

(Pub. L. 102-543, § 5, Oct. 27, 1992, 106 Stat. 3571.)

§ 410yy-5. General management plan

Not later than 3 fiscal years after October 27, 1992, the Secretary shall prepare, in consultation with the Commission, and submit to Congress a general management plan for the park containing the information described in section 100502 of title 54. Such plan shall interpret the technological and social history of the area, and the industrial complexes of the Calumet and Hecla, and Quincy Mining Companies, with equal emphasis.

(Pub. L. 102-543, § 6, Oct. 27, 1992, 106 Stat. 3571.)

CODIFICATION

In text, “section 100502 of title 54” substituted for “section 12(b) of the Act of August 18, 1970 (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.

§ 410yy-6. Cooperative agreements

The Secretary, after consultation with the Commission, may enter into cooperative agreements with owners of property within the park of nationally significant historic or other cultural resources in order to provide for interpretive exhibits or programs. Such agreements shall provide, whenever appropriate, that—

(1) the public may have access to such property at specified, reasonable times for purposes of viewing such property or exhibits, or attending the programs established by the Secretary under this subsection;¹ and

(2) the Secretary, with the agreement of the property owner, may make such minor improvements to such property as the Secretary deems necessary to enhance the public use and enjoyment of such property, exhibits, and programs.

(Pub. L. 102-543, § 7, Oct. 27, 1992, 106 Stat. 3571.)

§ 410yy-7. Financial and technical assistance

(a) In general

The Secretary may provide to any owner of property within the park containing nationally significant historic or cultural resources, in accordance with cooperative agreements or grant agreements, as appropriate, such financial and technical assistance to mark, interpret, and restore non-Federal properties within the park as the Secretary determines appropriate to carry out the purposes of this subchapter, provided that—

(1) the Secretary, acting through the National Park Service, shall have right of access at reasonable times to public portions of the property covered by such agreement for the purpose of conducting visitors through such properties and interpreting them to the public; and

(2) no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to the agreements.

(b) Matching funds

Funds authorized to be appropriated to the Secretary for the purposes of this section shall

be expended in the ratio of \$1 of Federal funds for each \$1 of funds contributed by non-Federal sources. For the purposes of this subsection, the Secretary is authorized to accept from non-Federal sources, and to utilize for purposes of this subchapter, any money so contributed. Donations of land, or interests in land, by the State of Michigan may be considered as a contribution from non-Federal sources for the purposes of this subsection.

(Pub. L. 102-543, § 8, Oct. 27, 1992, 106 Stat. 3571; Pub. L. 111-11, title VII, § 7101(b), Mar. 30, 2009, 123 Stat. 1190.)

AMENDMENTS

2009—Subsec. (b). Pub. L. 111-11 substituted “each \$1 of funds” for “each \$4 of funds”.

§ 410yy-8. Keweenaw National Historical Park Advisory Commission

(a) Establishment and duties

There is established the Keweenaw National Historical Park Advisory Commission. The Commission shall—

(1) advise the Secretary in the preparation and implementation of a general management plan described in section 410yy-5 of this title;

(2) advise the Secretary on the development of and priorities for implementing standards and criteria by which the Secretary, pursuant to agreements referred to in sections 410yy-6 and 410yy-7 of this title, will provide financial as well as technical assistance to owners of non-Federal properties within the park;

(3) advise the Secretary on the development of rules governing the disbursement of funds for the development of non-Federal properties;

(4) advise the Secretary with respect to the selection of sites for interpretation and preservation by means of cooperative agreements pursuant to section 410yy-6 of this title;

(5) assist the Secretary in developing policies and programs for the conservation and protection of the scenic, historical, cultural, natural and technological values of the park which would complement the purposes of this subchapter;

(6) assist the Secretary in coordinating with local governments and the State of Michigan the implementation of the general management plan, and furthering the purposes of this subchapter;

(7) be authorized to carry out historical, educational, or cultural programs which encourage or enhance appreciation of the historic resources in the park, surrounding areas, and on the Keweenaw Peninsula; and

(8) be authorized to seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services, received from any source, consistent with the purposes of this subchapter and the park management.

