

(Pub. L. 96-199, title II, §204, Mar. 5, 1980, 94 Stat. 76.)

## REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), referred to in subsec. (a), 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 Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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.

## CODIFICATION

In subsec. (c)(1), “section 100502 of title 54” substituted for “section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.)” 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.

## 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.

**§ 410ff-4. Federal or federally assisted undertakings with respect to lands and waters within, adjacent to, or related to park**

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking with respect to the lands and waters within or adjacent or related to the park, and the head of any Federal agency having authority to license or permit any undertaking with respect to such lands and waters, shall, prior to the approval of the expenditure of any Federal funds on such undertaking or prior to the issuance of any license or permit, as the case may be, afford the Secretary a reasonable opportunity to comment with regard to such undertaking and shall give due consideration to any comments made by the Secretary and to the effect of such undertaking on the purposes for which the park is established.

(Pub. L. 96-199, title II, §205, Mar. 5, 1980, 94 Stat. 76.)

**§ 410ff-5. Designation of wilderness areas**

Within three complete fiscal years from March 5, 1980, the Secretary shall review the area within the park and shall report to the President, in accordance with section 1132(c) and (d) of this title, his recommendations as to the suitability or nonsuitability of any area within the park for designation as wilderness. Any designation of any such areas as wilderness shall be accomplished in accordance with section 1132(c) and (d) of this title.

(Pub. L. 96-199, title II, §206, Mar. 5, 1980, 94 Stat. 77.)

**§ 410ff-6. Entrance or admission fees prohibited**

Notwithstanding any other provision of law, no fees shall be charged for entrance or admission to the park.

(Pub. L. 96-199, title II, §207, Mar. 5, 1980, 94 Stat. 77.)

**§ 410ff-7. Expenditure of Federal funds for research, resources management, and visitor protection and use on private property; transfer of funds; authorization of appropriations**

The Secretary is authorized to expend Federal funds for the cooperative management of The Nature Conservancy and other private property for research, resources management, and visitor protection and use. All funds authorized to be appropriated for the purposes of the Channel Islands National Monument are hereby transferred to the Channel Islands National Park. Effective October 1, 1980, there are hereby authorized to be appropriated such further sums as may be necessary to carry out the purposes of this subchapter, but not to exceed \$500,000 for development. From the Land and Water Conservation Fund there is authorized to be appropriated \$30,100,000 for the purposes of land acquisition. For the authorizations made in this section, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

(Pub. L. 96-199, title II, §208, Mar. 5, 1980, 94 Stat. 77.)

SUBCHAPTER LIX-E—BISCAYNE NATIONAL PARK

**§ 410gg. Establishment; description of boundary; minor boundary revisions; publication in Federal Register**

In order to preserve and protect for the education, inspiration, recreation, and enjoyment of present and future generations a rare combination of terrestrial, marine, and amphibious life in a tropical setting of great natural beauty, there is hereby established the Biscayne National Park (hereinafter referred to in this subchapter as the “park”) in the State of Florida. The boundary of the park shall include the lands, waters, and interests therein as generally depicted on the map entitled “Boundary Map, Biscayne National Park”, numbered 169-90,003, and dated April 1980, which map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the “Secretary”) shall publish in the Federal Register, not more than one year after June 28, 1980, a detailed description of the boundary established pursuant to this section. Following reasonable notice in writing to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate of his intention to do so, the Secretary may make minor revisions in the boundary of the park by publication of a revised boundary map or other description in the Federal Register.

(Pub. L. 96-287, title I, §101, June 28, 1980, 94 Stat. 599; Pub. L. 103-437, §6(d)(10), Nov. 2, 1994, 108 Stat. 4584.)

#### AMENDMENTS

1994—Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

DANTE FASCELL BISCAYNE NATIONAL PARK VISITOR CENTER

Pub. L. 105-307, Oct. 29, 1998, 112 Stat. 2931, provided that:

#### “SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Dante Fascell Biscayne National Park Visitor Center Designation Act’.

#### “SEC. 2. DESIGNATION OF THE DANTE FASCELL VISITOR CENTER AT BISCAYNE NATIONAL PARK.

“(a) DESIGNATION.—The Biscayne National Park visitor center, located on the shore of Biscayne Bay on Convoy Point, Florida, is designated as the ‘Dante Fascell Visitor Center’.

“(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other document of the United States to the Biscayne National Park visitor center shall be deemed to be a reference to the ‘Dante Fascell Visitor Center’.”

#### § 410gg-1. Acquisition of property

##### (a) Authority of Secretary; manner; State lands: donation, reservations, and restrictions; Federal lands: transfer to administrative jurisdiction of National Park Service and Secretary

Within the boundary of the park the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that property owned by the State of Florida or any political subdivision thereof may be acquired only by donation, and subject to such reservations and restrictions as may be provided by Florida law. Lands, waters, and interests therein within such boundary which are owned by the United States and under the control of the Secretary are hereby transferred to the administrative jurisdiction of the National Park Service to be managed for the purposes of the park. Any federally owned lands within the park which are not under the control of the Secretary shall be transferred to his control for purposes of the park at such time as said lands cease to be needed by the agencies which currently control them.

##### (b) Acquisition period; consideration by Secretary of prompt acquisition of property

It is the express intent of the Congress that the Secretary shall substantially complete the land acquisition program authorized herein within three complete fiscal years from the effective date of this subchapter. Any owner of property within the park may notify the Secretary of the desire of such owner that his property be promptly acquired, and the Secretary shall give immediate and careful consideration, subject to the availability of funds, to the prompt acquisition of such property.

(Pub. L. 96-287, title I, §102, June 28, 1980, 94 Stat. 599.)

#### REFERENCES IN TEXT

The effective date of this subchapter, referred to in subsec. (b), probably means the date of enactment of Pub. L. 96-287, which was approved on June 28, 1980.

#### § 410gg-2. Administration; fishing; abolition of Biscayne National Monument; monument incorporated within and made part of park; monument funds and appropriations available for park

(a) The Secretary shall preserve and administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4),<sup>1</sup> as amended and supplemented. The waters within the park shall continue to be open to fishing in conformity with the laws of the State of Florida except as the Secretary, after consultation with appropriate officials of said State, designates species for which, areas and times within which, and methods by which fishing is prohibited, limited, or otherwise regulated in the interest of sound conservation to achieve the purposes for which the park is established: *Provided*, That with respect to lands donated by the State after the effective date of this subchapter, fishing shall be in conformance with State law.

(b) The Biscayne National Monument, as authorized by the Act of October 18, 1968 (82 Stat. 1188; 16 U.S.C. 450qq), as amended, is abolished as such, and all lands, waters, and interests therein acquired or reserved for such monument are hereby incorporated within and made a part of the park. Any funds available for the purposes of such monument are hereby made available for the purposes of the park, and authorizations of funds for the monument shall continue to be available for the park.

(Pub. L. 96-287, title I, §103, June 28, 1980, 94 Stat. 600.)

#### REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), referred to in subsec. (a), 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.

The effective date of this subchapter, referred to in subsec. (a), probably means the date of enactment of Pub. L. 96-287, which was approved on June 28, 1980.

Act of October 18, 1968, referred to in subsec. (b), is Pub. L. 90-606, Oct. 18, 1968, 82 Stat. 1188, as amended, which was classified to sections 450qq to 450qq-4 of this title, and was omitted from the Code in view of the abolition of the Biscayne National Monument and its incorporation within the Biscayne National Park pursuant to subsec. (b).

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