

(a) A comprehensive listing of all authorized but unacquired lands within the exterior boundaries of each unit of the National Park System as of November 28, 1990.

(b) A priority listing of all such unacquired parcels by individual park unit and for the National Park System as a whole. The list shall describe the acreage and ownership of each parcel, the estimated cost of acquisition for each parcel (subject to any statutory acquisition limitations for such lands), and the basis for such estimate.

(c) An analysis and evaluation of the current and future needs of each unit of the National Park System for resource management, interpretation, construction, operation and maintenance, personnel, housing, together with an estimate of the costs thereof.

(Pub. L. 101-628, title XII, § 1215, Nov. 28, 1990, 104 Stat. 4508.)

#### § 1a-12. Evaluation of proposed boundary changes

Within one year after November 28, 1990, the Secretary shall develop criteria to evaluate any proposed changes to the existing boundaries of individual park units including—

(a) analysis of whether or not the existing boundary provides for the adequate protection and preservation of the natural, historic, cultural, scenic and recreational resources integral to the unit;

(b) an evaluation of each parcel proposed for addition or deletion to the unit based on the analysis under paragraph (1);<sup>1</sup>

(c) an assessment of the impact of potential boundary adjustments taking into consideration the factors in paragraph (c)<sup>2</sup> as well as the effect of the adjustments on the local communities and surrounding area.

(Pub. L. 101-628, title XII, § 1216, Nov. 28, 1990, 104 Stat. 4508.)

#### § 1a-13. Proposals for boundary changes

In proposing any boundary change after November 28, 1990, the Secretary shall—

(a) consult with affected agencies of State and local governments<sup>1</sup> surrounding communities, affected landowners and private national, regional, and local organizations;

(b) apply the criteria developed pursuant to section 1a-12 of this title and accompany this proposal with a statement reflecting the results of the application of such criteria;

(c) include with such proposal an estimate of the cost for acquisition of any parcels proposed for acquisition together with the basis for the estimate and a statement on the relative priority for the acquisition of each parcel within the priorities for acquisition of other lands for such unit and for the National Park System.

(Pub. L. 101-628, title XII, § 1217, Nov. 28, 1990, 104 Stat. 4508.)

<sup>1</sup> So in original. Probably should be paragraph "(a)".

<sup>2</sup> So in original.

<sup>1</sup> So in original. Probably should be followed by a comma.

#### § 1a-14. National Park System advisory committees

##### (a) Charter

The provisions of section 14(b) of the Federal Advisory Committee Act (5 U.S.C. Appendix; 86 Stat. 776) are hereby waived with respect to any advisory commission or advisory committee established by law in connection with any national park system unit during the period such advisory commission or advisory committee is authorized by law.

##### (b) Members

In the case of any advisory commission or advisory committee established in connection with any national park system unit, any member of such Commission or Committee may serve after the expiration of his or her term until a successor is appointed.

(Pub. L. 102-525, title III, § 301, Oct. 26, 1992, 106 Stat. 3441.)

#### REFERENCES IN TEXT

Section 14(b) of the Federal Advisory Committee Act, referred to in subsec. (a), is section 14(b) of Pub. L. 92-463, which is set out in the Appendix to Title 5, Government Organization and Employees.

#### § 1b. Secretary of the Interior's authorization of additional activities; administration of National Park System

In order to facilitate the administration of the National Park System, the Secretary of the Interior is authorized to carry out the following activities, and he may use applicable appropriations for the aforesaid system for the following purposes:

##### (1) Emergency assistance

Rendering of emergency rescue, fire fighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the National Park System.

##### (2) Utility facilities; erection and maintenance

The erection and maintenance of fire protection facilities, water lines, telephone lines, electric lines, and other utility facilities adjacent to any area of the said National Park System, where necessary, to provide service in such area.

##### (3) Transportation of employees of Carlsbad Caverns National Park; rates

Transportation to and from work, outside of regular working hours, of employees of Carlsbad Caverns National Park, residing in or near the city of Carlsbad, New Mexico, such transportation to be between the park and the city, or intervening points, at reasonable rates to be determined by the Secretary of the Interior taking into consideration, among other factors, comparable rates charged by transportation companies in the locality for similar services, the amounts collected for such transportation to be credited to the appropriation current at the time payment is received: *Provided*, That if adequate transportation facilities are available, or shall be available by any common carrier, at reasonable rates, then and

in that event the facilities contemplated by this paragraph shall not be offered.

