

(Pub. L. 107-373, §10, Dec. 19, 2002, 116 Stat. 3108.)

#### § 410iii-9. Endowment

##### (a) In general

In accordance with the provisions of subsection (b), the Secretary is authorized to receive and expend funds from an endowment to be established with the National Park Foundation, or its successors and assigns.

##### (b) Conditions

Funds from the endowment referred to in subsection (a) shall be expended exclusively as the Secretary, in consultation with the Commission, may designate for the interpretation, preservation, and maintenance of the Park resources and public access areas. No expenditure shall be made pursuant to this section unless the Secretary determines that such expenditure is consistent with the purposes of this subchapter.

(Pub. L. 107-373, §11, Dec. 19, 2002, 116 Stat. 3108.)

#### § 410iii-10. Cooperative agreements

##### (a) In general

In order to further the purposes of this subchapter, the Secretary is authorized to enter into cooperative agreements with interested public and private entities and individuals (including the National Trust for Historic Preservation, Belle Grove, Inc., the Cedar Creek Battlefield Foundation, the Shenandoah Valley Battlefields Foundation, and the Counties of Frederick, Shenandoah, and Warren), through technical and financial assistance, including encouraging the conservation of historic and natural resources of the Park.

##### (b) Technical and financial assistance

The Secretary may provide to any person, organization, or governmental entity technical and financial assistance for the purposes of this subchapter, including the following:

- (1) Preserving historic structures within the Park.
- (2) Maintaining the natural or cultural landscape of the Park.
- (3) Local preservation planning, interpretation, and management of public visitation for the Park.
- (4) Furthering the goals of the Shenandoah Valley Battlefields Foundation related to the Park.

(Pub. L. 107-373, §12, Dec. 19, 2002, 116 Stat. 3109.)

#### § 410iii-11. Roles of key partner organizations

##### (a) In general

In recognition that central portions of the Park are presently owned and operated for the benefit of the public by key partner organizations, the Secretary shall acknowledge and support the continued participation of these partner organizations in the management of the Park.

##### (b) Park partners

Roles of the current key partners include the following:

###### (1) Cedar Creek Battlefield Foundation

The Cedar Creek Battlefield Foundation may—

(A) continue to own, operate, and manage the lands acquired by the Foundation within the Park;

(B) continue to conduct reenactments and other events within the Park; and

(C) transfer ownership interest in portions of their land to the National Park Service by donation, sale, or other means that meet the legal requirements of National Park Service land acquisitions.

#### (2) National Trust for Historic Preservation and Belle Grove Incorporated

The National Trust for Historic Preservation and Belle Grove Incorporated may continue to own, operate, and manage Belle Grove Plantation and its structures and grounds within the Park boundary. Belle Grove Incorporated may continue to own the house and grounds known as Bowman's Fort or Harmony Hall for the purpose of permanent preservation, with a long-term goal of opening the property to the public.

#### (3) Shenandoah County

Shenandoah County may continue to own, operate, and manage the Keister park site within the Park for the benefit of the public.

#### (4) Park community partners

The Secretary shall cooperate with the Park's adjacent historic towns of Strasburg and Middletown, Virginia, as well as Frederick, Shenandoah, and Warren counties in furthering the purposes of the Park.

#### (5) Shenandoah Valley Battlefields Foundation

The Shenandoah Valley Battlefields Foundation may continue to administer and manage the Shenandoah Valley Battlefields National Historic District in partnership with the National Park Service and in accordance with the Management Plan for the District in which the Park is located.

(Pub. L. 107-373, §13, Dec. 19, 2002, 116 Stat. 3109.)

#### § 410iii-12. Authorization of appropriations

There is authorized to be appropriated such sums as are necessary to carry out this subchapter.

(Pub. L. 107-373, §14, Dec. 19, 2002, 116 Stat. 3110.)

