

§ 407p. Establishment of advisory commission; composition, appointment, and duties

The Secretary of the Interior is authorized, in his discretion, to establish a suitable advisory commission of not to exceed eleven members. The members of the advisory commission shall be appointed by the Secretary of the Interior, with three members to be recommended by the Governor of Pennsylvania, three by the mayor of Philadelphia, and one each by the Carpenters' Company of Philadelphia and the Independence Hall Association.

The functions of the advisory commission shall be to render advice to the Secretary of the Interior, from time to time, upon matters which the Secretary of the Interior may refer to them for consideration.

(June 28, 1948, ch. 687, § 4, 62 Stat. 1062.)

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, 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 the 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.

§ 407q. Administration, protection, and development

The administration, protection, and development of the park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4),¹ as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).¹

(June 28, 1948, ch. 687, § 5, 62 Stat. 1062.)

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), referred to in text, 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 Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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 Historic Sites Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467), referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, also known as the Historic Sites Act of 1935 and as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat.

¹ See References in Text note below.

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.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

DEVELOPMENT OF PARK; APPROPRIATION

Pub. L. 85-764, §§ 1, 2, Aug. 27, 1958, 72 Stat. 861, authorized the Secretary of the Interior to proceed with the development of Independence National Historical Park, the establishment of which was authorized by the Act of June 28, 1948 (62 Stat. 1061) [this subchapter], in accordance with plans to be approved by the Secretary, authorized to be appropriated for the development of said park pursuant to this Act the sum of \$7,250,000, and provided that all funds authorized to be appropriated under this Act be expended by June 30, 1963.

§ 407r. Authorization of appropriations

For the purpose of acquiring the property described in section 407m of this title, there is authorized to be appropriated not to exceed the sum of \$12,792,000. Funds appropriated pursuant to this subchapter shall be available for any expenses incidental to acquisition of property as prescribed by this subchapter, including the employment of the necessary services in the District of Columbia, and including to the extent deemed necessary by the Secretary of the Interior, the employment without regard to the civil-service laws of such experts and other officers and employees as are necessary to carry out the provisions of this subchapter efficiently and in the public interest.

(June 28, 1948, ch. 687, § 6, 62 Stat. 1062; July 10, 1952, ch. 653, § 3, 66 Stat. 575; Pub. L. 85-764, § 3(b), Aug. 27, 1958, 72 Stat. 862; Pub. L. 91-293, June 25, 1970, 84 Stat. 333; Pub. L. 93-477, title I, § 101(5), Oct. 26, 1974, 88 Stat. 1445.)

CODIFICATION

Provisions that authorized the employment of such experts and other officers and employees as are necessary to carry out this subchapter "without regard to the Classification Act of 1923, as amended", were omitted as obsolete. Sections 1202 and 1204 of the Classification Act of 1949, 63 Stat. 972, 973, repealed the 1923 Act and all laws or parts of laws inconsistent with the 1949 Act. While section 1106(a) of the 1949 Act provided that references in other laws to the 1923 Act should be held and considered to mean the 1949 Act, it did not have the effect of continuing the exception contained in this section because of section 1106(b) which provided that the application of the 1949 Act to any position, officer, or employee shall not be affected by section 1106(a). The Classification Act of 1949 was repealed by Pub. L. 89-554, Sept. 6, 1966, § 8(a), 80 Stat. 632 (the first section of which enacted Title 5, Government Organization and Employees, into law). Section 5102 of Title 5 contains the applicability provisions of the 1949 Act, and section 5103 of Title 5 authorized the Office of Personnel Management to determine the applicability to specific positions and employees.

AMENDMENTS

1974—Pub. L. 93-477 substituted "\$12,792,000" for "\$11,200,000".

1970—Pub. L. 91-293 substituted “\$11,200,000” for “\$7,950,000”.

1958—Pub. L. 85-764 substituted “\$7,950,000” for “\$7,700,000”.

1952—Act July 10, 1952, substituted “\$7,700,000” for “\$4,435,000”.