**(4) Utility services for concessioners; reimbursement**

Furnishing, on a reimbursement of appropriation basis, all types of utility services to concessioners, contractors, permittees, or other users of such services, within the National Park System: *Provided*, That reimbursements for cost of such utility services may be credited to the appropriation current at the time reimbursements are received.

**(5) Supplies and rental of equipment; reimbursement**

Furnishing, on a reimbursement of appropriation basis, supplies, and the rental of equipment to persons and agencies that in cooperation with, and subject to the approval of, the Secretary of the Interior, render services or perform functions that facilitate or supplement the activities of the Department of the Interior in the administration of the National Park System: *Provided*, That reimbursements hereunder may be credited to the appropriation current at the time reimbursements are received.

**(6) Contracts for utility facilities**

Contracting, under such terms and conditions as the said Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration and protection of the National Park System, regardless of whether such lines and facilities are located within or outside said system and areas.

**(7) Rights-of-way**

Acquiring such rights-of-way as may be necessary to construct, improve, and maintain roads within the authorized boundaries of any area of said National Park System and the acquisition also of land and interests in land adjacent to such rights-of-way, when deemed necessary by the Secretary, to provide adequate protection of natural features or to avoid traffic and other hazards resulting from private road access connections, or when the acquisition of adjacent residual tracts, which otherwise would remain after acquiring such rights-of-way, would be in the public interest.

**(8) Operation and maintenance of motor and other equipment; rent of equipment; reimbursement**

The operation, repair, maintenance, and replacement of motor and other equipment on a reimbursable basis when such equipment is used on Federal projects of the said National Park System, chargeable to other appropriations, or on work of other Federal agencies, when requested by such agencies. Reimbursement shall be made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control and credited to appropriations currently available at

the time adjustment is effected, and the Secretary may also rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the said National Park System and other areas in fire control, such rental to be under the terms of written cooperative agreements, the amount collected for such rentals to be credited to appropriations currently available at the time payment is received.

(Aug. 8, 1953, ch. 384, §1, 67 Stat. 495; Pub. L. 91-383, §2(a), Aug. 18, 1970, 84 Stat. 826.)

AMENDMENTS

1970—Pub. L. 91-383 struck out “and miscellaneous areas administered in connection therewith” after “National Park System” and “and miscellaneous areas” after “aforesaid system” in introductory text and “National Park System” in pars. (1), (2), (4) to (7), and (8) where first appearing.

**§ 1c. General administration provisions; system defined; particular areas**

**(a) “National park system” defined**

The “national park system” shall include any area of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.

**(b) Specific provisions applicable to area; uniform application of sections 1b to 1d and other provisions of this title to all areas when not in conflict with specific provisions; references in other provisions to national parks, monuments, recreation areas, historic monuments, or parkways not a limitation of such other provisions to those areas**

Each area within the national park system shall be administered in accordance with the provisions of any statute made specifically applicable to that area. In addition, the provisions of sections 1b to 1d of this title, and the various authorities relating to the administration and protection of areas under the administration of the Secretary of the Interior through the National Park Service, including but not limited to the Act of August 25, 1916 (39 Stat. 535), as amended [16 U.S.C. 1, 2, 3, and 4], the Act of March 4, 1911 (36 Stat. 1253), as amended (16 U.S.C. 5) relating to rights-of-way, the Act of June 5, 1920 (41 Stat. 917), as amended (16 U.S.C. 6), relating to donation of land and money, sections 1, 4, 5, and 6 of the Act of April 9, 1924 (43 Stat. 90), as amended (16 U.S.C. 8 and 8a-8c), relating to roads and trails, the Act of March 4, 1931 (46 Stat. 1570; 16 U.S.C. 8d), relating to approach roads to national monuments, the Act of June 3, 1948 (62 Stat. 334), as amended (16 U.S.C. 8e-8f), relating to conveyance of roads to States, the Act of August 31, 1954 (68 Stat. 1037), as amended (16 U.S.C. 452a), relating to acquisitions of inholdings, section 1 of the Act of July 3, 1926 (44 Stat. 900), as amended (16 U.S.C. 12), relating to aid to visitors in emergencies, the Act of March 3, 1905 (33 Stat. 873; 16 U.S.C. 10), relating to arrests, sections 3, 4, 5, and 6 of the Act of May 26, 1930 (46 Stat. 381), as amended (16 U.S.C. 17b, 17c, 17d, and 17e), relating to services