

Service and Related Programs, 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.

CODIFICATION

In subsec. (d)(1), “section 100502 of title 54” substituted for “section 12(b) of the National Park Service General Authorities Act (16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

Section is comprised of section 3036 of Pub. L. 113-291. Subsec. (e) of section 3036 of Pub. L. 113-291 amended section 101(b)(12) of Pub. L. 104-303, title I, Oct. 12, 1996, 110 Stat. 3667, which is not classified to the Code.

AMENDMENTS

2016—Subsec. (d)(2)(A). Pub. L. 114-289, which directed technical amendment to reference in subsec. (d)(4)(B) of original act which appears in text as reference to section 410sss of this title, was executed to subsec. (d)(2)(A) of this section, to reflect the probable intent of Congress.

SUBCHAPTER LIX—SS—MANHATTAN PROJECT NATIONAL HISTORICAL PARK

§ 410uuu. Manhattan Project National Historical Park

(a) Purposes

The purposes of this section are—

(1) to preserve and protect for the benefit of present and future generations the nationally significant historic resources associated with the Manhattan Project;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

(b) Definitions

In this section:

(1) Historical Park

The term “Historical Park” means the Manhattan Project National Historical Park established under subsection (c).

(2) Manhattan Project

The term “Manhattan Project” means the Federal military program to develop an atomic bomb ending on December 31, 1946.

(3) Secretary

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

(c) Establishment of Manhattan Project National Historical Park

(1) Establishment

(A) Date

Not later than 1 year after December 19, 2014, there shall be established as a unit of

the National Park System the Manhattan Project National Historical Park.

(B) Areas included

The Historical Park shall consist of facilities and areas listed under paragraph (2) as determined by the Secretary, in consultation with the Secretary of Energy. The Secretary shall include the area referred to in paragraph (2)(C)(i), the B Reactor National Historic Landmark, in the Historical Park.

(2) Eligible areas

The Historical Park may only be comprised of one or more of the following areas, or portions of the areas, as generally depicted in the map titled “Manhattan Project National Historical Park Sites”, numbered 540/108,834-C, and dated September 2012:

(A) Oak Ridge, Tennessee

Facilities, land, or interests in land that are—

(i) Buildings 9204-3 and 9731 at the Department of Energy Y-12 National Security Complex;

(ii) the X-10 Graphite Reactor at the Department of Energy Oak Ridge National Laboratory;

(iii) the K-25 Building site at the Department of Energy East Tennessee Technology Park;

(iv) the former Guest House located at 210 East Madison Road; and

(v) at other sites in Oak Ridge, Tennessee, that are not depicted on the map but are determined by the Secretary to be suitable and appropriate for inclusion in the Historical Park, except that sites administered by the Secretary of Energy may be included only with the concurrence of the Secretary of Energy.

(B) Los Alamos, New Mexico

Facilities, land, or interests in land that are—

(i) within the Los Alamos Scientific Laboratory National Historic Landmark District, or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA-UR 12-00387 (January 26, 2012);

(ii) the former East Cafeteria located at 1670 Nectar Street; and

(iii) the former dormitory located at 1725 17th Street.

(C) Hanford, Washington

Facilities, land, or interests in land on the Department of Energy Hanford Nuclear Reservation that are—

(i) the B Reactor National Historic Landmark;

(ii) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(iii) the White Bluffs Bank building in the White Bluffs Historic District;

(iv) the warehouse at the Bruggemann’s Agricultural Complex;

- (v) the Hanford Irrigation District Pump House; and
- (vi) the T Plant (221–T Process Building).

(d) Agreement**(1) In general**

Not later than 1 year after December 19, 2014, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Los Alamos, and Richland site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is¹ to be included in the Historical Park under subsection (c)(2), including provisions for enhanced public access, management, interpretation, and historic preservation.

(2) Responsibilities of the Secretary

Any agreement under paragraph (1) shall provide that the Secretary shall—

- (A) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and
- (B) ensure that the agreement provides an appropriate advisory role for the National Park Service in preserving the historic resources covered by the agreement.

(3) Responsibilities of the Secretary of Energy

Any agreement under paragraph (1) shall provide that the Secretary of Energy—

- (A) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Oak Ridge Reservation, Los Alamos National Laboratory, and Hanford Site;
- (B) may consult with and provide historical information to the Secretary concerning the Manhattan Project;
- (C) shall retain responsibility, in accordance with applicable law, for any environmental remediation or activities relating to structural safety that may be necessary in or around the facilities, land, or interests in land governed by the agreement; and
- (D) shall retain authority and legal obligations for historic preservation and general maintenance, including to ensure safe access, in connection with the Department's Manhattan Project resources.

