

site, subject to the provisions of the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 525²), as amended and supplemented, and the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (49 Stat. 666), as amended.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

(Pub. L. 89-102, §2, July 30, 1965, 79 Stat. 426.)

REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916, referred to in subsec. (a), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, popularly 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 Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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 Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935, referred to in subsec. (a), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites, Buildings and Antiquities Act and also as the Historic Sites Act of 1935, 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 The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service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. 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.

CHANGE OF NAME

Golden Spike National Historic Site was redesignated Golden Spike National Historical Park by Pub. L. 116-9, title II, §2205(b), Mar. 12, 2019, 133 Stat. 738, which is classified to section 410cccc-3(b) of this title.

§ 410cccc-2. Authorization of appropriations

There are hereby authorized to be appropriated such sums, but not more than \$5,422,000, as may be necessary for the acquisition of land and interests in land and for the development of the Golden Spike National Historic Site¹ pursuant to sections 410cccc to 410cccc-2 of this title. (Pub. L. 89-102, §3, July 30, 1965, 79 Stat. 426; Pub. L. 94-578, title II, §201(5), Oct. 21, 1976, 90 Stat. 2733.)

AMENDMENTS

1976—Pub. L. 94-578 substituted “\$5,422,000” for “\$1,168,000”.

² So in original. Probably should be “535”.

¹ See Change of Name note below.

CHANGE OF NAME

Golden Spike National Historic Site was redesignated Golden Spike National Historical Park by Pub. L. 116-9, title II, §2205(b), Mar. 12, 2019, 133 Stat. 738, which is classified to section 410cccc-3(b) of this title.

§ 410cccc-3. Golden Spike National Historical Park

(a) Definitions

In this section:

(1) Park

The term “Park” means the Golden Spike National Historical Park designated by subsection (b)(1).

(2) Program

The term “Program” means the program to commemorate and interpret the Transcontinental Railroad authorized under subsection (c).

(3) Secretary

The term “Secretary” means the Secretary, acting through the Director of the National Park Service.

(4) Transcontinental railroad

The term “Transcontinental Railroad” means the approximately 1,912-mile continuous railroad constructed between 1863 and 1869 extending from Council Bluffs, Iowa, to San Francisco, California.

(b) Redesignation

(1) Redesignation

The Golden Spike National Historic Site designated April 2, 1957, and placed under the administration of the National Park Service under sections 410cccc to 410cccc-2 of this title, shall be known and designated as the “Golden Spike National Historical Park”.

(2) References

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Golden Spike National Historic Site shall be considered to be a reference to the “Golden Spike National Historical Park”.

(c) Transcontinental Railroad commemoration and program

(1) In general

Subject to paragraph (2), the Secretary shall establish within the National Park Service a program to commemorate and interpret the Transcontinental Railroad.

(2) Study

Before establishing the Program, the Secretary shall conduct a study of alternatives for commemorating and interpreting the Transcontinental Railroad that includes—

(A) a historical assessment of the Transcontinental Railroad;

(B) the identification of—

(i) existing National Park System land and affiliated areas, land managed by other Federal agencies, and Federal programs that may be related to preserving, commemorating, and interpreting the Transcontinental Railroad;

(ii) any properties relating to the Transcontinental Railroad—

(I) that are designated as, or could meet the criteria for designation as, National Historic Landmarks; or

(II) that are included, or eligible for inclusion, on the National Register of Historic Places;

(iii) any objects relating to the Transcontinental Railroad that have educational, research, or interpretative value; and

(iv) any governmental programs and nongovernmental programs of an educational, research, or interpretive nature relating to the Transcontinental Railroad; and

(C) recommendations for—

(i) incorporating the resources identified under subparagraph (B) into the Program; and

(ii) other appropriate ways to enhance historical research, education, interpretation, and public awareness of the Transcontinental Railroad.

(3) Report

Not later than 3 years after the date on which funds are made available to carry out the study under paragraph (2), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the findings and recommendations of the study.

(4) Freight railroad operations

The Program shall not include any properties that are—

(A) used in active freight railroad operations (or other ancillary purposes); or

(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) Elements of the program

In carrying out the Program under this subsection, the Secretary—

(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, maps, interpretive guides, or electronic information;

(B) may enter into appropriate cooperative agreements and memoranda of understanding and provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and

(C) may—

(i) create and adopt an official, uniform symbol or device to identify the Program; and

(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).

(d) Programmatic agreement

(1) In general

Not later than 180 days after March 12, 2019, the Secretary shall seek to enter into a pro-

grammatic agreement with the Utah State Historic Preservation Officer to add to the list of undertakings eligible for streamlined review under section 306108 of title 54 certain uses that would have limited physical impact to land in the Park.

(2) Development and consultation

The programmatic agreement entered into under paragraph (1) shall be developed—

(A) in accordance with applicable laws (including regulations); and

(B) in consultation with adjacent landowners, Indian Tribes, and other interested parties.

(3) Approval

The Secretary shall—

(A) consider any application for uses covered by the programmatic agreement; and

(B) not later than 60 days after the receipt of an application described in subparagraph (A), approve the application, if the Secretary determines the application is consistent with—

(i) the programmatic agreement entered into under paragraph (1); and

(ii) applicable laws (including regulations).

(e) Invasive species

The Secretary shall consult with, and seek to coordinate with, adjacent landowners to address the treatment of invasive species adjacent to, and within the boundaries of, the Park.

(Pub. L. 116-9, title II, §2205, Mar. 12, 2019, 133 Stat. 738.)

CODIFICATION

Section was enacted as part of the John D. Dingell, Jr. Conservation, Management, and Recreation Act, and not as part of Pub. L. 89-102 which comprises this subchapter.

DEFINITION OF “SECRETARY”

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 116-9, set out as a note under section 1 of this title.

SUBCHAPTER LIX-BBB—WHITE SANDS NATIONAL PARK

§ 410ddd. White Sands National Park

(a) Definitions

In this section:

(1) Map

The term “Map” means the map entitled “White Sands National Park Proposed Boundary Revision & Transfer of Lands Between National Park Service & Department of the Army”, numbered 142/136,271, and dated February 14, 2017.

(2) Military munitions

The term “military munitions” has the meaning given the term in section 101(e) of title 10.

(3) Missile range

The term “missile range” means the White Sands Missile Range, New Mexico, administered by the Secretary of the Army.