

451a, 482m, 673b, and 673c of this title were legally occupied or utilized on September 14, 1950 for residence or grazing purposes, or for other purposes not inconsistent with sections 1, 2, 3, and 4 of this title, pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the person so occupying or utilizing such lands, and the heirs, successors, or assigns of such person, shall, upon the termination of such lease, permit, or license, be entitled to have the privileges so possessed or enjoyed by him renewed from time to time, subject to such terms and conditions as the Secretary of the Interior shall prescribe, for a period of twenty-five years from September 14, 1950 and thereafter during the lifetime of such person and the lifetime of his heirs, successors, or assigns but only if they were members of his immediate family on such date, as determined by the Secretary of the Interior: *Provided*, That grazing privileges appurtenant to privately owned lands located within the Grand Teton National Park established by this subchapter and said sections shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto after reasonable notice of default: *Provided further*, That nothing in this subsection shall apply to any lease, permit, or license for mining purposes or for public accommodations and services or to any occupancy or utilization of lands for purely temporary purposes. Nothing contained in this subchapter and said sections shall be construed as creating any vested right, title, interest, or estate in or to any Federal lands.

(Sept. 14, 1950, ch. 950, §4, 64 Stat. 850.)

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

GRAZING STUDY OF GRAND TETON NATIONAL PARK

Pub. L. 105-81, Nov. 13, 1997, 111 Stat. 1537, provided that:

“SECTION 1. FINDINGS.

“Congress finds that—

“(1) open space near Grand Teton National Park continues to decline;

“(2) as the population continues to grow in Teton County, Wyoming, undeveloped land near the Park becomes more scarce;

“(3) the loss of open space around Teton Park has negative impacts on wildlife migration routes in the area and on visitors to the Park, and its repercussions can be felt throughout the entire region;

“(4) a few ranches make up Teton Valley’s remaining open space, and the ranches depend on grazing in Grand Teton National Park for summer range to maintain operations;

“(5) the Act that created Grand Teton National Park [act Feb. 26, 1929, ch. 331, 45 Stat. 1314, 16 U.S.C. former 406 to 406d] allowed several permittees to continue livestock grazing in the Park for the life of a designated heir in the family;

“(6) some of the last remaining heirs have died, and as a result the open space around the Park will most likely be subdivided and developed;

“(7) in order to develop the best solution to protect open space immediately adjacent to Grand Teton Na-

tional Park, the Park Service should conduct a study of open space in the region; and

“(8) the study should develop workable solutions that are fiscally responsible and acceptable to the National Park Service, the public, local government, and landowners in the area.

“SEC. 2. STUDY OF GRAZING USE AND OPEN SPACE.

“(a) IN GENERAL.—The Secretary of the Interior shall conduct a study concerning grazing use and open space in Grand Teton National Park, Wyoming, and associated use of certain agricultural and ranch lands within and adjacent to the Park, including—

“(1) base land having appurtenant grazing privileges within Grand Teton National Park, Wyoming, remaining after January 1, 1990, under the Act entitled ‘An Act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes’, approved September 14, 1950 (16 U.S.C. 406d-1 et seq.); and

“(2) any ranch and agricultural land adjacent to the Park, the use and disposition of which may affect accomplishment of the purposes of the Act.

“(b) PURPOSE.—The study shall—

“(1) assess the significance of the ranching use and pastoral character of the land (including open vistas, wildlife habitat, and other public benefits);

“(2) assess the significance of that use and character to the purposes for which the Park was established and identify any need for preservation of, and practicable means of, preserving the land that is necessary to protect that use and character;

“(3) recommend a variety of economically feasible and viable tools and techniques to retain the pastoral qualities of the land; and

“(4) estimate the costs of implementing any recommendations made for the preservation of the land.

“(c) PARTICIPATION.—In conducting the study, the Secretary of the Interior shall seek participation from the Governor of the State of Wyoming, the Teton County Commissioners, the Secretary of Agriculture, affected land owners, and other interested members of the public.

“(d) REPORT.—Not later than 3 years from the date funding is available for the purposes of this Act, the Secretary of the Interior shall submit a report to Congress that contains the findings of the study under subsection (a) and makes recommendations to Congress regarding action that may be taken with respect to the land described in subsection (a).

“SEC. 3. EXTENSION OF GRAZING PRIVILEGES.

“(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior shall reinstate and extend for the duration of the study described in section 2(a) and until such time as the recommendations of the study are implemented, the grazing privileges described in section 2(a)(1), under the same terms and conditions as were in effect prior to the expiration of the privileges.

