

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 410aaa–81 of this title.

The Endangered Species Act of 1973, referred to in text, is Pub. L. 93–205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

§ 410aaa–81. Definition

Any reference to the term “this Act” in titles I through IX shall be deemed to be solely a reference to sections 1 and 2, and titles I through IX.

(Pub. L. 103–433, title VII, §711, Oct. 31, 1994, 108 Stat. 4501.)

REFERENCES IN TEXT

Sections 1 and 2 and titles I to IX, referred to in text, are sections 1 and 2 and titles I to IX of Pub. L. 103–433, Oct. 31, 1994, 108 Stat. 4471, known as the California Desert Protection Act of 1994. Sections 1 and 2 of the Act are set out as notes under section 410aaa of this title. Titles I to IX of the Act are classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 410aaa of this title and Tables.

“SECRETARY” DEFINED

Pub. L. 103–433, title I, §103(a), Oct. 31, 1994, 108 Stat. 4481, provided in part that in this subchapter “Secretary” means the Secretary of the Interior.

§ 410aaa–82. Military overflights**(a) Overflights**

Nothing in this Act, the Wilderness Act [16 U.S.C. 1131 et seq.], or other land management laws generally applicable to the new units of the National Park or Wilderness Preservation Systems (or any additions to existing units) designated by this Act, shall restrict or preclude low-level overflights of military aircraft over such units, including military overflights that can be seen or heard within such units.

(b) Special airspace

Nothing in this Act, the Wilderness Act [16 U.S.C. 1131 et seq.], or other land management laws generally applicable to the new units of the National Park or Wilderness Preservation Systems (or any additions to existing units) designated by this Act, shall restrict or preclude the designation of new units of special airspace or the use or establishment of military flight training routes over such new park system or wilderness units.

(c) No effect on other laws

Nothing in this section shall be construed to modify, expand, or diminish any authority under other Federal law.

(Pub. L. 103–433, title VIII, §802, Oct. 31, 1994, 108 Stat. 4501.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (b), is defined in section 410aaa–81 of this title.

The Wilderness Act, referred to in subsecs. (a) and (b), is Pub. L. 88–577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to

the Code, see Short Title note set out under section 1131 of this title and Tables.

SHORT TITLE AND FINDINGS

Pub. L. 103–433, title VIII, §801, Oct. 31, 1994, 108 Stat. 4501, provided that:

“(a) SHORT TITLE.—This title [enacting this section] may be cited as the ‘California Military Lands Withdrawal and Overflights Act of 1994’.

“(b) FINDINGS.—The Congress finds that—

“(1) military aircraft testing and training activities as well as demilitarization activities in California are an important part of the national defense system of the United States, and are essential in order to secure for the American people of this and future generations an enduring and viable national defense system;

“(2) the National Park System units and wilderness areas designated by this Act [see section 410aaa–81 of this title] lie within a region critical to providing training, research, and development for the Armed Forces of the United States and its allies;

“(3) there is a lack of alternative sites available for these military training, testing, and research activities;

“(4) continued use of the lands and airspace in the California desert region is essential for military purposes; and

“(5) continuation of these military activities, under appropriate terms and conditions, is not incompatible with the protection and proper management of the natural, environmental, cultural, and other resources and values of the Federal lands in the California desert area.”

§ 410aaa–83. Authorization of appropriations

There is authorized to be appropriated to the National Park Service and to the Bureau of Land Management to carry out this Act an amount not to exceed \$36,000,000 over and above that provided in fiscal year 1994 for additional administrative and construction costs over the fiscal year 1995–1999 period, and \$300,000,000 for all land acquisition costs. No funds in excess of these amounts may be used for construction, administration, or land acquisition authorized under this Act without a specific authorization in an Act of Congress enacted after October 31, 1994.

(Pub. L. 103–433, title IX, §901, Oct. 31, 1994, 108 Stat. 4508.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 410aaa–1 of this title.

SUBCHAPTER LIX–Z—NEW ORLEANS JAZZ
NATIONAL HISTORICAL PARK**§ 410bbb. Findings and purpose****(a) Findings**

The Congress finds that:

(1) Jazz is the United States’ most widely recognized indigenous music and art form. Congress previously recognized jazz in 1987 through Senate Concurrent Resolution 57 as a rare and valuable national treasure of international importance.

(2) The city of New Orleans is widely recognized as the birthplace of jazz. In and around this city, cultural and musical elements blended to form the unique American music that is known as New Orleans jazz, which is an expression of the cultural diversity of the lower Mississippi Delta Region.