(b) Acquisition of property

(1) The Commission may acquire real property, or interests in real property, to further the purposes of the subchapter by gift or devise; or, by purchase from a willing seller with money which was given or bequeathed to the Commission on the condition that such money would be

¹ So in original. Probably should be “section;”.

used to purchase real property, or interests in real property, to further the purposes of this subchapter.

(2) For the purposes of section 170(c) of title 26, any gift to the Commission shall be deemed to be a gift to the United States.

(3) Any real property or interest in real property acquired by the Commission shall be conveyed by the Commission to the National Park Service or the appropriate public agency as soon as possible after such acquisition, without consideration, and on the condition that the real property or interest in real property so conveyed is used for public purposes.

(4) The value of funds or property, or interests in property, conveyed to the National Park Service by the Commission may be considered as non-Federal, at the Commission's discretion.

(c) Membership

(1) Composition

The Commission shall be composed of seven members appointed by the Secretary, of whom—

(A) two members shall be appointed after consideration of nominees submitted by the Calumet Village Council and the Calumet Township Board;

(B) one member shall be appointed after consideration of nominees submitted by the Quincy Township Board and the Franklin Township Board;

(C) one member shall be appointed after consideration of nominees submitted by the Houghton County Board of Commissioners;

(D) one member shall be appointed after consideration of nominees submitted by the Governor of the State of Michigan; and,¹

(E) two members who are qualified to serve on the Commission because of their familiarity with National Parks and historic preservation.

(2) Chairperson

The chairperson of the Commission shall be elected by the members to serve a term of 3 years.

(3) Vacancies

A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(4) Terms of service

(A) In general

Each member shall be appointed for a term of 3 years and may be reappointed not more than three times.

(B) Initial members

Of the members first appointed under subsection (b)(1),² the Secretary shall appoint—

- (i) two members for a term of 1 year;
- (ii) two members for a term of 2 years; and
- (iii) three members for a term of 3 years.

(5) Extended service

A member may serve after the expiration of that member's term until a successor has taken office.

(6) Meetings

The Commission shall meet at least quarterly at the call of the chairperson or a majority of the members of the Commission.

(7) Quorum

Five members shall constitute a quorum.

(d) Compensation

Members shall serve without pay. Members who are full-time officers or employees of the United States, the State of Michigan, or any political subdivision thereof shall receive no additional pay on account of their service on the Commission.

(e) Travel expenses

While away from their homes or regular places of business in the performance of services for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

(f) Mails

The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) Staff

The Commission may appoint and fix the pay of such personnel as the Commission deems desirable. The Secretary may provide the Commission with such staff and technical assistance as the Secretary, after consultation with the Commission, considers appropriate to enable the Commission to carry out its duties, on a cost reimbursable basis. Upon request of the Secretary, any Federal agency may provide information, personnel, property, and services on a reimbursable basis, to the Commission to assist in carrying out its duties under this section. The Secretary may accept the services of personnel detailed from the State of Michigan and reimburse the State or such political subdivision for such services. The Commission may procure additional temporary and intermittent services under section 3109(b) of title 5, with funds obtained under subsection (a)(6), or as provided by the Secretary.

(h) Hearings

The Commission may, for the purpose of carrying out this subchapter, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate. The Commission may not issue subpoenas or exercise any subpoena authority.

(Pub. L. 102-543, §9, Oct. 27, 1992, 106 Stat. 3572; Pub. L. 106-134, §1, Dec. 7, 1999, 113 Stat. 1684.)

AMENDMENTS

1999—Subsec. (c)(1)(A) to (D). Pub. L. 106-134 substituted "after consideration of nominees" for "from nominees".

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year

¹ So in original. The comma probably should not appear.