### SUBCHAPTER LIX—HH—CONGAREE NATIONAL PARK

#### § 410jjj. Establishment

##### (a) In general

In order to preserve and protect for the education, inspiration, and enjoyment of present and future generations an outstanding example of a near-virgin southern hardwood forest situated in the Congaree River floodplain in Richland County, South Carolina, there is established the Congaree National Park (hereinafter referred to as the "park"). The park shall consist of the area within the boundary as generally depicted on the map entitled "Congaree Swamp National Monument", numbered CS-80, 001-B, and dated August 1976 (generally known as the Beidler Tract), which shall be on file and available for public inspection in the offices of the

National Park Service, Department of the Interior. Following reasonable notice in writing to the Committees on Interior and Insular Affairs of the Senate and House of Representatives of his intention to do so, the Secretary of the Interior (hereinafter referred to as the "Secretary") may make minor revisions of the boundary of the park by publication of a revised map or other boundary description in the Federal Register.

**(b) Additional land**

In addition to the lands described in subsection (a), the park shall consist of the additional lands within the boundary as generally depicted on the map entitled "Citizens Boundary Proposal for Congaree Swamp National Monument", numbered 178-80,009A, dated July 1988, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The map may be revised as provided in subsection (a).

**(c) Acquisition of additional land**

**(1) In general**

The Secretary may acquire by donation, by purchase from a willing seller with donated or appropriated funds, by transfer, or by exchange, land or an interest in land described in paragraph (2) for inclusion in the park.

**(2) Description of land**

The land referred to in paragraph (1) is the approximately 4,576 acres of land adjacent to the Park, as depicted on the map entitled "Congaree National Park Boundary Map", numbered 178/80015, and dated August 2003.

**(3) Availability of map**

The map referred to in paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**(4) Boundary revision**

On acquisition of the land or an interest in land under paragraph (1), the Secretary shall revise the boundary of the park to reflect the acquisition.

**(5) Administration**

Any land acquired by the Secretary under paragraph (1) shall be administered by the Secretary as part of the park.

**(6) Effect**

Nothing in this section—

(A) affects the use of private land adjacent to the park;

(B) preempts the authority of the State with respect to the regulation of hunting, fishing, boating, and wildlife management on private land or water outside the boundaries of the park;

(C) shall negatively affect the economic development of the areas surrounding the park; or

(D) affects the classification of the park under section 7472 of title 42.

**(d) Acreage limitation**

The total acreage of the park shall not exceed 26,776 acres.

(Pub. L. 94-545, §1, Oct. 18, 1976, 90 Stat. 2517; Pub. L. 100-524, §5, Oct. 24, 1988, 102 Stat. 2607; Pub. L. 108-108, title I, §§135, 148, Nov. 10, 2003, 117 Stat. 1270, 1281; Pub. L. 108-199, div. H, §139(a), Jan. 23, 2004, 118 Stat. 442.)

REFERENCES IN TEXT

Hereinafter, referred to in subsec. (a), means Pub. L. 94-545, which is classified to this subchapter. For complete classification of Pub. L. 94-545 to the Code, see Tables.

AMENDMENTS

2004—Subsec. (c)(6). Pub. L. 108-199, §139(a), added par. (6) and struck out former par. (6) which read: "Nothing in this section—

"(A) affects the use of private land adjacent to the park;

"(B) preempts the authority of the State with respect to the regulation of hunting, fishing, boating, and wildlife management on private land or water outside the boundaries of the park; or

"(C) negatively affects the economic development of the areas surrounding the park."

2003—Subsec. (b). Pub. L. 108-108, §148(1), struck out last sentence which read "The total acreage of the monument including lands described in subsection (a) and this subsection shall not exceed 22,200 acres."

Subsecs. (c), (d). Pub. L. 108-108, §148(2), added subsecs. (c) and (d).

1988—Pub. L. 100-524 designated existing provisions as subsec. (a), struck out " , but the total area may not exceed fifteen thousand, two hundred acres" after "Federal Register", and added subsec. (b).

CHANGE OF NAME

"Congaree National Park", "park", and "Park" substituted in text for "Congaree Swamp National Monument", "monument", and "Monument", respectively, pursuant to Pub. L. 108-108, §135, which is set out below and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270, provided that: "Upon enactment of this Act, the Congaree Swamp National Monument shall be designated the Congaree National Park."

