

CODIFICATION

Section is based on sections 1 and 2 of act June 29, 1906, and a portion of section 1 of act June 30, 1913.

The first sentence to the colon is from a part of section 1 of act June 29, 1906.

The second paragraph is from section 1 of act June 30, 1913. It extended the park on the south and described the boundaries as thus changed, thereby superseding the description contained in section 1 of act June 29, 1906. Section 1 of act June 30, 1913, also recited that the lands added to the park by its provisions were lands relinquished by Indians pursuant to an agreement incorporated and ratified therein. The agreement was one dated May 10, 1911, with the Wiminuche Band of Southern Ute Indians.

The last sentence of this section is taken from section 2 of act June 29, 1906, which is also the source of section 112 of this title.

MESA VERDE NATIONAL PARK BOUNDARY CHANGE

Pub. L. 110-161, div. F, title I, §133, Dec. 26, 2007, 121 Stat. 2123, provided that:

“(a) ACQUISITION OF LAND.—

“(1) IN GENERAL.—The Secretary may acquire the land or an interest in the land described in subsection (b) for addition to the Mesa Verde National Park.

“(2) MEANS.—An acquisition of land under paragraph (1) may be made by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

“(b) DESCRIPTION OF LAND.—The land referred to in subsection (a)(1) is the approximately 360 acres of land adjacent to the Park, as generally depicted on the map, entitled ‘Mesa Verde National Park Proposed Boundary Adjustment’, numbered 307/80,180, and dated March 1, 2007.

“(c) AVAILABILITY OF MAP.—The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

“(d) BOUNDARY MODIFICATION.—The boundary of the Park shall be revised to reflect the acquisition of the land under subsection (a).

“(e) ADMINISTRATION.—The Secretary shall administer any land or interest in land acquired under subsection (a)(1) as part of the Park in accordance with the laws (including regulations) applicable to the Park.”

§ 111a. Authorization for acquisition of additional lands

For the purpose of protecting the scenery along the Point Lookout Road between the north boundary of the Mesa Verde National Park and this road's juncture with the Cortez-Mancos Road, the President of the United States is authorized, upon the recommendation of the Secretary of the Interior, to add to the said Mesa Verde National Park, Colorado, by executive proclamation, a strip of land two hundred and sixty feet wide along and including said Point Lookout Road, and the triangle formed by the fork in said road and such other public land along or adjacent to said road and right-of-way and lands as may be acquired by gift or by exchanges as hereinafter provided, which lands shall thereupon become and be a part of said park subject to all laws and regulations applicable thereto.

(Feb. 26, 1931, ch. 308, §1, 46 Stat. 1422.)

§ 111b. Donations or exchanges of lands

For the purpose of carrying out the provisions of this section and section 111a of this title the Secretary of the Interior is authorized to accept donations of land or right-of-way, or to acquire

title to any land along or adjacent to the said Point Lookout Road as may be deemed desirable by him for the protection of said road, by exchange for any unappropriated public lands within sections 29 and 32, township 36 north, range 14 west, New Mexico principal meridian, of equal value; the value of the lands offered for exchange hereunder and the value of the lands of the United States to be selected therefor shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of lands offered to the United States pursuant hereto shall, before the exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the lands offered in exchange.

(Feb. 26, 1931, ch. 308, §2, 46 Stat. 1423.)

§ 111c. Revision of boundaries; vested rights; administration

The boundaries of Mesa Verde National Park are hereby revised to include the following described lands, which, subject to valid existing rights, shall be administered as a part of the park in accordance with the Act entitled ‘‘An Act to establish a National Park Service, and for other purposes,’’ approved August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.):¹

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

Township 36 North, Range 14 West

Section 29: All portions of the south half and the southeast quarter northwest quarter lying south and west of the right-of-way of United States Highway 160.

Section 32: Those portions of the section lying south and west of the right-of-way of United States Highway 160, except the north entrance road to the park, the southeast quarter southwest quarter, and the southeast quarter northeast quarter southwest quarter.

Section 33: That portion of the northwest quarter northwest quarter, more particularly described as follows: Beginning at a point on the west line of section 33 which is 456.5 feet south of the northwest corner of section 33, thence running south along the west line of section 33 for a distance of 373.0 feet, thence running east for a distance of 516.8 feet, thence running north for a distance of 132.7 feet, thence running north 65 degrees 06 minutes west for a distance of 570.0 feet along the southwesterly right-of-way of Highway 160 to the point of beginning.