(3) Jean Lafitte National Historical Park and Preserve was established to commemorate the cultural diversity of the lower Mississippi Delta Region including a range of cultural expressions like jazz.

(b) Purpose

In furtherance of the need to recognize the value and importance of jazz, it is the purpose of this subchapter to establish a New Orleans Jazz National Historical Park to preserve the origins, early history, development and progression of jazz; provide visitors with opportunities to experience the sights, sounds, and places where jazz evolved; and implement innovative ways of establishing jazz educational partnerships that will help to ensure that jazz continues as a vital element of the culture of New Orleans and our Nation.

(Pub. L. 103-433, title XII, § 1202, Oct. 31, 1994, 108 Stat. 4519.)

REFERENCES IN TEXT

Senate Concurrent Resolution 57, referred to in subsec. (a)(1), probably means H. Con. Res. 57, Dec. 4, 1987, 101 Stat. 2013, which is not classified to the Code.

SHORT TITLE

Pub. L. 103-433, title XII, § 1201, Oct. 31, 1994, 108 Stat. 4519, provided that: "This title [enacting this subchapter] may be cited as the 'New Orleans Jazz National Historical Park Act of 1994'."

§ 410bbb-1. Establishment

(a) In general

In order to assist in the preservation, education, and interpretation of jazz as it has evolved in New Orleans, and to provide technical assistance to a broad range of organizations involved with jazz music and its history, there is hereby established the New Orleans Jazz National Historical Park (hereinafter referred to as the "historical park"). The historical park shall be administered in conjunction with the Jean Lafitte National Historical Park and Preserve, which was established to preserve and interpret the cultural and natural resources of the lower Mississippi Delta Region.

(b) Area included

The historical park shall consist of lands and interests therein as follows:

(1) Lands which the Secretary of the Interior (hereinafter referred to as "the Secretary") may designate for an interpretive visitor center complex.

(2) Sites that are the subject of cooperative agreements with the National Park Service for the purposes of interpretive demonstrations and programs associated with the purposes of this subchapter.

(3)(A) Sites designated by the Secretary as provided in subparagraph (B).

(B)(i) No later than 18 months after October 31, 1994, the Secretary is directed to complete a national historic landmark evaluation of sites associated with jazz in and around New Orleans as identified in the document entitled "New Orleans Jazz Special Resource Study", prepared by the National Park Service pursuant to Public Law 101-499. In undertaking the

evaluation, the Secretary shall, to the extent practicable, utilize existing information relating to such sites.

(ii) If any of the sites evaluated are found to meet the standards of the National Historic Landmark program and National Park Service tests of suitability and feasibility, and offer outstanding opportunities to further the purposes of this subchapter, the Secretary may designate such sites as part of the historical park, following consultation with the owners of such sites, the city of New Orleans, the Smithsonian Institution, and the New Orleans Jazz Commission, and notification to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives.

(Pub. L. 103-433, title XII, § 1203, Oct. 31, 1994, 108 Stat. 4520.)

REFERENCES IN TEXT

Public Law 101-499, referred to in subsec. (b)(3)(B)(i), is Pub. L. 101-499, Nov. 2, 1990, 104 Stat. 1209, which is not classified to the Code.

§ 410bbb-2. Administration

(a) In general

(1) The Secretary shall administer the historical park in accordance with this subchapter and with provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4);¹ and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).¹ The Secretary shall manage the historical park in such a manner as will preserve and perpetuate knowledge and understanding of the history of jazz and its continued evolution as a true American art form.

(2) To minimize operational costs associated with the management and administration of the historical park and to avoid duplication of effort, the Secretary shall, to the maximum extent practicable, utilize the facilities, administrative staff and other services of the Jean Lafitte National Historical Park and Preserve.

(b) Donations

The Secretary may accept and retain donations of funds, property, or services from individuals, foundations, corporations, or other public entities for the purposes of providing services, programs, and facilities that further the purposes of this subchapter.

(c) Interpretive center

The Secretary is authorized to construct, operate, and maintain an interpretive center in the historical park on lands identified by the Secretary pursuant to section 410bbb-1(b)(1) of this title. Programs at the center shall include, but need not be limited to, live jazz interpretive and educational programs, and shall provide visitors with information about jazz-related programs, performances, and opportunities.

(d) Jazz heritage districts

The Secretary may provide technical assistance to the city of New Orleans and other appro-

¹ See References in Text note below.