;

“(E) authorizes or implies the reservation or appropriation of water or water rights;

“(F) diminishes the authority of a State to manage fish and wildlife, including through the regulation of fishing and hunting within a National Heritage Area in the State; or

“(G) creates or affects any liability—

“(i) under any other provision of law; or

“(ii) of any private property owner with respect to any person injured on private property.”

§ 120102. Establishment of National Heritage Area System

(a) IN GENERAL.—To recognize certain areas of the United States that tell nationally significant stories and to conserve, enhance, and interpret those nationally significant stories and the