

(Pub. L. 107-295, title IV, §437, Nov. 25, 2002, 116 Stat. 2129.)

CODIFICATION

Section was enacted as part of the Omnibus Maritime and Coast Guard Improvements Act of 2002, and also as part of the Maritime Transportation Security Act of 2002, and not as part of Pub. L. 89-668 which comprises this subchapter.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

SUBCHAPTER LXXVIII—BIGHORN CANYON NATIONAL RECREATION AREA

§ 460t. Establishment

(a) In general; description of area

In order to provide for public outdoor recreation use and enjoyment of the proposed Yellowtail Reservoir and lands adjacent thereto in the States of Wyoming and Montana by the people of the United States and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters, there is hereby established the Bighorn Canyon National Recreation Area to comprise the area generally depicted on the drawing entitled "Proposed Bighorn Canyon National Recreation Area", LNP MW-010A-BC, November 1964, which is on file in the Office of the National Park Service, Department of the Interior.

(b) Publication in Federal Register; boundary descriptions and adjustments

As soon as practicable after October 15, 1966, the Secretary of the Interior shall publish in the Federal Register a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on the drawing referred to in subsection (a) of this section. The Secretary may subsequently make adjustments in the boundary of the area, subject to the provisions of section 460t-1(b) of this title, by publication of an amended description in the Federal Register.

(Pub. L. 89-664, §1, Oct. 15, 1966, 80 Stat. 913.)

§ 460t-1. Acquisition of land

(a) Authority of Secretary; manner and place; visitor contact station and administrative site; exchange of property; cash equalization payments; State property

The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, or otherwise, lands and interests in lands within the boundaries of the area. The Secretary is further authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein outside of the boundaries of the area in the vicinity of Lovell, Wyoming, for development and use, pursuant to such special regulations as he may promulgate,

as a visitor contact station and administrative site. In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the area and convey in exchange therefor any federally owned property under his jurisdiction in the States of Montana and Wyoming which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. Property so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Any property or interest therein owned by the State of Montana or the State of Wyoming or any political subdivision thereof within the recreation area may be acquired only by donation or exchange.

(b) Crow Indian tribal lands

No part of the tribal mountain lands or any other lands of the Crow Indian Tribe of Montana shall be included within the recreation area unless requested by the council of the tribe. The Indian lands so included may be developed and administered in accordance with the laws and rules applicable to the recreation area, subject to any limitation specified by the tribal council and approved by the Secretary.

(c) Crow Indian recreational facilities; "shoreline" defined

(1) Notwithstanding any other provisions of this subchapter or of any other law, the Crow Indian Tribe shall be permitted to develop and operate water-based recreational facilities, including landing ramps, boathouses, and fishing facilities, along that part of the shoreline of Yellowtail Reservoir which is adjacent to lands comprising the Crow Indian Reservation. Any such part so developed shall be administered in accordance with the laws and rules applicable to the recreation area, subject to any limitations specified by the tribal council and approved by the Secretary. Any revenues resulting from the operation of such facilities may be retained by the Crow Indian Tribe.

(2) As used in this subsection, the term "shoreline" means that land which borders both Yellowtail Reservoir and the exterior boundary of the Crow Indian Reservation, together with that part of the reservoir necessary to the development of the facilities referred to in this subsection.

(Pub. L. 89-664, §2, Oct. 15, 1966, 80 Stat. 913.)

§ 460t-2. Administration

(a) Coordination

The Secretary shall coordinate administration of the recreation area with the other purposes of the Yellowtail Reservoir project so that it will in his judgment best provide (1) for public outdoor recreation benefits, (2) for conservation of scenic, scientific, historic, and other values contributing to public enjoyment and (3) for management, utilization, and disposal of renewable natural resources in a manner that promotes, or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) Utilization of statutory authorities

In the administration of the area for the purposes of this subchapter, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this subchapter.

(Pub. L. 89-664, §3, Oct. 15, 1966, 80 Stat. 914.)

