

§ 503(b), Nov. 12, 1996, 110 Stat. 4155; Pub. L. 106-510, §3(c)(1), Nov. 13, 2000, 114 Stat. 2363; Pub. L. 108-142, §2, Dec. 2, 2003, 117 Stat. 1875; Pub. L. 111-11, title VII, §7401, Mar. 30, 2009, 123 Stat. 1219.)

REFERENCES IN TEXT

Sections 1, 2, 3, and 4 of this title, referred to in subsec. (c), was in the original a reference to the act “approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 461-467)”. Act Aug. 25, 1916, known as the “National Park Service Organic Act”, is classified to sections 1, 2, 3, and 4 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1 of this title and Tables.

AMENDMENTS

2009—Subsec. (f)(7). Pub. L. 111-11, which directed substitution of “on December 31, 2018” for “ten years after the date of enactment of the Na Hoa Pili O Kaloko-Honokohau Re-establishment Act of 1996”, was executed by making the substitution for “ten years after the date of enactment of the Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1996”, to reflect the probable intent of Congress.

2003—Subsec. (a). Pub. L. 108-142 designated existing provisions as par. (1), substituted “1978.” for “1978, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.”, and added pars. (2) and (3).

2000—Pub. L. 106-510, §3(c)(1)(A), amended section catchline.

Subsecs. (a), (c), (f)(1), (7). Pub. L. 106-510, §3(c)(1)(B), substituted “Kaloko-Honokohau” for “Kaloko-Honokohau” wherever appearing.

1996—Subsec. (f)(7). Pub. L. 104-333 substituted “the date of enactment of the Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1996” for “the date of enactment of this Act”.

1979—Subsec. (f)(1). Pub. L. 96-87 substituted “Na Hoa Pili O Kaloko-Honokohau” for “Kaloko-Honokohau Na Hoa Pili O Kaloko-Honokohau”.

CHANGE OF NAME

Pub. L. 106-510, §3(c)(2), Nov. 13, 2000, 114 Stat. 2364, provided that: “Any reference in any law (other than this Act [see Short Title of 2000 Amendments note set out under section 1 of this title]), regulation, document, record, map, or other paper of the United States to ‘Kaloko-Honokohau National Historical Park’ shall be considered a reference to ‘Kaloko-Honokohau National Historical Park’.”

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-142, §1, Dec. 2, 2003, 117 Stat. 1875, provided that: “This Act [amending this section] may be cited as the ‘Kaloko-Honokohau National Historical Park Addition Act of 2003’.”

EXTENSION OF KALOKO-HONOKŌHAU ADVISORY COMMISSION

Section 503(a) of title V of div. I of Pub. L. 104-333, as amended by Pub. L. 106-510, §3(c)(2), Nov. 13, 2000, 114 Stat. 2364, provided that: “Notwithstanding section 505(f)(7) of Public Law 95-625 (16 U.S.C. 396d(f)(7)), the Na Hoa Pili O Kaloko-Honokohau, the Advisory Commission for Kaloko-Honokohau National Historical Park, is hereby re-established in accordance with section 505(f), as amended by paragraph (2) of this subsection [probably should be ‘subsection (b) of this section’, amending this section].”

“SECRETARY” DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95-625, set out as a note under section 2503 of this title.

§ 396e. Exchange of lands

Notwithstanding any other provision of law, the Secretary is authorized and shall seek to acquire the lands described in section 396d(a) of this title by first acquiring Federal surplus lands of equivalent value from the General Services Administration and then exchanging such surplus lands for the lands described in section 396d(a) of this title with the land owners. Exchanges shall be on the basis of equal value, and any party to the exchange may pay or accept cash in order to equalize the value of the property exchanged.

(Pub. L. 96-514, title I, §100, Dec. 12, 1980, 94 Stat. 2960.)

§ 396f. Acquisition of private lands; creation of surplus property accounts; transfer and sale of accounts

Notwithstanding any other provision of law, the Secretary of the Interior is authorized and shall seek to acquire the private lands described in section 396d(a) of this title, by crediting a surplus property account, to be established in the name of each landowner, in the amount of the acquisition price for such landowner’s lands. The National Park Service shall update the existing appraisals for the parcels and, based on the approved appraised values, shall negotiate with the landowners for acquisition prices. Each owner may, using such credits in his surplus property account, bid, as any other bidder for surplus property, wherever located, in accordance with chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41. The Administrator of the General Services Administration shall establish each landowner’s surplus property account and shall adjust the credits in such accounts to reflect successful bids under this section. Title to the lands described in this section shall pass to the Government at the time of establishment of the surplus property accounts. The credits in any of the surplus property accounts may be transferred or sold in whole or in part at any time by the landowner to any other party, thereby vesting such party with all the rights of the landowner, and after such transfer, the landowner shall notify the Administrator of the transfer. At any time the Secretary may purchase the balance of any surplus property account subject to the availability of appropriated funds. The land owner¹ may also use the credits in exchange for excess lands, wherever located, under the jurisdiction of the Secretary of the Interior.

(Pub. L. 98-146, title III, §317, Nov. 4, 1983, 97 Stat. 954; Pub. L. 101-121, title I, Oct. 23, 1989, 103 Stat. 708.)

CODIFICATION

In text, “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4,

¹ So in original. Probably should be “landowner”.