

ity to prescribe regulations for the surface use of any mineral land locations within the boundaries of the park.

**MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976**

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

**§ 351. Control; rules and regulations**

Denali National Park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of animals, birds, and fish and for the preservation of the natural curiosities and scenic beauties thereof.

(Feb. 26, 1917, ch. 121, § 5, 39 Stat. 938; Pub. L. 96-487, title II, § 202(3)(a), Dec. 2, 1980, 94 Stat. 2382.)

**CHANGE OF NAME**

“Denali National Park” substituted in text for “Mount McKinley National Park” pursuant to Pub. L. 96-487, § 202(3)(a), which is classified to section 410hh-1(3)(a) of this title and which added lands to the park, established additional land as the Denali National Preserve, and redesignated the whole as the Denali National Park and Preserve.

**§ 352. Game refuge; killing game**

The said park is established as a game refuge, and no person shall kill any game in said park except under an order from the Secretary of the Interior for the protection of persons or to protect or prevent the extermination of other animals or birds.

(Feb. 26, 1917, ch. 121, § 6, 39 Stat. 939; May 21, 1928, ch. 654, § 2, 45 Stat. 622.)

**AMENDMENTS**

1928—Act May 21, 1928, struck out provision that prospectors and miners could kill game or birds needed for actual necessities when short of food.

**§ 353. Leases**

The Secretary of the Interior may, in his discretion, execute leases to parcels of ground not exceeding twenty acres in extent for periods not to exceed twenty years whenever such ground is necessary for the erection of establishments for the accommodation of visitors; may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors; and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park.

(Feb. 26, 1917, ch. 121, § 7, 39 Stat. 939; May 21, 1928, ch. 654, § 1, 45 Stat. 622.)

**AMENDMENTS**

1928—Act May 21, 1928, repealed provision that no appropriation for the maintenance of the park in excess

of \$10,000 annually should be made unless expressly authorized by law.

**§ 353a. Repealed. Pub. L. 97-468, title VI, § 615(a)(1), Jan. 14, 1983, 96 Stat. 2577**

Section, act Mar. 12, 1914, ch. 37, § 1, as added Mar. 29, 1940, ch. 74, 54 Stat. 80; Dec. 2, 1980, Pub. L. 96-487, title II, § 202(3)(a), 94 Stat. 2382, authorized appropriation of not to exceed \$30,000 for construction and operation of facilities for visitors and residents to Denali National Park in Alaska.

**EFFECTIVE DATE OF REPEAL**

Repeal effective on date of transfer of Alaska Railroad to the State [Jan. 5, 1985], pursuant to section 1203 of Title 45, Railroads, see section 615(a) of Pub. L. 97-468.

**§ 354. Offenses; punishment**

Any person found guilty of violating any of the provisions of this subchapter shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings.

(Feb. 26, 1917, ch. 121, § 8, 39 Stat. 939.)

**§ 355. Change of boundaries**

The boundary of the Denali National Park is changed so as to read as follows:

Beginning at the summit of a hill between the Toklat River and the Clearwater Fork of that river at an approximate latitude of sixty-three degrees forty-seven minutes forty-five seconds, longitude one hundred and fifty degrees seventeen minutes forty seconds, which is intended to be same point of beginning of the boundary description as contained in section 347 of this title; thence southerly along the summit of the ridge between Toklat River and the Clearwater Fork of said river and across Stony Creek at its confluence with the said Clearwater Fork to the summit of the ridge between Stony Creek and the Clearwater Fork of the Toklat River, thence following the summit of said ridge and the summit of the ridge between the tributaries of said Clearwater Fork, the headwaters of the North Fork of Moose Creek and Boundary Creek to the intersection with the present boundary of Denali National Park at approximate latitude of sixty-three degrees thirty-two minutes forty-five seconds, longitude one hundred and fifty degrees twenty-four minutes forty-five seconds; thence southwesterly fourteen and three-tenths miles, more or less, to a point one-half mile north of Wonder Lake on the stream flowing out of Wonder Lake into Moose Creek; thence south sixty-eight degrees west forty-three and five-tenths miles, more or less, to the point of intersection with the southwest boundary extended; thence southeasterly thirty-three miles, more or less, to the summit of Mount Russell; thence in a northeasterly direction following the present south boundary approximately eighty-eight miles to Windy Creek at approximate latitude sixty-three degrees twenty-five minutes forty-five seconds, longitude one hundred and forty-nine degrees one minute thirty-five seconds; thence easterly following the north bank of Windy Creek to the western boundary of The

Alaska Railroad right-of-way; thence northerly following the west boundary of The Alaska Railroad right-of-way to a point due east of the present north boundary of the park as extended due east; thence due west following the present north boundary of the park to the summit of the ridge between Toklat River and the Clearwater Fork of said river; thence southerly following the summit of said ridge to the place of beginning; *Provided, however,* That such isolated tracts of land lying east of The Alaska Railroad right-of-way and the west bank of the Nenana River between the north bank of Windy Creek and the north park boundary as extended eastward are also included in said park: *Provided further,* That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. (Mar. 19, 1932, ch. 88, §1, 47 Stat. 68; Pub. L. 96-487, title II, §202(3)(a), Dec. 2, 1980, 94 Stat. 2382.)

## REFERENCES IN TEXT

The land laws of the United States, referred to in text, are classified generally to Title 43, Public Lands.

## CODIFICATION

Section was not enacted as part of act Feb. 26, 1917, ch. 121, 39 Stat. 938, which comprises this subchapter.

## CHANGE OF NAME

“Denali National Park” substituted in text for “Mount McKinley National Park” pursuant to Pub. L. 96-487, §202(3)(a), which is classified to section 410hh-1(3)(a) of this title and which added lands to the park, established additional land as the Denali National Preserve, and redesignated the whole as the Denali National Park and Preserve.

**§ 355a. Laws applicable to added lands**

The provisions of the Act of August 25, 1916, entitled “An Act to establish a national park service, and for other purposes,”<sup>1</sup> and this subchapter, together with all Acts supplementary to and amendatory of said Act and subchapter are made applicable to and extended over the lands added to the park by section 355 of this title.

(Mar. 19, 1932, ch. 88, §2, 47 Stat. 69.)

## REFERENCES IN TEXT

The Act of August 25, 1916, entitled “An Act to establish a national park service, and for other 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.

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

## CODIFICATION

Section was not enacted as part of act Feb. 26, 1917, ch. 121, 39 Stat. 938, which comprises this subchapter.

## SUBCHAPTER XL—HOT SPRINGS NATIONAL PARK

## CHANGE OF NAME

“Hot Springs Reservation” changed to “Hot Springs National Park” by act Mar. 4, 1921, ch. 161, §1, 41 Stat. 1407.

**§ 361. Establishment; supply of water; free baths for indigent; dedication to United States**

The Secretary of the Interior is authorized to grant to hotels having bathhouses attached, and to bathhouses situated in the Hot Springs National Park, as well as in the city of Hot Springs, Arkansas, the right to install, maintain, and use, either in said bathhouses or in connection with the rooms of said hotels or the bathhouses attached to said hotels, as many bathtubs as in his discretion he may deem proper and necessary for the public service and the amount of hot water will justify. The superintendent shall provide and maintain a sufficient number of free baths for the use of the indigent. All titles given or to be given by the United States shall explicitly exclude the right to the purchaser of the land, his heirs or assigns, from ever boring thereon for hot water; and the Hot Springs, with the National Park and mountain are dedicated to the United States, and shall remain forever free from sale or alienation.

(Dec. 16, 1878, ch. 5, 20 Stat. 258; June 16, 1880, ch. 246, §3, 21 Stat. 289; Apr. 12, 1904, ch. 1249, 33 Stat. 173; May 23, 1906, ch. 2552, 34 Stat. 198, 199; Apr. 30, 1908, ch. 154, 35 Stat. 98; Mar. 4, 1921, ch. 161, §1, 41 Stat. 1407.)

## CODIFICATION

Act Apr. 12, 1904 amended act Dec. 16, 1878, by striking out a proviso thereof and inserting in lieu thereof a proviso which is the source of the first sentence of this section. The proviso stricken out limited the supply of water to hotels or bathhouses to not more than enough for 40 bath tubs of the usual size to a single establishment.

A portion of act Dec. 16, 1878, made an appropriation for the expenses of the Hot Springs Commission, and provided for the appointment of a Board of Commissioners, conferring upon them the powers of the Commissioners appointed under act Mar. 3, 1877, ch. 108, 19 Stat. 377, to lay out, etc., the Hot Springs Reservation, and revived and continued in force said act Mar. 3, 1877 to enable the Commissioners to perform the acts and duties authorized by it. These and other earlier provisions relating to the establishment and management of the reservation were temporary and have been executed.

Provisions of act Dec. 16, 1878, relating to leases of ground, bathhouses, etc., were omitted as temporary in nature and superseded by sections 362 to 368 of this title.

There have also been omitted as temporary and executed a provision of act Dec. 16, 1878 for the expenses of the free baths maintained for the indigent and a provision for the disposition of fractions of lots made by straightening, widening, or laying out streets.

The boundaries of the Hot Springs National Park have been affected by act June 25, 1930, ch. 607, 46 Stat. 1915, which provided as follows: “That the Secretary of the Interior be, and is hereby, authorized in his discretion to convey to the P. F. Connelly Paving Company,