

of the National Park System, including compliance with section 306108 of title 54.

(Pub. L. 100-433, §5, Sept. 16, 1988, 102 Stat. 1641.)

#### CODIFICATION

In subsec. (f), “section 306108 of title 54” substituted for “section 106 of the Historic Preservation Act (90 Stat. 1320) as amended” 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.

#### § 407ee. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter.

(Pub. L. 100-433, §6, Sept. 16, 1988, 102 Stat. 1642.)

### SUBCHAPTER LII—ISLE ROYALE NATIONAL PARK

#### § 408. Establishment; acquisition of land

When title to all alienated lands within Isle Royale in Lake Superior, Keweenaw County, Michigan, and immediately surrounding islands as shall be designated by the Secretary of the Interior in the exercise of his judgment and discretion as necessary or desirable for national-park purposes, shall have been vested in the United States, and exclusive jurisdiction over the same shall have been ceded by the State of Michigan to the United States, said area shall be, and is established, dedicated, and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Isle Royale National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

(Mar. 3, 1931, ch. 448, §1, 46 Stat. 1514.)

#### § 408a. Acceptance of title to lands

The Secretary of the Interior is authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States title to any lands located on said islands offered to the United States, without cost, as may be deemed by him necessary or desirable for national-park purposes.

(Mar. 3, 1931, ch. 448, §2, 46 Stat. 1514.)

#### § 408b. Administration, protection, and development

The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled “An Act to establish a National Park Service, and for other purposes,”<sup>1</sup> as amended: *Provided*, That the provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to this park.

(Mar. 3, 1931, ch. 448, §3, 46 Stat. 1514.)

#### REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535), entitled “An Act to establish a National Park Service, and for other

<sup>1</sup> See References in Text note below.

purposes,” referred to in text, 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 and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. 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 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 Federal Power Act, referred to in text, was in the original the “Act approved June, 10, 1920, known as the Federal Water Power Act,” which was redesignated as the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

#### 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.

#### § 408c. Acceptance of title to lands; reservations; leases; rights-of-way and easements

The Secretary of the Interior is authorized in his discretion to accept title to lands tendered without cost to the United States within the area of the Isle Royale National Park, subject to leases entered into and granted as part consideration in connection with the purchase of said land for tender to the United States for park purposes, but not exceeding in length of term the life of the particular grantor or grantors: *Provided*, That said leases and the terms and conditions thereof shall have previously been submitted to and approved by said Secretary: *And provided further*, That he may lease upon such terms and conditions as he deems proper any lands within the aforesaid areas when such use shall not be deemed by him inconsistent with the purposes for which the lands were acquired on behalf of the United States, to persons, educational or religious institutions, private corporations, associations, and partnerships previously occupying such land for terms not exceeding the particular lifetime in the case of natural persons, and not exceeding twenty years in all other cases, which latter leases may be renewed in the discretion of said Secretary: *And provided further*, That the Secretary of the Interior may accept lands for these parks subject to reservations of rights of way and easements.

(Feb. 4, 1932, ch. 19, §2, 47 Stat. 37.)

#### CODIFICATION

Provisions of act Feb. 4, 1932, §2, relating to the Shenandoah National Park and the Great Smoky Mountains National Park, and to the Mammoth Cave National Park, are classified to sections 403e and 404d of this title.

**§ 408d. Addition of lands purchased within boundaries for conservation or forestation purposes**

All lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Isle Royale National Park, as authorized by sections 408 to 408b of this title, are made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 408 of this title shall not be construed so as to prohibit the acquisition of lands in the park area with the aforesaid funds.

(June 20, 1938, ch. 531, 52 Stat. 785.)

