

**§ 242. Condemnation of land; acceptance of donations**

The Secretary of the Interior is authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of section 3113 of title 40, to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore Roosevelt National Park: *And provided further*, That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General.

(Apr. 25, 1947, ch. 41, § 2, 61 Stat. 53; Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888, entitled ‘An Act to authorize the condemnation of lands for sites for public buildings, and other purposes’ (25 Stat. 357)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

CHANGE OF NAME

Theodore Roosevelt National Memorial Park redesignated Theodore Roosevelt National Park pursuant to Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521, which is classified to section 241g of this title.

**§ 243. Exchange of lands**

That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this subchapter, the Secretary of the Interior is authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto.

(Apr. 25, 1947, ch. 41, § 3, 61 Stat. 54.)

**§ 244. Construction of log buildings; limitation on cost**

The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Park, lots 6 and 7, section 33, township 144 north, range 102 west; southeast quarter of southeast quarter, section 32, township 144

north, range 102 west; lots 4 and 5, section 4, township 143, range 102 west; and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5, and to reconstruct thereon the log ranch house thirty by sixty feet, the log blacksmith shop sixteen by twenty feet, one log stable sixteen by twenty feet, one log stable twenty by thirty feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: *Provided*, That the total cost of such land and buildings shall not exceed \$40,000.

(Apr. 25, 1947, ch. 41, § 4, 61 Stat. 54; June 10, 1948, ch. 437, § 1, 62 Stat. 352; Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521.)

AMENDMENTS

1948—Act June 10, 1948, corrected the land description of Theodore Roosevelt’s Elkhorn Ranch.

CHANGE OF NAME

Theodore Roosevelt National Memorial Park redesignated Theodore Roosevelt National Park, pursuant to Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521, which is classified to section 241g of this title.

**§ 245. Administration, protection, and development**

The Administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Apr. 25, 1947, ch. 41, § 5, 61 Stat. 54.)

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 246. Repealed. June 10, 1948, ch. 437, § 1, 62 Stat. 352**

Section, act Apr. 25, 1947, ch. 41, § 6, 61 Stat. 54, related to construction of a monument to Theodore Roosevelt.

**§ 247. Homestead, mineral, and other rights unaffected**

That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

(Apr. 25, 1947, ch. 41, § 6, formerly § 7, 61 Stat. 54; renumbered § 6, June 10, 1948, ch. 437, § 1, 62 Stat. 352.)

REFERENCES IN TEXT

Herein, referred to in text, means act Apr. 25, 1947, which was generally classified to this subchapter. For

complete classification of this Act to the Code, see Tables.

The land laws of the United States, referred to in text, are classified generally to Title 43, Public Lands.

## SUBCHAPTER XXVII—OLYMPIC NATIONAL PARK

### § 251. Establishment; boundaries

The Mount Olympus National Monument established pursuant to proclamation of the President dated March 2, 1909, is abolished, and the tracts of land in the State of Washington particularly described as follows, to wit: Township 25 north, range 4 west, sections 5 to 8, 17 to 20, and 29 to 32, inclusive (unsurveyed); township 26 north, range 4 west, sections 1 to 12, 17 to 20, and 29 to 32, inclusive (unsurveyed); township 27 north, range 4 west, sections 5 to 8, 17 to 20, and 29 to 36, inclusive (unsurveyed); township 28 north, range 4 west, sections 17 to 22, and 27 to 34, inclusive (unsurveyed); townships 25, 26, and 27 north, range 5 west (unsurveyed), township 28 north, range 5 west, sections 7 to 36, inclusive (unsurveyed); township 24 north, range 6 west, sections 3 to 10, 15 to 22, and 27 to 34, inclusive (unsurveyed); townships 25, 26, and 27 north, range 6 west (unsurveyed); township 28 north, range 6 west, sections 7 to 36, inclusive (unsurveyed); townships 24, 25, 26, and 27 north range 7 west (unsurveyed); township 28 north, range 7 west, sections 5 to 36, inclusive (unsurveyed); township 24 north, range 8 west, sections 1 to 18, inclusive (partly surveyed); townships 25, 26, 27, and 28 north, range 8 west (unsurveyed); township 29 north, range 8 west, sections 6, 7, 18, 19 to 21, and 28 to 33, inclusive (unsurveyed); township 30 north, range 8 west, sections 18, 19, 30, and 31 (partly surveyed); township 24 north, range 9 west, sections 1, 2, 11, 12, 13, and 14 (partly surveyed); township 25 north, range 9 west (unsurveyed); township 26 north, range 9 west, sections 1 to 18, inclusive (unsurveyed) each half of section 19 (unsurveyed), sections 20 to 29, and 32 to 36, inclusive (surveyed); townships 27 and 28 north, range 9 west (unsurveyed); township 29 north, range 9 west (partly surveyed); township 30 north, range 9 west, sections 13, 14, and 23 to 36, inclusive (partly surveyed); township 26 north, range 10 west, sections 1, 12, and 13 (surveyed); township 27 north, range 10 west, sections 1 to 6, inclusive, 12, 13, 24, 25, and 36 (surveyed); township 28 north, range 10 west, south half section 7, south half section 8, south half section 9, south half section 10, south half section 11, south half section 12, sections 13 to 36, inclusive (unsurveyed) all west of the Willamette meridian, in Washington, are reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Olympic National Park, and all lands formerly included in the Mount Olympus National Monument and not included in the above description are transferred to and made a part of the Olympic National Forest.

