

SUBCHAPTER XLIX—GRAND TETON
NATIONAL PARK

**§§ 406 to 406d. Repealed. Sept. 14, 1950, ch. 950,
 § 1, 64 Stat. 849**

Sections, act Feb. 26, 1929, ch. 331, §§1-5, 45 Stat. 1314-1316, related to Grand Teton National Park of Wyoming. See section 406d-1 et seq. of this title. See, also, sections 482m and 673b, relating to Teton National Forest, and National Elk Refuge, in Wyoming, respectively.

Sections 406 to 406d were not enacted as part of act Sept. 14, 1950, ch. 950, 64 Stat. 849, which comprises this subchapter.

§ 406d-1. Establishment; boundaries; administration

For the purpose of including in one national park, for public benefit and enjoyment, the lands within the present Grand Teton National Park and a portion of the lands within the Jackson Hole National Monument, there is established a new "Grand Teton National Park". The park shall comprise, subject to valid existing rights, all of the present Grand Teton National Park and all lands of the Jackson Hole National Monument that are not otherwise expressly provided for in this Act, and an order setting forth the boundaries of the park shall be prepared by the Secretary of the Interior and published in the Federal Register. The national park so established shall, so far as consistent with the provisions of this Act, be administered in accordance with the general statutes governing national parks, and shall supersede the present Grand Teton National Park and the Jackson Hole National Monument.

(Sept. 14, 1950, ch. 950, §1, 64 Stat. 849.)

REFERENCES IN TEXT

This Act, referred to in text, is act Sept. 14, 1950, ch. 950, 64 Stat. 849, which enacted this section, sections 406d-2 to 406d-5, 431a, 451a, 482m, 673b, and 673c of this title, and provisions set out as notes below. Section 1 of the Act was partially repealed and restated as sections 104907 and 320301(d) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables.

The Jackson Hole National Monument, referred to in text, was created in Wyoming by Presidential Proc. No. 2578, Mar. 15, 1943, 57 Stat. 731. For provisions transferring other lands of such former national monument, see sections 482m and 673b of this title.

Provisions relating to the "present Grand Teton National Park", referred to in text, were contained in former sections 406 to 406d of this title, which sections were repealed by another provision of section 1 of act Sept. 14, 1950.

CODIFICATION

Section comprises all of section 1 of act Sept. 14, 1950, except the final sentence thereof. The final sentence repealed sections 406 to 406d of this title which established, and related to, the former "Grand Teton National Park of Wyoming". It also contained a proviso, which was classified to sections 431a and 451a of this title and was repealed and restated as sections 104907 and 320301(d) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287. See References in Text note above.

GRAND TETON NATIONAL PARK EXTENSION

Pub. L. 110-47, July 13, 2007, 121 Stat. 241, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Grand Teton National Park Extension Act of 2007’.

“SEC. 2. DEFINITIONS.

“In this Act:

“(1) PARK.—The term ‘Park’ means the Grand Teton National Park.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(3) SUBDIVISION.—The term ‘Subdivision’ means the GT Park Subdivision, with an area of approximately 49.67 acres, as generally depicted on—

“(A) the plat recorded in the Office of the Teton County Clerk and Recorder on December 16, 1997, numbered 918, entitled ‘Final Plat GT Park Subdivision’, and dated June 18, 1997; and

“(B) the map entitled ‘2006 Proposed Grand Teton Boundary Adjustment’, numbered 136/80.198, and dated March 21, 2006, which shall be on file and available for inspection in appropriate offices of the National Park Service.

“SEC. 3. ACQUISITION OF LAND.

“(a) IN GENERAL.—The Secretary may accept from any willing donor the donation of any land or interest in land of the Subdivision.

“(b) ADMINISTRATION.—On acquisition of land or an interest in land under subsection (a), the Secretary shall—

“(1) include the land or interest in the boundaries of the Park; and

“(2) administer the land or interest as part of the Park, in accordance with all applicable laws (including regulations).