§ 460t-3. Hunting and fishing

The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the appropriate laws of the United States and of the States of Montana or Wyoming to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment, and except that nothing in this section shall impair the rights under other law of the Crow Tribe and its members to hunt and fish on lands of the Crow Tribe that are included in the recreation area, or the rights of the members of the Crow Tribe to hunt and fish under section 2(d) of the Act of July 15, 1958. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Montana Fish and Game Department or the Wyoming Game and Fish Commission.

(Pub. L. 89-664, §4, Oct. 15, 1966, 80 Stat. 914.)

REFERENCES IN TEXT

Section 2(d) of the Act of July 15, 1958, 72 Stat. 363, referred to in text, provided that: "The members of the Crow Tribe of Indians of Montana shall be permitted to hunt and fish in and on the Yellowtail Reservoir and taking area without a license.", and was not classified to the Code.

§ 460t-4. Authorization of appropriations

There is hereby authorized to be appropriated not more than \$780,000 for the acquisition of land and interests in land pursuant to this subchapter.

(Pub. L. 89-664, §5, Oct. 15, 1966, 80 Stat. 914; Pub. L. 92-272, title I, §101(3), Apr. 11, 1972, 86 Stat. 120.)

AMENDMENTS

1972—Pub. L. 92-272 increased the authorization of appropriations from not more than \$355,000 to not more than \$780,000.

SUBCHAPTER LXXIX—INDIANA DUNES
NATIONAL LAKESHORE**§ 460u. Establishment; description of area**

In order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes Na-

tional Lakeshore (hereinafter referred to as the "lakeshore") in accordance with the provisions of this subchapter. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "Boundary Map, Indiana Dunes National Lakeshore", dated October 1992, and numbered 626-80,039-C, which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior.

(Pub. L. 89-761, §1, Nov. 5, 1966, 80 Stat. 1309; Pub. L. 94-549, §1(1), Oct. 18, 1976, 90 Stat. 2529; Pub. L. 96-612, §1(2), Dec. 28, 1980, 94 Stat. 3575; Pub. L. 99-583, §1(a), Oct. 29, 1986, 100 Stat. 3318; Pub. L. 102-430, §3(a), Oct. 23, 1992, 106 Stat. 2208.)

AMENDMENTS

1992—Pub. L. 102-430, which directed amendment of section by substituting "October 1992, and numbered 626-80,039-C" for "October 1986, and numbered 62680033-B", was executed by making the substitution for "October 1986, and numbered 626-80,033-B" to reflect the probable intent of Congress.

1986—Pub. L. 99-583 substituted "October 1986, and numbered 626-80,033-B" for "December 1980, and bearing the number 626-91014".

1980—Pub. L. 96-612 substituted "December 1980, and bearing the number 626-91014" for "September 1976 and bearing the number 626-91007".

1976—Pub. L. 94-549 substituted "'Boundary Map, Indiana Dunes National Lakeshore', dated September 1976 and bearing the number '626-91007'" for "'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE-1008-ID'".

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-430, §1, Oct. 23, 1992, 106 Stat. 2208, provided that: "This Act [enacting sections 460u-25 and 460u-26 of this title, amending this section and sections 460u-3, 460u-5, 460u-9, and 460u-18 of this title, and repealing section 460u-12 of this title] may be cited as the 'Indiana Dunes National Lakeshore Access and Enhancement Act'."

EFFECTIVE DATE OF AUTHORIZATIONS OF APPROPRIATIONS; AUTHORITY TO CONTRACT, INCUR OBLIGATIONS, AND MAKE PAYMENTS

Pub. L. 96-612, §2, Dec. 28, 1980, 94 Stat. 3578, provided that: "Authorizations of moneys to be appropriated under this Act [enacting sections 460u-20 to 460u-23 of this title and amending this section and sections 460u-1, 460u-3, 460u-5, 460u-7, and 460u-9 of this title] shall be effective on October 1, 1981. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts."

§ 460u-1. Acquisition of property**(a) Authority of Secretary; negotiation for Indiana Dunes State Park; exchange of property; acquisition of land owned for educational purposes**

Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. The Indiana Dunes State Park may be acquired only by donation of the State of Indiana, and the Secretary is hereby directed to negotiate