§ 407s. Administration and operation of properties; use of funds; contracts

Following the acquisition by the Federal Government of properties pursuant to this subchapter and until such time as the buildings thereon are demolished or the properties and buildings thereon are devoted to purposes of the Independence National Historical Park as provided herein, the Secretary is authorized, with respect to the said properties, to administer, operate, manage, lease, and maintain such properties, and lease, demolish, or remove buildings, or space in buildings thereon, in such manner as he shall consider to be in the public interest. Any funds received from leasing the said properties, buildings thereon, or space in buildings thereon, shall be deposited to the credit of a special receipt account and expended for purposes of operating, maintaining, and managing the said properties and demolishing or removing the buildings thereon. The Secretary, in his discretion and notwithstanding other requirements of law, may exercise and carry out the functions authorized herein by entering into agreements or contracts with public or private agencies, corporations, or persons, upon such terms and conditions as he deems to be appropriate in carrying out the purposes of this subchapter.

(June 28, 1948, ch. 687, § 7, as added Oct. 26, 1951, ch. 574, 65 Stat. 644.)

SUBCHAPTER LI-A—NATIONAL
CONSTITUTION CENTER

§ 407aa. Findings and purposes

(a) Findings

Congress finds that:

(1) 1987 was the bicentennial of the signing of the United States Constitution;

(2) commemoration of the Constitution’s bicentennial included various events conducted by the Federal Commission on the Bicentennial of the United States Constitution, and State and local bicentennial commissions;

(3) bicentennial activities included important educational and instructional programs to heighten public awareness of the Constitution and the democratic process;

(4) educational programs for the Constitution should continue after the bicentennial to document its profound impact on the political, economic and social development of this Nation, and in order to recognize those Americans instrumental in the history of the Constitution; and

(5) units of the National Park System preserve and interpret key historic sites that document the history of the origins, subsequent development, and effects of the United States Constitution on this Nation.

(b) Purposes

It is therefore the policy of the Congress to provide each of the following:

(1) the necessary resources to develop a national resource center to undertake, on an ongoing basis, educational programs on the Constitution;

(2) exhibits of, and an archives for, programs on or related to the recent bicentennial of the United States Constitution; and

(3) interpretation of the United States Constitution at those units of the National Park System particularly relevant to its history.

(Pub. L. 100-433, § 2, Sept. 16, 1988, 102 Stat. 1640.)

SHORT TITLE

Pub. L. 100-433, § 1, Sept. 16, 1988, 102 Stat. 1640, provided that: “This Act [enacting this subchapter] may be cited as the ‘Constitution Heritage Act of 1988’.”

§ 407bb. Establishment

(a) In general

The Secretary of the Interior (hereafter in this subchapter referred to as the “Secretary”) shall establish The National Constitution Center (hereafter in this subchapter referred to as the “Center”) within or in close proximity to the Independence National Historical Park. The Center shall disseminate information about the United States Constitution on a nonpartisan basis in order to increase the awareness and understanding of the Constitution among the American people.

(b) Functions of Center

The functions of the Center shall include—

(1) serving as a center of exhibits and related materials on the history and contemporary significance of the Constitution;

(2) directing a national program of public education on the Constitution; issuing traveling exhibits, commissioning radio and television programs, furnishing materials for the schools, and providing other education services;

(3) functioning as an intellectual center, drawing both academics and practitioners to debate and refine constitutional issues and, at the same time, providing intellectual support for the Center’s exhibits and public education program; and

(4) creating archives for programs on the bicentennial of the United States Constitution.

(Pub. L. 100-433, § 3, Sept. 16, 1988, 102 Stat. 1640.)

§ 407cc. Acquisition of site for and operation of Center

(a) Providing site

The Secretary through the General Services Administration, is authorized to provide, upon adequate reimbursement, a site, including necessary structures, for the Center by—

(1) using an existing structure or modifying an existing structure for use; or

(2) constructing a new structure to house the Center. The Secretary may acquire such land as is necessary to provide a site for the Center.

(b) Provision of funds to Center

The Secretary is authorized to make grants to, and enter into cooperative agreements, contracts or leases with the National Constitution Center, Philadelphia, Pennsylvania, which shall