“(c) DEADLINE FOR ACQUISITION.—It is the intent of Congress that the acquisition of land or an interest in land under subsection (a) be completed not later than 1 year after the date of enactment of this Act [July 13, 2007].

“(d) RESTRICTION ON TRANSFER.—The Secretary shall not donate, sell, exchange, or otherwise transfer any land acquired under this section without express authorization from Congress.

“SEC. 4. CRAIG THOMAS DISCOVERY AND VISITOR CENTER.

“(a) FINDINGS.—Congress finds that—

“(1) Craig Thomas was raised on a ranch just outside of Cody, Wyoming, near Yellowstone National Park and Grand Teton National Park, where he—

“(A) began a lifelong association with those parks; and

“(B) developed a deep and abiding dedication to the values of the public land of the United States;

“(2) during his 18-year tenure in Congress, including service in both the Senate and the House of Representatives, Craig Thomas forged a distinguished legislative record on issues as diverse as public land management, agriculture, fiscal responsibility, and rural health care;

“(3) as Chairman and Ranking Member of the National Parks Subcommittee of the Committee on Energy and Natural Resources of the Senate and a frequent visitor to many units of the National Park System, including Yellowstone National Park and Grand Teton National Park, Craig Thomas was a strong proponent for ensuring that people of all ages and abilities had a wide range of opportunities to learn more about the natural and cultural heritage of the United States;

“(4) Craig Thomas authored legislation to provide critical funding and management reforms to protect units of the National Park System into the 21st century, ensuring quality visits to units of the National Park System and the protection of natural and cultural resources;

“(5) Craig Thomas strongly supported public-private partnerships and collaboration between the National Park Service and other organizations that foster new opportunities for providing visitor services

while encouraging greater citizen involvement in the stewardship of units of the National Park System;

“(6) Craig Thomas was instrumental in obtaining the Federal share for a public-private partnership with the Grand Teton National Park Foundation and the Grand Teton Natural History Association to construct a new discovery and visitor center at Grand Teton National Park;

“(7) on June 4, 2007, Craig Thomas passed away after battling cancer for 7 months;

“(8) Craig Thomas is survived by his wife, Susan, and children, Patrick, Greg, Peter, and Lexie; and

“(9) in memory of the distinguished career of service of Craig Thomas to the people of the United States, the dedication of Craig Thomas to units of the National Park System, generally, and to Grand Teton National Park, specifically, and the critical role of Craig Thomas in the new discovery and visitor center at Grand Teton National Park, the Grand Teton Discovery and Visitor Center should be designated as the ‘Craig Thomas Discovery and Visitor Center’.

“(b) THE CRAIG THOMAS DISCOVERY AND VISITOR CENTER.—

“(1) DESIGNATION.—The Grand Teton Discovery and Visitor Center located in Moose, Wyoming, and scheduled for completion in August 2007 shall be known and designated as the ‘Craig Thomas Discovery and Visitor Center’.

“(2) REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Grand Teton Discovery and Visitor Center referred to in paragraph (1) shall be deemed to be a reference to the ‘Craig Thomas Discovery and Visitor Center’.

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this Act.”

GRAND TETON NATIONAL PARK LAND EXCHANGE

Pub. L. 108-32, June 17, 2003, 117 Stat. 779, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Grand Teton National Park Land Exchange Act’.

“SEC. 2. DEFINITIONS.

“As used in this Act:

“(1) The term ‘Federal lands’ means public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)).

“(2) The term ‘Governor’ means the Governor of the State of Wyoming.

“(3) The term ‘Secretary’ means the Secretary of the Interior.

“(4) The term ‘State lands’ means lands and interest in lands owned by the State of Wyoming within the boundaries of Grand Teton National Park as identified on a map titled ‘Private, State & County Inholdings Grand Teton National Park’, dated March 2001, and numbered GTNP/0001.

“SEC. 3. ACQUISITION OF STATE LANDS.

