

in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments.

(b) Judgments against the United States, including final partial judgments and compromise settlements of claims referred to the Attorney General for defense of suits against the United States, for amounts in excess of the deposit in court in actions under section 79c of this title shall be paid in accordance with the provisions of section 1304 of title 31, and section 2414 of title 28. Final partial judgments and compromise settlements are payable only after certification by the Attorney General to the Comptroller General that it is in the interest of the United States to do so.

(Pub. L. 90-545, § 7, Oct. 2, 1968, 82 Stat. 934; Pub. L. 99-151, title II, § 203, Nov. 13, 1985, 99 Stat. 807.)

CODIFICATION

“Section 3171 of title 40” substituted in subsec. (a) for “section 34 of the Act of May 30, 1908 (35 Stat. 545; 40 U.S.C. 261)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

1985—Subsec. (b). Pub. L. 99-151, in amending subsec. (b) generally, inserted provisions relating to final partial judgments and compromise settlements, substituted reference to actions under section 79c of this title for reference to condemnation actions, and deleted reference to section 2517 of title 28.

§ 79h. Memorial groves named for benefactors

The present practice of the California Department of Parks and Recreation of maintaining memorial groves of redwood trees named for benefactors of the State redwood parks shall be continued by the Secretary in the Redwood National Park.

(Pub. L. 90-545, § 8, Oct. 2, 1968, 82 Stat. 934.)

§ 79i. Administration

The Secretary shall administer the Redwood National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 1-4),¹ as amended and supplemented.

(Pub. L. 90-545, § 9, Oct. 2, 1968, 82 Stat. 934.)

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 1-4), 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.

¹ See References in Text note below.

§ 79j. Authorization of appropriations

There are hereby authorized to be appropriated \$92,000,000 for land acquisition to carry out the provisions of this subchapter.

(Pub. L. 90-545, § 10, Oct. 2, 1968, 82 Stat. 934.)

§ 79k. Mitigation of adverse economic impacts to local economy resulting from additional lands; analysis of Federal actions necessary or desirable; consultations and considerations by Secretaries concerned; reports to Congress; implementation of programs; funding requirements

(a) The Secretary, in consultation with the Secretaries of Agriculture, Commerce, and Labor, shall conduct an analysis of appropriate Federal actions that may be necessary or desirable to mitigate any adverse economic impacts to public and private segments of the local economy, other than the owners of properties taken by this Act, as a result of the addition of property to Redwood National Park under sections 79b and 79c of this title. The Secretaries shall also consider the benefits of making grants or entering into contracts or cooperative agreements with the State of California or Del Norte and Humboldt Counties as provided by subsection (b) for the purpose of development and implementation of a program of forest resource improvement and utilization, including, but not limited to, reforestation, erosion control, and other forest land conservation measures, fisheries and fish and wildlife habitat improvements, and wood energy facilities. Not later than January 1, 1979, the Secretary shall submit to the Speaker of the House of Representatives and the President of the Senate a report of his analysis, including his recommendations with respect to actions that should be taken to mitigate any significant short-term and long-term adverse effects on the local economy caused by such addition.

(b) The Secretary of Commerce and the Secretary of Labor, in consultation with the Secretary, and pursuant to his study, shall apply such existing programs as are necessary and appropriate to further mitigate identified employment and other adverse economic impacts on public and private segments of the local economy, other than with regard to the payment of just compensation to the owners of properties taken by this Act and by this subchapter. In addition to the land rehabilitation and employment provisions of this Act, which should have a substantial positive economic effect on the local economy, the Secretaries of Commerce and Labor are further authorized and directed to implement existing authorities to establish employment programs, pursuant to such grants, contracts and cooperative agreements with agencies of the Federal Executive, the State of California, any political or governmental subdivision thereof, any corporation, not-for-profit corporation, private entity or person, for the development and implementation of such programs, as, in the discretion of the Secretaries of Commerce and Labor, may be necessary to provide employment opportunities to those individuals affected by this taking and to contribute to the economic revival of Del Norte and Humboldt

Counties, in northern California. Effective on October 1, 1978, there are authorized such sums as may be necessary to carry out the employment and economic mitigation provisions of this Act: *Provided*, That the authority to make payments under this section shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(Pub. L. 95-250, title I, §102(a), (b), Mar. 27, 1978, 92 Stat. 166, 167.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 95-250, Mar. 27, 1978, 92 Stat. 163, as amended, which, insofar as classified to the Code, enacted sections 79c-1 and 79k to 79q of this title, amended former section 1a-1 and sections 79b and 79c of this title, and enacted provisions set out and formerly set out as notes under this section. For complete classification of this Act to the Code, see Tables.