(Pub. L. 88-235, §1, Dec. 23, 1963, 77 Stat. 473.)

REFERENCES IN TEXT

The Act entitled ‘‘An Act to establish a National Park Service, and for other purposes,’’ approved August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), 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,

¹ See References in Text note below.

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.

§ 111d. Acquisition of lands within boundaries of park

The Secretary of the Interior may acquire by purchase, with donated or appropriated funds, lands and interests in lands within the boundaries of Mesa Verde National Park as revised by section 111c of this title.

(Pub. L. 88-235, §2, Dec. 23, 1963, 77 Stat. 474.)

§ 111e. Authorization of appropriations

There are hereby authorized to be appropriated such sums, but not more than \$193,233 as may be necessary to carry out the provisions of sections 111c to 111e of this title.

(Pub. L. 88-235, §3, Dec. 23, 1963, 77 Stat. 474; Pub. L. 94-578, title I, §101(8), Oct. 21, 1976, 90 Stat. 2732.)

AMENDMENTS

1976—Pub. L. 94-578 substituted “\$193,233” for “\$125,000”.

§ 112. Control; regulations; prehistoric ruins

Mesa Verde National Park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to prescribe such rules and regulations and establish such service as he may deem necessary for the care and management of the same. Such regulations shall provide specifically for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man within said park.

(June 29, 1906, ch. 3607, §2, 34 Stat. 617.)

CODIFICATION

As enacted by act June 29, 1906, this section began with a clause naming the park which was stricken out and inserted as the last sentence of section 111 of this title.

§ 113. Examinations, excavations, and gathering objects of interest

The Secretary of the Interior is authorized to permit examinations, excavations, and other gathering of objects of interest within said park by any person or persons whom he may deem properly qualified to conduct such examinations, excavations, or gatherings, subject to such rules and regulations as he may prescribe: *Provided always*, That the examinations, excavations, and gatherings shall be undertaken only for the benefit of some reputable museum, university, college, or other recognized scientific or educational institution, with a view to increasing the knowledge of such objects and aiding the general advancement of archaeological science.

(June 29, 1906, ch. 3607, §3, 34 Stat. 617.)

§ 114. Removal, disturbance, destruction, or molestation of ruins

Any person or persons who may otherwise in any manner willfully remove, disturb, destroy,

or molest any of the ruins, mounds, buildings, graves, relics, or other evidences of an ancient civilization or other property from said park shall be deemed guilty of a misdemeanor, and upon conviction before any court having jurisdiction of such offenses shall be fined not more than \$1,000 or imprisoned not more than twelve months, or such person or persons may be fined and imprisoned, at the discretion of the judge, and shall be required to restore the property disturbed, if possible.

(June 29, 1906, ch. 3607, §4, 34 Stat. 617.)

§ 115. Leases and permits; prehistoric ruins not included

The Secretary of the Interior may, upon terms and conditions to be fixed by him, grant leases and permits for the use of the land or development of the resources thereof, in the Mesa Verde National Park, and the funds derived therefrom shall be covered into the Treasury of the United States. Such leases or grants shall not include any of the prehistoric ruins in said park or exclude the public from free or convenient access thereto.

(June 25, 1910, ch. 385, §1, 36 Stat. 796.)

§ 115a. Mineral resources; exploitation

After January 26, 1931, no permit, license, lease, or other authorization for the prospecting, development, or utilization of the mineral resources within the Mesa Verde National Park, Colorado, shall be granted or made.

(Jan. 26, 1931, ch. 47, §1, 46 Stat. 1043.)

§ 116. Repealed. Dec. 16, 1930, ch. 14, §1, 46 Stat. 1028

Section, act June 12, 1917, ch. 27, §1, 40 Stat. 152, related to donations of lands or rights-of-way.

§ 117. Exclusive jurisdiction ceded to United States by Colorado; saving provisions; fugitives from justice

Sole and exclusive jurisdiction is assumed by the United States over the territory embraced and included within the Mesa Verde National Park, saving, however, to the State of Colorado 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 outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said tracts: and saving also to the persons residing in said park now or after April 25, 1928, the right to vote at all elections held within the county or counties in which said tracts are situated. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Colorado.

(Apr. 25, 1928, ch. 434, §1, 45 Stat. 458.)

CODIFICATION

A provision accepting the act of the Colorado Legislature which ceded to the United States exclusive juris-