“(a) The Secretary is authorized to acquire approximately 1,406 acres of State lands within the exterior boundaries of Grand Teton National Park, as generally depicted on the map referenced in section 2(4), by any one or a combination of the following—

“(1) donation;

“(2) purchase with donated or appropriated funds;

or

“(3) exchange of Federal lands in the State of Wyoming that are identified for disposal under approved land use plans in effect on the date of enactment of this Act [June 17, 2003] under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) that are of equal value to the State lands acquired in the exchange.

“(b) In the event that the Secretary or the Governor determines that the Federal lands eligible for exchange under subsection (a)(3) are not sufficient or acceptable for the acquisition of all the State lands identified in section 2(4), the Secretary shall identify other Federal lands or interests therein in the State of Wyoming for possible exchange and shall identify such lands or interests together with their estimated value in a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources [now Committee on Natural Resources] of the House of Representatives. Such lands or interests shall not be available for exchange unless authorized by an Act of Congress enacted after the date of submission of the report.

“SEC. 4. VALUATION OF STATE AND FEDERAL INTERESTS.

“(a) AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the value of any Federal lands eligible for exchange under section 3(a)(3) or State lands, then the Secretary and the Governor may select a qualified appraiser to conduct an appraisal of those lands. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraisal.

“(b) NO AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the selection of a qualified appraiser under subsection (a), then the Secretary and the Governor shall each designate a qualified appraiser. The two designated appraisers shall select a qualified third appraiser to conduct the appraisal with the advice and assistance of the two designated appraisers. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraisal.

“(c) APPRAISAL COSTS.—The Secretary and the State of Wyoming shall each pay one-half of the appraisal costs under subsections (a) and (b).

“SEC. 5. ADMINISTRATION OF STATE LANDS ACQUIRED BY THE UNITED STATES.

“The State lands conveyed to the United States under section 3(a) shall become part of Grand Teton National Park. The Secretary shall manage such lands under the Act of August 25, 1916 (commonly known as the ‘National Park Service Organic Act’) [see 18 U.S.C. 1865(a), 54 U.S.C. 100101(a), 100301 et seq., 100751(a), 100752, 100753, 102101], and other laws, rules, and regulations applicable to Grand Teton National Park.

“SEC. 6. AUTHORIZATION FOR APPROPRIATIONS.

“There are authorized to be appropriated such sums as may be necessary for the purposes of this Act.”

CONSTRUCTION OF ALTERNATE HIGHWAY

Act Aug. 9, 1955, ch. 635, 69 Stat. 555, provided: “That in order to facilitate public use and enjoyment of the Grand Teton National Park and to make possible an appropriate relocation and use of highways through the park, the Secretary of the Interior is authorized to construct within the park, upon a location to be agreed upon between the Secretary and the Governor of Wyoming, a highway which shall replace the present U.S. Highway 89, also numbered U.S. 187 and U.S. 26. Upon completion of the said highway, the Secretary is authorized to enter into an agreement with the State of Wyoming, upon such terms and conditions as he deems in the interest of the United States, for the conveyance of the highway to the State in exchange for State and county roads in the park area.”

AVAILABILITY OF UNEXPENDED APPROPRIATED FUNDS

The third sentence of act Sept. 14, 1950, ch. 950, §9, 64 Stat. 853, provided that: “The remaining unexpended balance of any funds appropriated for the present Grand Teton National Park and the Jackson Hole National Monument shall be available for expenditure in connection with the administration of the Grand Teton National Park established by this Act [see References in Text note above]”.

REVOCATION OF TEMPORARY WITHDRAWALS OF PUBLIC LANDS

Act Sept. 14, 1950, ch. 950, § 8, 64 Stat. 853, provided that: "All temporary withdrawals of public lands made by Executive order in aid of legislation pertaining to parks, monuments, or recreational areas, adjacent to the Grand Teton National Park as established by this Act [see References in Text note above] are hereby revoked."

REPEAL OF INCONSISTENT LAWS

The second sentence of act Sept. 14, 1950, ch. 950, § 9, 64 Stat. 853, provided: "All provisions of law inconsistent with the provisions of this act [see References in Text note above] are hereby repealed to the extent of such inconsistency".

