

(Mar. 4, 1911, ch. 238, 36 Stat. 1253; May 27, 1952, ch. 338, 66 Stat. 95.)

#### REPEALS

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

#### CODIFICATION

Section, insofar as it relates also to rights-of-way in military and other reservations and national forests, is also set out as sections 420 and 523 of this title, and, in so far as it relates to rights-of-way on public lands generally, and Indian reservations, is set out as section 961 of Title 43, Public Lands.

#### AMENDMENTS

1952—Act May 27, 1952, inserted reference to rights-of-way for radio, television, and other forms of communication, and increased from 40 feet to 400 feet the maximum width of rights-of-way for lines and poles.

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579, insofar as applicable to the issuance of rights-of-way, not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

### § 6. Donations of lands within national parks and monuments and moneys

The Secretary of the Interior in his administration of the National Park Service is authorized, in his discretion, to accept patented lands, rights-of-way over patented lands or other lands, buildings, or other property within the various national parks and national monuments, and moneys which may be donated for the purposes of the national park and monument system.

(June 5, 1920, ch. 235, § 1, 41 Stat. 917.)

#### § 6a. Repealed. Pub. L. 90-209, § 2, Dec. 18, 1967, 81 Stat. 656

Section, act July 10, 1935, ch. 375, § 4, 49 Stat. 478, related to acceptance of gifts or bequests of money. See section 19g of this title.

#### § 7. Repealed. Oct. 31, 1951, ch. 654, § 1(35), 65 Stat. 702

Section, act Jan. 24, 1923, ch. 42, 42 Stat. 1215, related to purchase of supplies or services for National Park Service.

### § 7a. Airports in national parks, monuments and recreation areas; construction, etc.

The Secretary of the Interior (hereinafter called the "Secretary") is authorized to plan, acquire, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, national parks, national monuments, and national recreation areas, when such airports are determined by him to be necessary to the proper performance of the functions of the Department of the Interior: *Provided*, That no such airport shall be acquired, established, or constructed by the Secretary un-

less such airport is included in the then current revision of the national airport plan formulated by the Secretary of Transportation pursuant to the provisions of the Federal Airport Act: *Provided further*, That the operation and maintenance of such airports shall be in accordance with the standards, rules, or regulations prescribed by the Secretary of Transportation.

(Mar. 18, 1950, ch. 72, § 1, 64 Stat. 27; Pub. L. 85-726, title XIV, § 1402(e), Aug. 23, 1958, 72 Stat. 807; Pub. L. 91-258, title I, § 52(b)(1), May 21, 1970, 84 Stat. 235.)

#### REFERENCES IN TEXT

The Federal Airport Act, referred to in text, is act May 13, 1946, ch. 251, 60 Stat. 170, as amended, which was classified to chapter 14 (§1101 et seq.) of former Title 49, Transportation. The Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Pub. L. 91-258, title I, May 21, 1970, 84 Stat. 235). See chapter 471 of Title 49, Transportation.

#### AMENDMENTS

1970—Pub. L. 91-258 substituted "Secretary of Transportation" for "Administrator of the Federal Aviation Agency" in two places.

1958—Pub. L. 85-726 substituted "Administrator of the Federal Aviation Agency" for "Administrator of Civil Aeronautics" in two places.

#### EFFECTIVE DATE OF 1958 AMENDMENT

Section 1505(2) of Pub. L. 85-726 provided that the amendment made by Pub. L. 85-726 is effective on 60th day following date on which the Administrator of the Federal Aviation Agency first appointed under Pub. L. 85-726 qualifies and takes office. The Administrator was appointed, qualified and took office on Oct. 31, 1958.

### § 7b. Acquisition of lands for airport use; contracts for operation and maintenance

In order to carry out the purposes of sections 7a to 7e of this title, the Secretary is authorized to acquire necessary lands and interests in or over lands; to contract for the construction, improvement, operation, and maintenance of airports and incidental facilities; to enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by such other public agencies or jointly by the Secretary and such other public agencies upon mutually satisfactory terms; and to enter into such other agreements and take such other action with respect to such airports as may be necessary to carry out the purposes of said sections: *Provided*, That nothing in said sections shall be held to authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease without first obtaining the consent of the Governor of the State, and the consent of the State political subdivision in which such land is located: *And provided further*, That the authorization herein granted shall not exceed \$3,500,000.

(Mar. 18, 1950, ch. 72, § 2, 64 Stat. 28; Pub. L. 89-763, Nov. 5, 1966, 80 Stat. 1313.)

#### AMENDMENTS

1966—Pub. L. 89-763 substituted "\$3,500,000" for "\$2,000,000".

### § 7c. Authorization to sponsor airport projects; use of funds

In order to carry out the purposes of sections 7a to 7e of this title, the Secretary is authorized

to sponsor projects under the Federal Airport Act either independently or jointly with other public agencies, and to use, for payment of the sponsor's share of the project costs of such projects, any funds that may be contributed or otherwise made available to him for such purpose (receipt of which funds and their use for such purposes is authorized) or may be appropriated or otherwise specifically authorized therefor.