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4 (popularly cited as the "Committee System Reorganization Amendments of 1977"), approved Feb. 4, 1977.

Committee on Interior and Insular Affairs of House of Representatives changed to Committee on Natural Resources of House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-524, §1, Oct. 24, 1988, 102 Stat. 2606, provided that: "This Act [enacting section 191a of Title 30, Mineral Lands and Mining, amending this section and section 410jjj-4 of this title, and enacting provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the 'Congaree Swamp National Monument Expansion and Wilderness Act'."

**§ 410jjj-1. Acquisition of lands**

(a) Within the park the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests therein owned by the State of South Carolina or any political subdivision thereof may be acquired only by donation.

(b) With respect to any lands acquired under the provisions of this subchapter which at the

time of acquisition are leased for hunting purposes, such acquisition shall permit the continued exercise of such lease in accordance with its provisions for its unexpired term, or for a period of five years, whichever is less: *Provided*, That no provision of such lease may be exercised which, in the opinion of the Secretary, is incompatible with the preservation objectives of this subchapter, or which is inconsistent with applicable Federal and State game laws, whichever is more restrictive.

(Pub. L. 94-545, §2, Oct. 18, 1976, 90 Stat. 2517; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

#### CHANGE OF NAME

In subsec. (a), "park" substituted for "monument" pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

### § 410jjj-2. Administration

#### (a) In general

The Secretary shall administer property acquired for the park in accordance with the Act of August 25, 1916 (39 Stat. 535),<sup>1</sup> as amended and supplemented, and the provisions of this subchapter.

#### (b) Sport fishing

The Secretary shall permit sport fishing on lands and waters under his jurisdiction within the park in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when no fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations promulgated under this subsection shall be placed in effect only after consultation with the appropriate fish and game agency of the State of South Carolina.

#### (c) Visitor center

At such time as the principal visitor center at such park is established, such center shall be designated as the "Harry R. E. Hampton Visitor Center".

(Pub. L. 94-545, §3, Oct. 18, 1976, 90 Stat. 2517; Pub. L. 98-506, §1, Oct. 19, 1984, 98 Stat. 2338; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

#### REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535), referred to in subsec. (a), 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.

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

#### AMENDMENTS

1984—Subsec. (c). Pub. L. 98-506 added subsec (c).

#### CHANGE OF NAME

In text, "park" substituted for "monument" pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

### § 410jjj-3. Report

Within three years from the effective date of this subchapter, the Secretary shall review the area within the park and shall report to the President, in accordance with subsections 1132(c) and (d) of this title, his recommendation as to the suitability or nonsuitability of any area within the park for preservation as wilderness, and any designation of any such area as wilderness shall be accomplished in accordance with said subsections.

(Pub. L. 94-545, §4, Oct. 18, 1976, 90 Stat. 2518; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

#### REFERENCES IN TEXT

The effective date of this subchapter, referred to in text, probably means the date of enactment of Pub. L. 94-545, which was approved on Oct. 18, 1976.

#### CHANGE OF NAME

In text, "park" substituted for "monument" pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

### § 410jjj-4. Authorization of appropriations; general management plan

#### (a) In general

The Secretary may not expend more than \$60,500,000 from the Land and Water Conservation Fund for land acquisition nor more than \$2,000,000 for the development of essential facilities. The Secretary may expend such additional sums as are necessary from the Land and Water Conservation Fund for acquisition of lands described in section 410jjj(b) of this title.

#### (b) General management plan

Within three years from the effective date of this subchapter the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan for the use and development of the park consistent with the purposes of this subchapter, indicating:

(1) the lands and interests in lands adjacent or related to the park which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this subchapter, and the estimated cost thereof;

(2) the number of visitors and types of public use within the park which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

**(c) Authorization of appropriations**

Notwithstanding subsection (a), there are authorized to be appropriated \$3,000,000 for construction and development within the park.