“(b) EFFECT OF CHANGE IN LAND USE.—If, during the period of the study or until such time as the recommendations of the study are implemented, any portion of the land described in section 2(a)(1) is disposed of in a manner that would result in the land no longer being used for ranching or other agricultural purposes, the Secretary of the Interior shall cancel the extension described in subsection (a).”

§ 406d-3. Compensation for tax losses; limitation on annual amount

(a) In order to provide compensation for tax losses sustained as a result of any acquisition by the United States, subsequent to March 15, 1943, of privately owned lands, together with any improvements thereon, located within the exterior boundary of the Grand Teton National Park established by this subchapter and sections 431a, 451a, 482m, 673b, and 673c of this title, payments

shall be made to the State of Wyoming for distribution to the county in which such lands are located in accordance with the following schedule of payments: For the fiscal year in which the land has been or may be acquired and nine years thereafter there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on the land, together with any improvements thereon, by public taxing units in such county, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for any period falling within such fiscal year. For each succeeding fiscal year, until twenty years elapse, there shall be paid on account of such land an amount equal to the full amount of taxes referred to in the preceding sentence, less 5 per centum of such full amount for each fiscal year, including the year for which the payment is to be made: *Provided*, That the amount payable under the foregoing schedule for any fiscal year preceding the first full fiscal year following September 14, 1950, shall not become payable until the end of such first full fiscal year.

(b) As soon as practicable after the end of each fiscal year, the amount then due for such fiscal year shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury: *Provided*, That such amount shall not exceed 25 per centum of the fees collected during such fiscal year from visitors to the Grand Teton National Park established by this subchapter and sections 431a, 451a, 482m, 673b, and 673c of this title, and the Yellowstone National Park. Payments made to the State of Wyoming under this section shall be distributed to the county where the lands acquired from private landowners are located and in such manner as the State of Wyoming may prescribe.

(Sept. 14, 1950, ch. 950, § 5, 64 Stat. 851.)

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

§ 406d-4. Acceptance of other lands by Secretary of the Interior

The Secretary of the Interior is authorized to accept the donation of the following-described lands, which lands, upon acceptance by the United States, shall become a part of the national park:

SIXTH PRINCIPAL MERIDIAN

Township 41 north, range 116 west: Section 3, lots 1 and 2.

Containing seventy-eight and ninety-three one-hundredths acres, more or less.

(Sept. 14, 1950, ch. 950, § 7, 64 Stat. 852.)

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

§ 406d-5. Use for reclamation purposes of certain lands within exterior boundary

Nothing in this subchapter and sections 431a, 451a, 482m, 673b, and 673c of this title shall affect the use for reclamation purposes, in accordance

with the Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto, of the lands within the exterior boundary of the park as prescribed by this subchapter and sections 431a, 451a, 482m, 673b, and 673c of this title which have been withdrawn or acquired for reclamation purposes or the operation, maintenance, rehabilitation, and improvement of the reservoir and other reclamation facilities located on such withdrawn or acquired lands.

(Sept. 14, 1950, ch. 950, § 9, 64 Stat. 853.)

REFERENCES IN TEXT

Act of June 17, 1902 (32 Stat. 388), referred to in text, is popularly known as the "Reclamation Act" and is classified generally to chapter 12 (§371 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

CODIFICATION

Section comprises only the first sentence of section 9 of act Sept. 14, 1950. The second sentence of section 9 repealed all laws "inconsistent with" sections 406d-1 to 406d-5, inclusive, 431a, 451a, 482m, 673b, and 673c of this title, and is set out in note under section 406d-1 of this title. The third sentence thereof, which related to availability of unexpended appropriated funds, is also set out in note under section 406d-1 of this title.

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

SUBCHAPTER L—CARLSBAD CAVERNS NATIONAL PARK

§ 407. Establishment; description of area

The tract of land known prior to May 14, 1930, as the Carlsbad Cave National Monument, in the State of New Mexico, established and designated as a national monument under section 431 of this title, and by presidential proclamation of October 25, 1923, is declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Carlsbad Caverns National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Carlsbad Cave National Monument.

(May 14, 1930, ch. 272, § 1, 46 Stat. 279.)

REFERENCES IN TEXT

The presidential proclamation of October 25, 1923, referred to in text, is Proc. No. 1923, 43 Stat. 1929.

§ 407a. Administration, protection, and development

The administration, protection, and development of said Carlsbad Caverns National 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, and Acts supplementary thereto or amendatory thereof.

(May 14, 1930, ch. 272, § 2, 46 Stat. 279.)

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-