(Mar. 18, 1950, ch. 72, § 3, 64 Stat. 28.)

#### REFERENCES IN TEXT

The Federal Airport Act, referred to in text, is act May 13, 1946, ch. 251, 60 Stat. 170, as amended, which was classified to chapter 14 (§1101 et seq.) of former Title 49, Transportation. The Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Pub. L. 91-258, title I, May 21, 1970, 84 Stat. 235). See chapter 471 of Title 49, Transportation.

#### § 7d. Jurisdiction over airports; public operation

All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination.

(Mar. 18, 1950, ch. 72, § 4, 64 Stat. 28.)

#### § 7e. Definitions

The terms "airport", "project", "project costs", "public agency", and "sponsor", as used in sections 7a to 7e of this title, shall have the respective meanings prescribed in the Federal Airport Act.

(Mar. 18, 1950, ch. 72, § 5, 64 Stat. 28.)

#### REFERENCES IN TEXT

The Federal Airport Act, referred to in text, is act May 13, 1946, ch. 251, 60 Stat. 170, as amended, which was classified to chapter 14 (§1101 et seq.) of former Title 49, Transportation. The Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Pub. L. 91-258, title I, May 21, 1970, 84 Stat. 235). See chapter 471 of Title 49, Transportation.

#### § 8. Roads and trails in national parks and monuments; construction, etc.

The Secretary of the Interior, in his administration of the National Park Service, is authorized to construct, reconstruct, and improve roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior.

(Apr. 9, 1924, ch. 86, § 1, 43 Stat. 90.)

#### 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.

#### § 8-1. Repealed. Pub. L. 85-767, § 2[33], Aug. 27, 1958, 72 Stat. 919

Section, act Sept. 7, 1950, ch. 912, § 4(a), 64 Stat. 787, related to administration of appropriations for construction, reconstruction, and improvement of roads

and trails in national parks, monuments, and other areas administered by National Park Service.

Act Sept. 5, 1940, ch. 715, § 8, 54 Stat. 870, which was formerly classified to this section, was repealed by Pub. L. 85-767, § 2[23], Aug. 27, 1958, 72 Stat. 919.

#### § 8a. National-park approach roads; designation

Whenever the Secretary of the Interior shall determine it to be in the public interest he may designate as national-park approach roads and as supplementary parts of the highway systems of any of the national parks roads whose primary value is to carry national-park travel and which lead across lands wholly or to the extent of 90 per centum owned by the Government of the United States and which will connect the highways within a national park with a convenient point on or leading to the Federal 7 per centum highway system: *Provided*, That such approach roads so designated shall be limited to not to exceed sixty miles in length between a park gateway and such point on or leading to the nearest convenient 7 per centum system road; or, if such approach road is on the 7 per centum system, it shall be limited to not to exceed thirty miles: *Provided further*, That not to exceed forty miles of any one approach road shall be designated in any one county.

(Apr. 9, 1924, ch. 86, § 4, as added Jan. 31, 1931, ch. 79, 46 Stat. 1053.)

#### § 8b. National-park approach roads and roads and trails within national parks and national monuments; construction, improvement, and maintenance; appropriation

The Secretary of the Interior is authorized during the fiscal years 1950 and 1951 to construct, reconstruct, and improve national-park approach roads designated under section 8a of this title, inclusive of necessary bridges, and to enter into agreements for the maintenance thereof by State or county authorities, or to maintain them when otherwise necessary, as well as hereafter to construct, reconstruct, and improve roads and trails within the national parks and national monuments; and for all such purposes there is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, the following sums: \$10,000,000 for the fiscal year ending June 30, 1950; the sum of \$10,000,000 for the fiscal year ending June 30, 1951: *Provided*, That under agreement with the Secretary of the Interior the Secretary of Commerce may carry out any or all of the provisions of this section: *Provided further*, That not to exceed \$1,500,000 shall be allocated annually for the construction, reconstruction, and improvement of such national-park approach roads: *And provided further*, That nothing in this section or sections 8, 8a, and 8c of this title shall be construed to limit the authority of the Secretary of the Interior to hereafter construct, reconstruct, improve, and maintain roads and trails within the national parks and national monuments.

(Apr. 9, 1924, ch. 86, § 5, as added Jan. 31, 1931, ch. 79, 46 Stat. 1053; amended 1939 Reorg. Plan No. I, §§ 301, 302, eff. July 1, 1939, 4 F.R. 2727, 53 Stat. 1426; June 29, 1948, ch. 732, § 4(a), 62 Stat. 1107; June 30, 1949, ch. 288, title I, § 103, 63 Stat. 380; 1949 Reorg. Plan No. 7, § 2, eff. Aug. 10, 1949, 14 F.R. 5228, 63 Stat. 1070.)