Sections 79b and 79c of this title, referred to in subsec. (a), was in the original "the first section of this Act", meaning section 101 of Pub. L. 95-250. Provisions of section 101 relating to the addition of property to Redwood National Park are classified to sections 79b and 79c of this title.

CODIFICATION

Section was not enacted as part of Pub. L. 90-545, Oct. 2, 1968, 82 Stat. 931, which comprises this subchapter.

STUDY OF TIMBER HARVEST SCHEDULING ALTERNATIVES FOR SIX RIVERS NATIONAL FOREST; SCOPE; REPORT TO CONGRESS

Pub. L. 95-250, title I, §102(c), Mar. 27, 1978, 92 Stat. 167, directed Secretary of Agriculture, within one year after Mar. 27, 1978, to prepare and transmit to Congress a study of timber harvest scheduling alternatives for Six Rivers National Forest, which alternatives were to exclude timber inventories standing on units of Wilderness Preservation System at time of study and were to be consistent with laws applicable to management of national forests.

REFERENCE TO SECRETARY AS REFERENCE TO SECRETARY OF DEPARTMENT OF THE INTERIOR; EXCEPTION

Pub. L. 95-250, title I, §109, Mar. 27, 1978, 92 Stat. 172, provided that: "Unless otherwise indicated hereinbefore, a reference to the Secretary will refer to the Secretary of the Department of the Interior, except in subsections 103(d) through 103(i) [section 791(d) to (i) of this title], where a reference to the Secretary will refer to the Secretary of the Department of Labor."

§ 791. Employment of personnel for rehabilitation, protection, and improvements of additional lands

(a) Appointment and compensation of personnel for implementation of protection and enhancement programs

In order to utilize the skills of individuals presently working in the woods and in the mills to the greatest degree possible to both ease the personal economic effects of this taking, and to assist in the necessary rehabilitation, protection, and improvement of lands acquired by this Act through implementation of sound rehabilitation and land use practices, the Secretary shall have power to appoint and fix the compensation of seven full-time and thirty-one temporary personnel to assist in carrying out such programs necessary for the protection and enhancement of Redwood National Park.

(b) Appointment and compensation of personnel for administration of expanded Park; appointment, etc., of additional personnel

In order to effectively administer the expanded Redwood National Park created by this Act in a manner that will provide maximum protection to its resources and to provide for maximum visitor use and enjoyment to ease the local economic effects of this taking, the Secretary shall have power to appoint and fix the compensation of two full-time and twenty temporary employees in the competitive service. The Secretary shall further have power to appoint and fix the compensation of an additional thirty-two full-time and forty temporary employees in the competitive service as provided by this subsection at the time of the donation of those park lands or interests in land owned by the State of California as are within the boundaries of Redwood National Park as provided herein. In filling these positions, preference shall be given to those State employees affected by this transfer for a period not to exceed six years from the date of transfer; permanent State civil service employees shall be provided the opportunity to transfer to a comparable Federal civil service classification notwithstanding applicable civil service laws and regulations.

(c) Job positions subject to preferential treatment for affected employees

An affected employee shall be given full consideration for certain civilian jobs as provided in this section both with the Federal Government and with those private employers that have certain undertakings or programs that involve Federal participation or approval for the period beginning on March 27, 1978, and ending September 30, 1984, if the positions will be primarily located in Humboldt or Del Norte Counties or other counties in California adjacent thereto, and if the employee is otherwise qualified under this section.

(d) Procedures applicable to Federal agencies for creating or filling job positions; applicants subject to preferential treatment; considerations for employment

(1) Any Federal agency that is creating or filling a civilian Federal job that is within the scope of clause (2)(A) of this subsection, pursuant to contract, civil service merit system, or otherwise, that will be primarily located in Humboldt or Del Norte Counties, California, or other counties in California adjacent thereto, must provide notice in advance of the availability of that job and must provide qualified affected employee applicants for these positions with full consideration for these positions if the further conditions set forth in clause (2)(B) of this subsection are met. The notice required by this paragraph shall be as provided by applicable law and regulation through the offices of the Employment and Training Services located in Humboldt and Del Norte Counties, California, and through such other means as are likely to gain the attention of affected employees.

(2) Consideration for employment under this section shall be provided under the following conditions: