

within the park boundaries held in private or municipal ownership prior to August 1, 1916, shall be affected by or subject to the provisions of this section and sections 391 and 394 of this title.

(Aug. 1, 1916, ch. 264, §§ 2, 3, 39 Stat. 433, 434.)

REFERENCES IN TEXT

Herein, referred to in text, means act Aug. 1, 1916, which is classified to sections 391, 393 and 394 of this title. 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.

Section 79 of this title, referred to in text, was in the original a reference to act Feb. 15, 1901, ch. 372, 31 Stat. 790. For further details, see Codification note set out under section 79 of this title.

CODIFICATION

Section is a combination of sections 2 and 3 of act Aug. 1, 1916, all but the last sentence being derived from section 2.

HALEAKALĀ NATIONAL PARK

Establishment of detached portion of Hawaii National Park lying on island of Maui as Haleakalā National Park, effective July 1, 1961, see section 396b of this title.

§ 394. Control; rules and regulations; leases; appropriations

Hawaii National Park shall be under the executive control of the Secretary of the Interior. He shall perform the duties and exercise the powers enumerated in section 3 of this title, except as inconsistent with this section. The regulations promulgated shall provide for the preservation from injury, of all timber, birds, mineral deposits, and natural curiosities or wonders within said park, and their retention in their natural condition as nearly as possible. He may in his discretion grant leases for terms not exceeding twenty years, at such annual rental as he may determine, of parcels of land in said park of not more than twenty acres in all to any one person, corporation, or company for the erection and maintenance of buildings for the accommodation of visitors; but no such lease shall include any of the objects of curiosity or interest in said park or exclude the public from free convenient approach thereto or convey, either expressly or by implication, any exclusive privilege within the park except upon the premises held thereunder and for the time granted therein; and every such lease shall require the lessee to observe and obey each and every provision in any Act of Congress and every rule, order, or regulation of the Secretary of the Interior concerning the use, care, management, or government of the park, or any object or property therein, under penalty of forfeiture of such lease. He may in his discretion grant to persons or corporations holding leases of land in the park on August 1, 1916, upon the surrender thereof, new leases hereunder, upon the terms and stipulations contained in their present leases, with such modifications, restrictions, and reservations as he may prescribe. All of the proceeds of said leases and other revenues that may be derived from any source connected with the park shall be expended under the direction of the Sec-

retary, in the management and protection of the same and the construction of roads and paths therein. He may also, in his discretion, permit the erection and maintenance of buildings in said park for scientific purposes. No appropriation shall be made for the improvement or maintenance of said park until proper conveyances shall be made to the United States of such perpetual easements and rights-of-way over private lands within the exterior boundaries of said park as the Secretary of the Interior shall find necessary to make said park reasonably accessible in all its parts, and said Secretary shall when such easements and rights-of-way have been conveyed to the United States report the same to Congress.

(Aug. 1, 1916, ch. 264, § 4, 39 Stat. 434; June 5, 1924, ch. 263, 43 Stat. 390.)

CODIFICATION

A provision making it the duty of the Secretary of the Interior, as soon as practicable, to make and publish such rules and regulations as he might deem necessary and proper for the care and management of the park was omitted as temporary and executed.

HAWAII VOLCANOES NATIONAL PARK

Designation of portion of Hawaii National Park situated on island of Hawaii as Hawaii Volcanoes National Park, effective Sept. 22, 1961, see section 391d of this title.

HALEAKALĀ NATIONAL PARK

Establishment of detached portion of Hawaii National Park lying on island of Maui as Haleakalā National Park, effective July 1, 1961, see section 396b of this title.

§ 395. Exclusive jurisdiction in United States; exceptions; laws applicable; fugitives from justice

Sole and exclusive jurisdiction shall be exercised by the United States over the territory which is now or may hereafter be included in the Hawaii National Park in the Territory of Hawaii, saving, however, to the Territory of Hawaii the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park, and saving further to the Territory of Hawaii the right to tax persons and corporations, their franchises and property on the lands included in said park. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the Territory of Hawaii.

(Apr. 19, 1930, ch. 200, § 1, 46 Stat. 227.)

ADMISSION OF HAWAII AS STATE

Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of Title 48, Territories and Insular Possessions.

HAWAII VOLCANOES NATIONAL PARK

Designation of portion of Hawaii National Park situated on island of Hawaii as Hawaii Volcanoes National