

(d) Notwithstanding any other provision of law, the Secretary shall give first preference to the Martin Luther King, Junior, Center for Social Change with respect to any contract for a concession to sell books, postcards, tapes, or similar types of appropriate mementos related to the purposes of this subchapter, on facilities operated and maintained by the Secretary within the historical park: *Provided*, That agreement can be reached on terms and conditions acceptable to the Secretary.

(e) The Secretary is authorized to take only such actions within and upon the grounds of the Ebenezer Baptist Church as will directly support appropriate public visitation to and within the church in accordance with the purposes of this subchapter, or which will assist in the maintenance or preservation of those portions of said church which are directly related to the purposes of this subchapter.

(Pub. L. 96-428, §3, Oct. 10, 1980, 94 Stat. 1840; Pub. L. 115-108, §2(3), (4), Jan. 8, 2018, 131 Stat. 2267.)

AMENDMENTS

2018—Subsecs. (a), (c). Pub. L. 115-108, §2(3), substituted “national historical park” for “national historic site” wherever appearing.

Subsec. (d). Pub. L. 115-108, §2(4), substituted “historical park” for “historic site”.

§ 460bbb-3. Establishment of Advisory Commission

(a) There is hereby established the Martin Luther King, Junior, National Historic Site Advisory Commission (hereinafter referred to in this section as the “Commission”). The Commission shall consist of thirteen members, eleven of whom shall be appointed by the Secretary as follows:

(1) three members appointed for terms of three years from recommendations submitted by the governing body of the Martin Luther King, Junior, Center for Social Change;

(2) two members appointed for terms of four years from recommendations submitted by the Governor of the State of Georgia, one of whom shall have professional expertise in historic preservation matters;

(3) two members appointed for terms of five years from recommendations submitted by the mayor of the city of Atlanta, Georgia, one of whom shall represent the economic and cultural interests of the Sweet Auburn Historic District;

(4) one member appointed for a term of five years from recommendations submitted by the governing body of the Ebenezer Baptist Church;

(5) the Chairman of the Atlanta Urban Design Commission and one additional member from the Commission to be chosen by the Commission; and

(6) one member, appointed for a term of five years by the Secretary, who shall chair the Commission. In addition to the foregoing members, Mrs. Coretta Scott King, or such other appropriate family member as may be designated by the immediate family of Martin Luther King, Junior, and the Director of the National Park Service shall be ex officio members of the Commission.

(b) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made. Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses of Commission members reasonably incurred by them in carrying out their responsibilities under this section upon presentation of vouchers signed by the chair of the Commission. Necessary administrative services and expenses shall be provided to the Commission by the Department of the Interior.

(c) The function of the Commission shall be to:

(1) advise the Secretary with respect to the formulation and execution of plans for and the overall administration of the national historic site and the preservation district, including advice with respect to the consummation of cooperative agreements, and interpretation of properties, and the use and appreciation of the national historic site and the preservation district by the public;

(2) prepare a generalized impact area plan for a one-mile radius outside the District which shall examine overall community development goals, plans, and efforts within that area, including historic preservation, transportation, parking, housing, urban revitalization, and parks and recreation functions, in order to maximize beneficial relationships between these goals, plans, and efforts and the district herein established; and

(3) prepare, on the basis of the findings and recommendations of the impact area plan required by the preceding paragraph, a detailed development plan for the neighborhoods and outlying commercial areas immediately outside the district for such development, conservation, preservation, rehabilitation activities and transportation, parking, and land use planning as would complement and enhance the District and the purposes for which the District is established.

(d) The Secretary is directed to provide the appropriate planning agency of the city of Atlanta an amount of the local planning funds authorized by section 460bbb-5 of this title sufficient for that agency to provide such staff and technical assistance to the Advisory Commission as are required for it to develop the plans required by subsection (c) of this section. Such plans, prepared in full coordination with and opportunities for participation by, all relevant public agencies and private groups, shall be delivered to the Secretary in a timely fashion for use in preparing the general management plan for the district.

(e) The Commission shall terminate ten years from the effective date of this Act.

(Pub. L. 96-428, §4, Oct. 10, 1980, 94 Stat. 1841.)

REFERENCES IN TEXT

The effective date of this Act, referred to in subsec. (e), probably means the date of enactment of Pub. L. 96-428, which was approved Oct. 10, 1980.

CODIFICATION

Pub. L. 115-108, which amended this subchapter by substituting references to the Martin Luther King, Jr. National Historical Park for references to the Martin Luther King, Junior, National Historic Site, effective

Jan. 8, 2018, was not executed to this section in view of the termination of the Martin Luther King, Junior, National Historic Site Advisory Commission ten years after Oct. 10, 1980, pursuant to subsec. (e) of this section.

§ 460bbb-4. Entrance or admission fees prohibited

Notwithstanding any other provision of law, no fees shall be charged for entrance or admission to the national historical park or the preservation district established by this subchapter.

(Pub. L. 96-428, §5, Oct. 10, 1980, 94 Stat. 1842; Pub. L. 115-108, §2(3), Jan. 8, 2018, 131 Stat. 2267.)

AMENDMENTS

2018—Pub. L. 115-108 substituted “national historical park” for “national historic site”.

§ 460bbb-5. Authorization of appropriations; limitation on authority

Effective October 1, 1980, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter. Notwithstanding any other provision of this subchapter, authority to enter into contracts, to incur obligations, or to make payments under this subchapter shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

(Pub. L. 96-428, §6, Oct. 10, 1980, 94 Stat. 1842; Pub. L. 102-575, title XL, §4024(b), Oct. 30, 1992, 106 Stat. 4768.)

AMENDMENTS

1992—Pub. L. 102-575 struck out “, but not to exceed \$1,000,000 for development, \$100,000 for local planning, and \$3,500,000 for the acquisition of lands and interests therein” before period at end of first sentence.

§ 460bbb-6. Minimizing adverse impacts on preservation district

(a) In order to better integrate the east and west portions of the Martin Luther King, Junior, Preservation District, the Federal Highway Administration, in cooperation with the Georgia Department of Transportation, is hereby directed to insure that any design and reconstruction of the North Interstate 85 and Interstate 75 Expressway over Auburn and Edgewood Avenues in the city of Atlanta, Georgia, and the interchange at Edgewood Avenue, shall minimize the adverse impacts on the preservation district.

(b) In carrying out the provisions of this subsection, the Federal Highway Administration shall require that, where feasible, any major change required for the Auburn Avenue overpass results in a design which permits a wider distance between overpass support structures and the disposition of understructure development rights for appropriate business or recreation uses.

(c) Plans for the construction, exterior renovation, or demolition of any structure or change in land use within the preservation district by the National Park Service or any Federal agency must be submitted to the Atlanta Urban Design Commission in a timely fashion for its review and comment.

(Pub. L. 96-428, §7, Oct. 10, 1980, 94 Stat. 1842.)

§ 460bbb-7. Submission of comprehensive general management plan

Within three complete fiscal years from the effective date of this Act, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive general management plan for the historic site and the preservation district consistent with the provisions of this subchapter and pursuant to the provisions of section 12(b)¹ of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.).

(Pub. L. 96-428, §8, Oct. 10, 1980, 94 Stat. 1843.)

REFERENCES IN TEXT

The effective date of this Act, referred to in text, probably means the date of enactment of Pub. L. 96-428, which was approved Oct. 10, 1980.

Section 12(b) of the Act of August 18, 1970, referred to in text, is section 12(b) of Pub. L. 91-383, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1943, which was formerly classified to section 1a-7(b) of this title and was repealed and restated in section 100502 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3098, 3272.

CODIFICATION

Pub. L. 115-108, which amended this subchapter by substituting references to the “historical park” for references to the “historic site”, effective Jan. 8, 2018, was not executed to this section in view of the requirement to submit the management plan for the historic site within three complete fiscal years from Oct. 10, 1980.

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

CHAPTER 1A—HISTORIC SITES, BUILDINGS, OBJECTS, AND ANTIQUITIES

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
461 to 469c-2. Repealed or Omitted.
469d. Ice Age National Scientific Reserve; statement of purpose.
469e. Plan for continental glaciation.
469f. Repealed.
469g. Ice Age National Scientific Reserve; recommendations for Federal and State participation in financing public facilities and services.
469h. Comprehensive plan for Reserve Development.
469i to 469k. Repealed.
469k-1. Transferred or Repealed.
469l. Omitted or Transferred.
469l-1 to 469l-3. Repealed.
469m. Repealed or Omitted.
469n. Preserve America Program.
469o. Repealed.

SUBCHAPTER II—NATIONAL HISTORIC PRESERVATION

- 470, 470-1. Transferred, Omitted, or Repealed.

PART A—PROGRAMS

- 470a to 470h-5. Repealed.

¹ See References in Text note below.