(4) Amendments

The agreement under paragraph (1) may be amended, including to add to the Historical Park facilities, land, or interests in land within the eligible areas described in subsection (c)(2) that are under the jurisdiction of the Secretary of Energy.

(e) Public participation**(1) In general**

The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

- (A) before executing any agreement under subsection (d); and

- (B) in the development of the general management plan under subsection (f)(2).

(2) Notice of determination

Not later than 30 days after the date on which an agreement under subsection (d) is entered into, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(3) Availability of map

The official boundary map published under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service. The map shall be updated to reflect any additions to the Historical Park from eligible areas described in subsection (c)(2).

(4) Additions

Any land, interest in land, or facility within the eligible areas described in subsection (c)(2) that is acquired by the Secretary or included in an amendment to the agreement under subsection (d)(4) shall be added to the Historical Park.

(f) Administration**(1) In general**

The Secretary shall administer the Historical Park in accordance with—

- (A) this section; and
- (B) the laws generally applicable to units of the National Park System, including—
 - (i) the National Park System Organic Act (16 U.S.C. 1 et seq.);² and
 - (ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).²

(2) General management plan

Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, with the concurrence of the Secretary of Energy, with respect to land administered by the Secretary of Energy, and in consultation and collaboration with the Oak Ridge, Los Alamos and Richland Department of Energy site offices, shall complete a general management plan for the Historical Park in accordance with section 100502 of title 54.

(3) Interpretive tours

The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(4) Land acquisition**(A) In general**

The Secretary may acquire land and interests in land within the eligible areas described in subsection (c)(2) by—

- (i) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy;
- (ii) donation;

¹ So in original. Probably should be “are”.

² See References in Text note below.

- (iii) exchange; or
- (iv) in the case of land and interests in land within the eligible areas described in subparagraphs (A) and (B) of subsection (c)(2), purchase from a willing seller.

(B) No use of condemnation

The Secretary may not acquire by condemnation any land or interest in land under this section.

(C) Facilities

The Secretary may acquire land or interests in land in the vicinity of the Historical Park for visitor and administrative facilities.

(5) Donations; cooperative agreements

(A) Federal facilities

(i) In general

The Secretary may enter into one or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(ii) Donations; cooperative agreements

The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under clause (i) or to provide visitor services and administrative facilities within reasonable proximity to the Historical Park.

(B) Technical assistance

The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(C) Donations to Department of Energy

For the purposes of this section, or for the purpose of preserving and providing access to historically significant Manhattan Project resources, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

(g) Adjacent management

(1) In general

Nothing in this section creates a protective perimeter or buffer zone around the boundary of the Historical Park.

(2) Activities outside the boundary of the Historical Park

The fact that an activity or use on land outside the boundary of the Historical Park can be seen or heard from within the boundary shall not preclude the activity or use outside the boundary of the Historical Park.

(h) No cause of action

Nothing in this section shall be construed to create a cause of action with respect to activi-

ties outside or adjacent to the established boundary of the Historical Park.

(Pub. L. 113-291, div. B, title XXX, § 3039, Dec. 19, 2014, 128 Stat. 3784.)

REFERENCES IN TEXT

The National Park System Organic Act (16 U.S.C. 1 et seq.), referred to in subsec. (f)(1)(B)(i), probably means the National Park Service Organic Act, act Aug. 25, 1916, ch. 408, 39 Stat. 535, 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.

The Act of August 21, 1935 (16 U.S.C. 461 et seq.), referred to in subsec. (f)(1)(B)(ii), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, 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.

CODIFICATION

In subsec. (f)(2), “section 100502 of title 54” substituted for “section 12(b) of Public Law 91-383 (commonly known as the National Park Service General Authorities Act; 16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

SUBCHAPTER LIX-TT—OREGON CAVES
NATIONAL MONUMENT AND PRESERVE

§ 410vvv. Oregon Caves National Monument and Preserve

(a) Definitions

In this section:

(1) Map

The term “map” means the map entitled “Oregon Caves National Monument and Preserve”, numbered 150/80,023, and dated May 2010.

(2) Monument

The term “Monument” means the Oregon Caves National Monument established by Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909.

(3) National Monument and Preserve

The term “National Monument and Preserve” means the Oregon Caves National Monument and Preserve designated by subsection (b)(1)(A).

(4) National Preserve

The term “National Preserve” means the National Preserve designated by subsection (b)(1)(B).