§ 406d-2. Rights-of-way; continuation of leases, permits, and licenses; renewal; grazing privileges

With respect to those lands that are included by this Act within the Grand Teton National Park—

(a) the Secretary of the Interior shall designate and open rights-of-way, including stock driveways, over and across Federal lands within the exterior boundary of the park for the movement of persons and property to or from State and private lands within the exterior boundary of the park and to or from national forest, State, and private lands adjacent to the park. The location and use of such rights-of-way shall be subject to such regulations as may be prescribed by the Secretary of the Interior;

(b) all leases, permits, and licenses issued or authorized by any department, establishment, or agency of the United States with respect to the Federal lands within the exterior boundary of the park which are in effect on September 14, 1950, shall continue in effect, subject to compliance with the terms and conditions therein set forth, until terminated in accordance with the provisions thereof;

(c) where any Federal lands included within the park by this Act were legally occupied or utilized on September 14, 1950, for residence or grazing purposes, or for other purposes not inconsistent with the Act of August 25, 1916 (39 Stat. 535),¹ pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the person so occupying or utilizing such lands, and the heirs, successors, or assigns of such person, shall, upon the termination of such lease, permit, or license, be entitled to have the privileges so possessed or enjoyed by him renewed from time to time, subject to such terms and conditions as the Secretary of the Interior shall prescribe, for a period of twenty-five years from September 14, 1950, and thereafter during the lifetime of such person and the lifetime of his heirs, successors, or assigns but only if they were members of his immediate family on such date, as determined by the Secretary of the Interior: *Provided*, That grazing privileges appurtenant to privately owned lands located within the Grand Teton National Park established by this Act shall not be withdrawn until title to lands to which

such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto after reasonable notice of default: *Provided further*, That nothing in this subsection shall apply to any lease, permit, or license for mining purposes or for public accommodations and services or to any occupancy or utilization of lands for purely temporary purposes. Nothing contained in this Act shall be construed as creating any vested right, title, interest, or estate in or to any Federal lands.

(Sept. 14, 1950, ch. 950, § 4, 64 Stat. 850.)

REFERENCES IN TEXT

This Act, referred to in text, is act Sept. 14, 1950, ch. 950, 64 Stat. 849, which enacted this section, sections 406d-1, 406d-3 to 406d-5, 431a, 451a, 482m, 673b, and 673c of this title, and provisions set out as notes under section 406d-1 of this title. Section 1 of the Act was partially repealed and restated as sections 104907 and 320301(d) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables.

The Act of August 25, 1916 (39 Stat. 535), referred to in subsec. (c), 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.

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

GRAZING STUDY OF GRAND TETON NATIONAL PARK

Pub. L. 105-81, Nov. 13, 1997, 111 Stat. 1537, provided that:

“SECTION 1. FINDINGS.

“Congress finds that—

“(1) open space near Grand Teton National Park continues to decline;

“(2) as the population continues to grow in Teton County, Wyoming, undeveloped land near the Park becomes more scarce;

“(3) the loss of open space around Teton Park has negative impacts on wildlife migration routes in the area and on visitors to the Park, and its repercussions can be felt throughout the entire region;

“(4) a few ranches make up Teton Valley’s remaining open space, and the ranches depend on grazing in Grand Teton National Park for summer range to maintain operations;

“(5) the Act that created Grand Teton National Park [act Feb. 26, 1929, ch. 331, 45 Stat. 1314, 16 U.S.C. former 406 to 406d] allowed several permittees to continue livestock grazing in the Park for the life of a designated heir in the family;

“(6) some of the last remaining heirs have died, and as a result the open space around the Park will most likely be subdivided and developed;

“(7) in order to develop the best solution to protect open space immediately adjacent to Grand Teton National Park, the Park Service should conduct a study of open space in the region; and

“(8) the study should develop workable solutions that are fiscally responsible and acceptable to the

¹ See References in Text note below.