² So in original. Probably should be "paragraph (1)".

period beginning on the date of their establishment, unless, in the case of a commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 410yy-9. Authorization of appropriations

(a) Except as provided in subsection (b), there are authorized to be appropriated such sums as may be necessary to carry out this subchapter, but not to exceed \$5,000,000 for the acquisition of lands and interests therein, \$50,000,000 for development, and \$25,000,000 for financial and technical assistance to owners of non-Federal property as provided in section 410yy-7 of this title.

(b) There are authorized to be appropriated annually to the Commission to carry out its duties under this subchapter, \$250,000.

(Pub. L. 102-543, §10, Oct. 27, 1992, 106 Stat. 3574; Pub. L. 111-11, title VII, §7101(c), Mar. 30, 2009, 123 Stat. 1190.)

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-11, §7101(c)(1), substituted “\$50,000,000 for development, and \$25,000,000” for “\$25,000,000 for development, and \$3,000,000”.

Subsec. (b). Pub. L. 111-11, §7101(c)(2), substituted “\$250,000” for “\$100,000 except that the Federal contribution to the Commission shall not exceed 50 percent of the annual costs to the Commission in carrying out those duties”.

SUBCHAPTER LIX-X—SAGUARO NATIONAL PARK

§ 410zz. Findings and purpose

The Congress finds that—

(1) the Saguaro National Monument was established by Presidential Proclamation in 1933;

(2) the Tucson Mountain unit was established by Presidential Proclamation in 1961;

(3) in recognition of the need to provide increased protection for the monument, the boundaries of Tucson Mountain unit were expanded in 1976, and the boundaries of Rincon unit were expanded in 1991;

(4) the Tucson Mountain unit continues to face threats to the integrity of its natural resources, scenic beauty, and habitat protection for which the unit was established;

(5) these threats impede opportunities for public enjoyment, education, and safety within the monument, as well as opportunities for solitude within the wilderness areas of the monument designated by Congress in 1976;

(6) the residential and commercial growth of the greater Tucson, Arizona metropolitan area is causing increasing threats to the monument's resources; and

(7) the Tucson Mountain unit should be enlarged by the addition of adjacent lands of National Park caliber and Saguaro National Monument should be afforded full recognition and statutory protection as a National Park.

(Pub. L. 103-364, §2, Oct. 14, 1994, 108 Stat. 3467.)

SHORT TITLE

Pub. L. 103-364, §1, Oct. 14, 1994, 108 Stat. 3467, provided that: “This Act [enacting this subchapter and amending provisions listed in a table of National Monuments Established Under Presidential Proclamation set out under section 431 of this title] may be cited as the ‘Saguaro National Park Establishment Act of 1994’.”

§ 410zz-1. Establishment

There is hereby established the Saguaro National Park (hereinafter in this subchapter referred to as the “park”) in the State of Arizona. The Saguaro National Monument is abolished as such, and all lands and interests therein are hereby incorporated within and made part of Saguaro National Park. Any reference to Saguaro National Monument shall be deemed a reference to Saguaro National Park, and any funds available for the purposes of the monument shall be available for purposes of the park.

(Pub. L. 103-364, §3, Oct. 14, 1994, 108 Stat. 3467.)

§ 410zz-2. Expansion of boundaries

(a) In general

The boundaries of the park are hereby modified to reflect the addition of approximately 3,460 acres of land and interests therein as generally depicted on the map entitled “Saguaro National Monument Additions” and dated April, 1994.

(b) Land acquisition

(1) Within the lands added to the park pursuant to subsection (a), the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, transfer, or exchange: *Provided*, That no such lands or interests therein may be acquired without the consent of the owner thereof unless the Secretary determines that the land is being developed, or is proposed to be developed in a manner which is detrimental¹ to the integrity of the park.

(2) Lands or interests therein owned by the State of Arizona or a political subdivision thereof may only be acquired by donation or exchange.

(c) Withdrawal

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the United States mining laws, and from disposition under all laws relating to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

(Pub. L. 103-364, §4, Oct. 14, 1994, 108 Stat. 3468.)

§ 410zz-3. Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 103-364, §5, Oct. 14, 1994, 108 Stat. 3468.)

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