**§ 408e. Addition of lands; Passage Island**

Subject to valid existing rights the following-described lands, in addition to the lands established as the Isle Royale National Park pursuant to sections 408 to 408b of this title, are made a part of the park:

(a) Passage Island, containing approximately one hundred and eighty-two acres, located in sections 3, 4, and 9, township 67 north, range 32 west, in Keweenaw County, Michigan: *Provided*, That the Secretary of the Navy shall retain control and jurisdiction over the following portions of the Island for lighthouse and boathouse purposes:

(1) All that part of Passage Island lying south of a true east and west line located four hundred and twenty-five feet true north of the center of the Passage Island Light containing approximately six and five-tenths acres.

(2) Beginning at the center of Passage Island Light, thence north thirty-three degrees fifty-two minutes east three thousand five hundred and fifteen feet to a point from which this description shall begin to measure, being the southwest corner of said boathouse site; thence north two hundred feet to a point being the northwest corner of said site; thence east one hundred and seventy-five feet more or less to the harbor shore; thence southeasterly following the harbor shore to a point on the shore being a point on the south boundary of the boathouse site; thence two hundred feet more or less west to the point of beginning, containing approximately seventy-eight one-hundredths acre.

(3) A right-of-way between the sites described in the preceding subparagraphs, to be defined by the Secretary of the Navy within a reasonable length of time after March 6, 1942.

(b) Gull Islands, containing approximately six acres, located in section 19, township 68 north, range 31 west, in Keweenaw County, Michigan.

(Mar. 6, 1942, ch. 152, §1, 56 Stat. 138; July 27, 1942, ch. 526, 56 Stat. 722; Pub. L. 94-567, §4(a)(1), Oct. 20, 1976, 90 Stat. 2694.)

AMENDMENTS

1976—Pub. L. 94-567 designated existing provisions as par. (a), redesignated subpars. (a) to (c) as (1) to (3), respectively, and added par. (b).

1942—Act July 27, 1942, substituted “Secretary of the Navy” for “Secretary of the Treasury”.

**§ 408f. Former Siskiwit Islands Bird Reservation**

The Siskiwit Islands Bird Reservation is abolished and shall after March 6, 1942, be a part of the Isle Royale National Park.

(Mar. 6, 1942, ch. 152, §2, 56 Stat. 138.)

**§ 408g. Submerged lands surrounding islands**

The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within the territorial jurisdiction of the United States within four and one-half miles of the shoreline of Isle Royale and the surrounding islands, including Passage Island and the Gull Islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him.

(Mar. 6, 1942, ch. 152, §3, 56 Stat. 138; Pub. L. 94-567, §4(a)(2), Oct. 20, 1976, 90 Stat. 2694.)

AMENDMENTS

1976—Pub. L. 94-567 inserted “within the territorial jurisdiction of the United States” after “submerged lands”, “including Passage Island and the Gull Islands” after “surrounding islands”, and struck out “immediately” after “Isle Royale and the”.

**§ 408h. Federally owned lands within park boundaries**

All federally owned lands within the boundaries of the Isle Royale National Park are made a part of the park: *Provided*, That the Secretary of the Navy shall retain control and jurisdiction, for lighthouse purposes, over Menagerie Island, located in township 64 north, range 35 west, and an unsurveyed island known as Rock of Ages, situated in approximate sections 7 and 18, township 63 north, range 39 west, and also shall retain the right to maintain existing floating and shore aids to navigation and to establish and maintain additional aids to navigation within the established park area when so required by general navigation.

(Mar. 6, 1942, ch. 152, §4, 56 Stat. 138; July 27, 1942, ch. 526, 56 Stat. 722.)

AMENDMENTS

1942—Act July 27, 1942, substituted “Secretary of the Navy” for “Secretary of the Treasury”.

**§ 408i. Acceptance of territory ceded by Michigan; jurisdiction**

Sole and exclusive jurisdiction over and within all the territory that is as of March 6, 1942 or may thereafter be included in that area in the State of Michigan set aside and dedicated for park purposes by the United States as the Isle Royale National Park is assumed by the United States, saving, however, to the State of Michigan 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 in said State outside of said park; and saving further to said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or