

authorization statute. The portion of the Act covering the Fort McHenry work was section 29, which section was not classified to the Code.

#### CODIFICATION

This section and sections 437, 438, and 440 of this title were derived from act Mar. 3, 1925. See Codification note set out under section 437 of this title.

#### AMENDMENTS

1936—Act June 5, 1936, substituted “six hundred and eighty feet” for “six hundred and fifty feet”.

#### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 437 of this title.

#### TERMINATION OF WAR AND EMERGENCIES

Termination of state of war and national emergencies, see note set out under section 437 of this title.

### § 440. Closure in times of national emergency

The Secretary of the Interior may, in case of a national emergency, close the said Fort McHenry and it may be used for any and all military purposes during the period of the emergency and for such period of time thereafter, as the public needs may require.

(May 26, 1914, ch. 100, 38 Stat. 382; Mar. 3, 1925, ch. 425, 43 Stat. 1109; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

#### CODIFICATION

A proviso at the close of act Mar. 3, 1925, authorizing the disposal of the useless temporary buildings constructed during the World War and appropriating a sum from the proceeds thereof for the purposes of the act has been omitted as temporary and executed.

This section and sections 437 to 439 of this title were derived from act Mar. 3, 1925. See Codification note set out under section 437 of this title.

#### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 437 of this title.

#### TERMINATION OF WAR AND EMERGENCIES

Termination of state of war and national emergencies, see note set out under section 437 of this title.

### § 440a. Change in name of Fort McHenry Park

The Fort McHenry National Park, in the State of Maryland, authorized by sections 437 to 440 of this title, shall hereafter be called and known as the “Fort McHenry National Monument and Historic Shrine”, and all moneys heretofore or hereafter appropriated for this area under previous designations may be used in this area as redesignated.

(Aug. 11, 1939, ch. 686, 53 Stat. 1405.)

#### CODIFICATION

Section consists of a part of act Aug. 11, 1939. The remainder, relating to changing the name of “Abraham Lincoln National Park” to “Abraham Lincoln National Historical Park” (now “Abraham Lincoln Birthplace National Historical Park”) is set out as section 217 of this title.

### § 441. Badlands National Park; establishment

When a quantum, satisfactory to the Secretary of the Interior, of the privately owned

lands lying within the area hereinafter described shall have been acquired and transferred to the United States for park purposes, without expense to the Federal Treasury, such areas are dedicated and set apart as a national park for the benefit and enjoyment of the people, under the name of the Badlands National Park: *Provided*, That the State of South Dakota shall have first constructed the highways hereinafter described.

(Mar. 4, 1929, ch. 693, § 1, 45 Stat. 1553; Pub. L. 95-625, title VI, § 611, Nov. 10, 1978, 92 Stat. 3521.)

#### REFERENCES IN TEXT

Hereinafter, referred to in text, means act Mar. 4, 1929 which is classified to sections 441 to 441e of this title. For classification of this Act to the Code, see Tables.

#### CHANGE OF NAME

Words “park” and “Park” substituted in text for “monument” and “Monument”, respectively, pursuant to Pub. L. 95-625, § 611, which is classified to section 441e-1 of this title and which redesignated the Badlands National Monument as the Badlands National Park.

#### BEN REIFEL VISITOR CENTER

Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 2923, provided in part that: “hereafter the Cedar Pass Visitor Center at Badlands National Park, South Dakota, shall be known as the Ben Reifel Visitor Center”.

### § 441a. Boundaries

The areas to be included in said Badlands National Park are situated in the State of South Dakota and lie within the boundaries particularly described as follows: Beginning at the northeast corner section 13, township 3 south, range 18 east, Black Hills meridian; thence west one-fourth mile; thence south one mile; thence west one-fourth mile; thence south one-fourth mile; thence west one mile; thence south one-fourth mile; thence west one-fourth mile; thence north one mile; thence west one and one-fourth miles; thence north one-half mile; thence west three miles, to the northwest corner section 18, township 3 south, range 18 east, Black Hills meridian.

Thence north one-fourth mile; thence west one-half mile; thence north one-fourth mile; thence west three-fourths mile; thence south one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west three-fourths mile; thence south one-fourth mile; thence west one-half mile; thence south one-half mile; thence west one mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile; thence west one and one-fourth miles; thence north one-fourth mile; thence west one-fourth mile; thence north three-fourths mile; thence west one and one-fourth miles; thence north one-half mile, to the northeast corner section 2, township 3 south, range 16 east, Black Hills meridian.

Thence west one-half mile; thence north one mile; thence west one-fourth mile; thence north one-half mile; thence west three-fourths mile; thence north one-half mile; thence west one-half mile; thence north two miles; thence west eight miles; thence south one-half mile; thence west