(June 29, 1938, ch. 812, §1, 52 Stat. 1241.)

### SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-323, §1, Dec. 22, 2010, 124 Stat. 3532, provided that: "This Act [enacting provisions set out as a note under this section] may be cited as the 'Hoh Indian Tribe Safe Homelands Act'."

### HOH INDIAN TRIBE SAFE HOMELANDS

Pub. L. 111-323, §§2, 3(a)(1), Dec. 22, 2010, 124 Stat. 3532, provided that, effective Dec. 22, 2010, a parcel of Federal land of approximately 37 acres, administered by the National Park Service, and depicted on the Hoh Indian Tribe Safe Homelands Act Land Acquisition Map, is considered held in trust by the United States for the benefit of the Tribe and shall be excluded from the boundaries of Olympic National Park.

### LAND EXCHANGE WITH CITY OF TACOMA, WASHINGTON

Pub. L. 102-436, title I, Oct. 23, 1992, 106 Stat. 2217, provided that if the city of Tacoma offered to convey to the United States approximately 45 acres of land located in the Soleduck and Quileute areas within the boundary of Olympic National Park, in exchange for approximately 30 acres of land adjacent to Lake Cushman as depicted on a map entitled "Proposed Boundary Revision Olympic National Park" and dated July 29, 1991, then the Secretary of the Interior was to carry out such exchange, provided Tacoma could deliver clear and unencumbered title, and subject to the laws and regulations applicable to exchanges of land in the National Park System, adjustment of the Olympic National Park boundaries, and additional provisions excluding such exchange from affecting the operating level of Cushman Reservoir, rights of possible intervenors in the Cushman Project, or fishing rights of the Skokomish Tribe or any other Indian tribe.

[Pub. L. 104-134, title I, §101(c) [title I, §116], Apr. 26, 1996, 110 Stat. 1321-156, 1321-178; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, provided that: "Within 30 days after the enactment of this Act [Apr. 26, 1996], the Department of the Interior shall issue a specific schedule for the completion of the Lake Cushman Land Exchange Act (Public Law 102-436) [probably means title I of Pub. L. 102-436, set out above] and shall complete the exchange not later than September 30, 1996."]

### ACQUISITION OF CERTAIN BUILDINGS, ETC.; APPROPRIATION

Act Dec. 6, 1944, ch. 506, 58 Stat. 793, authorized the Secretary of the Interior to purchase buildings and fixtures of the Olympic Recreation Company and the Olympic Chalet Company, and appropriated \$35,000 for that purpose.

### § 251a. Additional lands

Title to State, county, and private lands situated north of the line between townships 27 and 28 north, Willamette base and meridian, Washington, and within the boundaries of the Olympic National Park as now or hereafter established by proclamation of the President of the United States, shall be subject to acceptance under the provisions of section 485 of this title, and such lands when vested in the ownership of the United States shall be a part of the Olympic National Park subject to all laws and regulations applicable thereto.

(Dec. 22, 1942, ch. 800, 56 Stat. 1070.)

### § 251b. Exchange of lands

The Secretary of the Interior is authorized to exchange approximately six thousand six hundred eight and ninety-six one-hundredths acres of land adjacent to the Queets Corridor and Ocean Strip portions of Olympic National Park,