

106-248, July 25, 2000, 114 Stat. 598, which was classified to sections 698v to 698v-10 of this title, prior to repeal by subsec. (d)(1) of this section. Sections 104 and 106 of the Act were classified to sections 698v-2 and 698v-4 of this title, respectively. For complete classification of this Act to the Code, see Tables.

The National Park Service Organic Act (16 U.S.C. 1 et seq.), referred to in subsec. (b)(3)(A)(ii)(I), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, which enacted sections 1, 2, 3, and 4 of this title, amended sections 22 and 43 of this title and section 1457 of Title 43, Public Lands, and enacted provisions set out as a note under section 1 of this title. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

Act of August 21, 1935 (16 U.S.C. 461 et seq.), referred to in subsec. (b)(3)(A)(ii)(II), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Omnibus Public Land Management Act of 2009, referred to in subsec. (b)(8)(A), is Pub. L. 111-11, Mar. 30, 2009, 123 Stat. 991. Title IV of the Act is classified generally to chapter 92 (§ 7301 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

Public Law 95-341, referred to in subsec. (b)(11)(B), is Pub. L. 95-341, Aug. 11, 1978, 92 Stat. 469, popularly known as the American Indian Religious Freedom Act, which is classified to sections 1996 and 1996a of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1996 of Title 42 and Tables.

#### CODIFICATION

In subsec. (b)(3)(C)(ii)(I), “section 100502 of title 54” substituted for “section 12(b) of Public Law 91-383 (commonly known as the ‘National Park Service General Authorities Act’) (16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

#### PUEBLO OF SANTA CLARA

Pub. L. 106-248, title I, § 104(g), July 25, 2000, 114 Stat. 602, provided that:

“(1) IN GENERAL.—The Secretary may assign to the Pueblo of Santa Clara rights to acquire for fair market value portions of the Baca ranch. The portion that may be assigned shall be determined by mutual agreement between the Pueblo and the Secretary based on optimal management considerations for the Preserve including manageable land line locations, public access, and retention of scenic and natural values. All appraisals shall be done in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

“(2) STATUS OF LAND ACQUIRED.—As of the date of acquisition, the fee title lands, and any mineral estate underlying such lands, acquired under this subsection by the Pueblo of Santa Clara are deemed transferred into trust in the name of the United States for the benefit of the Pueblo of Santa Clara and such lands and mineral estate are declared to be part of the existing Santa Clara Indian Reservation.

“(3) MINERAL ESTATE.—Any mineral estate acquired by the United States pursuant to section 104(e) [former 16 U.S.C. 698v-2(e)] underlying fee title lands acquired by the Pueblo of Santa Clara shall not be developed without the consent of the Secretary of the Interior and the Pueblo of Santa Clara.

“(4) SAVINGS.—Any reservations, easements, and covenants contained in an assignment agreement entered into under paragraph (1) shall not be affected by the acquisition of the Baca ranch by the United States, the assumption of management by the Valles Caldera Trust, or the lands acquired by the Pueblo being taken into trust.”

[Pursuant to subsec. (d)(2)(B) of this section, the provisions in section 104(g) of the Valles Caldera Preservation Act, Pub. L. 106-248 (formerly 16 U.S.C. 698v-2(g)), set out above, remain in effect, notwithstanding the repeal of Pub. L. 106-248 by subsec. (d)(1) of this section.]

### § 698w. Special management requirements for Federal lands recently added to Craters of the Moon National Monument, Idaho

#### (a) Redesignation

The approximately 410,000 acres of land added to the Craters of the Moon National Monument by Presidential Proclamation 7373 of November 9, 2000, and identified on the map accompanying the Proclamation for administration by the National Park Service, shall, on and after August 21, 2002, be known as the “Craters of the Moon National Preserve”.

#### (b) Administration

##### (1) In general

Except as provided by paragraph (2), the Craters of the Moon National Preserve shall be administered in accordance with—

(A) Presidential Proclamation 7373 of November 9, 2000;

(B) the Act of June 8, 1906,<sup>1</sup> (commonly referred to as the “Antiquities Act”; 34 Stat. 225; 16 U.S.C. 431);<sup>2</sup> and

(C) the laws generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.).<sup>2</sup>

##### (2) Hunting

The Secretary of the Interior shall permit hunting on lands within the Craters of the Moon National Preserve in accordance with the applicable laws of the United States and the State of Idaho. The Secretary, in consultation with the State of Idaho, may designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of the area’s resources, administration, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting shall be put into effect only after consultation with the State of Idaho.

(Pub. L. 107-213, § 1, Aug. 21, 2002, 116 Stat. 1052.)

#### REFERENCES IN TEXT

Presidential Proclamation 7373, referred to in subsecs. (a) and (b)(1)(A), appears in the item for Craters of the Moon National Monument, Idaho, in the table under the heading “National Monuments Established

<sup>1</sup> So in original. The comma probably should not appear.

<sup>2</sup> See References in Text note below.

Under Presidential Proclamation”, set out as a note under section 320301 of Title 54, National Park Service and Related Programs.

Act of June 8, 1906, (commonly referred to as the “Antiquities Act”; 34 Stat. 225; 16 U.S.C. 431), referred to in subsec. (b)(1)(B), is act June 8, 1906, ch. 3060, 34 Stat. 225, which was classified generally to sections 431, 432, and 433 of this title. The Act was repealed and restated as section 1866(b) of Title 18, Crimes and Criminal Procedure, and sections 320301(a) to (c), 320302, and 320303 of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.), referred to in subsec. (b)(1)(C), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title, amended sections 22 and 43 of this title and section 1457 of Title 43, Public Lands, and enacted provisions set out as a note under section 1 of this title. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

#### CODIFICATION

Section is comprised of section 1 of Pub. L. 107–213. Section 1 also enacted provisions listed in a table of National Monuments Established Under Presidential Proclamation set out under section 320301 of Title 54, National Park Service and Related Programs.

### CHAPTER 7—PROTECTION OF MIGRATORY GAME AND INSECTORIOUS BIRDS

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#### SUBCHAPTER I—GENERALLY

### § 701. Game and wild birds; preservation

The duties and powers of the Department of the Interior include the preservation, distribu-