(Pub. L. 94-545, §5, Oct. 18, 1976, 90 Stat. 2518; Pub. L. 98-141, §6, Oct. 31, 1983, 97 Stat. 909; Pub. L. 100-524, §6, Oct. 24, 1988, 102 Stat. 2607; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

## REFERENCES IN TEXT

The effective date of this subchapter, referred to in subsec. (b), probably means the date of enactment of Pub. L. 94-545, which was approved on Oct. 18, 1976.

## AMENDMENTS

1988—Subsec. (a). Pub. L. 100-524, §6(a), inserted sentence at end relating to expenditure of additional sums for acquisition of lands.

Subsec. (c). Pub. L. 100-524, §6(b), added subsec. (c).

1983—Subsec. (a). Pub. L. 98-141 substituted “\$60,500,000” for “\$35,500,000” and “\$2,000,000” for “\$500,000”.

## CHANGE OF NAME

In subsecs. (b) and (c), “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4 (popularly cited as the “Committee System Reorganization Amendments of 1977”), approved Feb. 4, 1977.

Committee on Interior and Insular Affairs of House of Representatives changed to Committee on Natural Resources of House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

## SUBCHAPTER LIX—LEWIS AND CLARK NATIONAL HISTORICAL PARK

**§ 410kkk. Definitions**

As used in this subchapter:

**(1) Park**

The term “park” means the Lewis and Clark National Historical Park designated in section 410kkk-1 of this title.

**(2) Secretary**

The term “Secretary” means the Secretary of the Interior.

(Pub. L. 108-387, title I, §102, Oct. 30, 2004, 118 Stat. 2234.)

## REFERENCES IN TEXT

This subchapter, referred to in introductory provisions, was in the original “this title”, meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note below and Tables.

## SHORT TITLE

Pub. L. 108-387, title I, §101, Oct. 30, 2004, 118 Stat. 2234, provided that: “This title [enacting this subchapter and repealing sections 450mm to 450mm-3 of this title] may be cited as the ‘Lewis and Clark National Historical Park Designation Act’.”

**§ 410kkk-1. Lewis and Clark National Historical Park****(a) Designation**

In order to preserve for the benefit of the people of the United States the historic, cultural, scenic, and natural resources associated with the arrival of the Lewis and Clark Expedition in the lower Columbia River area, and for the purpose of commemorating the culmination and the winter encampment of the Lewis and Clark Expedition in the winter of 1805-1806 following its successful crossing of the North American Continent, there is designated as a unit of the National Park System the Lewis and Clark National Historical Park.

**(b) Boundaries**

The boundaries of the park are those generally depicted on the map entitled “Lewis and Clark National Historical Park, Boundary Map”, numbered 405/80027, and dated December 2003, and which includes—

(1) lands located in Clatsop County, Oregon, which are associated with the winter encampment of the Lewis and Clark Expedition, known as Fort Clatsop and designated as the Fort Clatsop National Memorial by Public Law 85-435, including the site of the salt cairn (specifically, lot number 18, block 1, Cartwright Park Addition of Seaside, Oregon) used by that expedition and adjacent portions of the old trail which led overland from the fort to the coast;

(2) lands identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in this subsection; and

(3) lands located along the lower Columbia River in the State of Washington associated with the arrival of the Lewis and Clark Expedition at the Pacific Ocean in 1805, which are identified as “Station Camp”, “Clark’s Dismal Nitch”, and “Cape Disappointment” on the map referred to in this subsection.

**(c) Acquisition of land****(1) Authorization**

The Secretary is authorized to acquire land, interests in land, and improvements therein within the boundaries of the park, as identified on the map referred to in subsection (b), by donation, purchase with donated or appropriated funds, exchange, transfer from any Federal agency, or by such other means as the Secretary deems to be in the public interest.

**(2) Consent of landowner required**

The lands authorized to be acquired under paragraph (1) (other than corporately owned timberlands within the area identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in subsection (b)) may be acquired only with the consent of the owner.

**(3) Acquisition of Fort Clatsop 2002 Addition Lands**

If the owner of corporately owned timberlands within the area identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in subsection (b) agrees to enter into a sale of such lands as a result of actual condemnation proceedings or in lieu of condemna-