

be seen or heard from within the boundary shall not preclude the activity or use outside the boundary of the Historical Park.

(h) No cause of action

Nothing in this section shall be construed to create a cause of action with respect to activities outside or adjacent to the established boundary of the Historical Park.

(Pub. L. 113-291, div. B, title XXX, § 3039, Dec. 19, 2014, 128 Stat. 3784.)

REFERENCES IN TEXT

The National Park System Organic Act (16 U.S.C. 1 et seq.), referred to in subsec. (f)(1)(B)(i), probably means the National Park Service Organic Act, act Aug. 25, 1916, ch. 408, 39 Stat. 535, 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 Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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 of August 21, 1935 (16 U.S.C. 461 et seq.), referred to in subsec. (f)(1)(B)(ii), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also 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 The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service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. 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.

CODIFICATION

In subsec. (f)(2), “section 100502 of title 54” substituted for “section 12(b) of Public Law 91-383 (commonly known as the National Park Service General Authorities Act; 16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

SUBCHAPTER LIX-TT—OREGON CAVES
NATIONAL MONUMENT AND PRESERVE

§ 410vvv. Oregon Caves National Monument and Preserve

(a) Definitions

In this section:

(1) Map

The term “map” means the map entitled “Oregon Caves National Monument and Preserve”, numbered 150/80,023, and dated May 2010.

(2) Monument

The term “Monument” means the Oregon Caves National Monument established by Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909.

(3) National Monument and Preserve

The term “National Monument and Preserve” means the Oregon Caves National

Monument and Preserve designated by subsection (b)(1)(A).

(4) National Preserve

The term “National Preserve” means the National Preserve designated by subsection (b)(1)(B).

(5) Secretary

The term “Secretary” means the Secretary of the Interior.

(6) Secretary concerned

The term “Secretary concerned” means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Bureau of Land Management.

(7) State

The term “State” means the State of Oregon.

(b) Designations; land transfer; boundary adjustment

(1) Designations

(A) In general

The Monument and the National Preserve shall be administered as a single unit of the National Park System and collectively known and designated as the “Oregon Caves National Monument and Preserve”.

(B) National Preserve

The approximately 4,070 acres of land identified on the map as “Proposed Addition Lands” shall be designated as a National Preserve.

(2) Transfer of administrative jurisdiction

(A) In general

Administrative jurisdiction over the land designated as a National Preserve under paragraph (1)(B) is transferred from the Secretary of Agriculture to the Secretary, to be administered as part of the National Monument and Preserve.

(B) Exclusion of land

The boundaries of the Rogue River-Siskiyou National Forest are adjusted to exclude the land transferred under subparagraph (A).

(3) Boundary adjustment

The boundary of the National Monument and Preserve is modified to exclude approximately 4 acres of land—

(A) located in the City of Cave Junction; and

(B) identified on the map as the “Cave Junction Unit”.

(4) Availability of map

The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(5) References

Any reference in a law, map, regulation, document, paper, or other record of the United

States to the Monument shall be considered to be a reference to the “Oregon Caves National Monument and Preserve”.

(c) Administration

(1) In general

The Secretary shall administer the National Monument and Preserve in accordance with—

- (A) this section;
- (B) Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909; and
- (C) any law (including regulations) generally applicable to units of the National Park System, including the National Park Service Organic Act (16 U.S.C. 1 et seq.).¹

(2) Fire management

As soon as practicable after December 19, 2014, in accordance with paragraph (1), the Secretary shall—

- (A) revise the fire management plan for the Monument to include the land transferred under subsection (b)(2)(A); and
- (B) in accordance with the revised plan, carry out hazardous fuel management activities within the boundaries of the National Monument and Preserve.

(3) Existing Forest Service contracts

(A) In general

The Secretary shall—

- (i) allow for the completion of any Forest Service stewardship or service contract executed as of December 19, 2014, with respect to the National Preserve; and
- (ii) recognize the authority of the Secretary of Agriculture for the purpose of administering a contract described in clause (i) through the completion of the contract.

(B) Terms and conditions

All terms and conditions of a contract described in subparagraph (A)(i) shall remain in place for the duration of the contract.

(C) Liability

The Forest Service shall be responsible for any liabilities relating to a contract described in subparagraph (A)(i).

(4) Grazing

(A) In general

Subject to subparagraph (B), the Secretary may allow the grazing of livestock within the National Preserve to continue as authorized under permits or leases in existence as of December 19, 2014.

(B) Applicable law

Grazing under subparagraph (A) shall be—

- (i) at a level not greater than the level at which the grazing exists as of December 19, 2014, as measured in Animal Unit Months; and
- (ii) in accordance with each applicable law (including National Park Service regulations).

(5) Fish and wildlife

The Secretary shall permit hunting and fishing on land and waters within the National

Preserve in accordance with applicable Federal and State laws, except that the Secretary may, in consultation with the Oregon Department of Fish and Wildlife, designate zones in which, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, or compliance by the Secretary with any applicable law (including regulations).

(d) Voluntary grazing lease or permit donation program

(1) Donation of lease or permit

(A) Acceptance by Secretary concerned

The Secretary concerned shall accept a grazing lease or permit that is donated by a lessee or permittee for—

- (i) the Big Grayback Grazing Allotment located in the Rogue River-Siskiyou National Forest; and
- (ii) the Billy Mountain Grazing Allotment located on a parcel of land that is managed by the Secretary (acting through the Director of the Bureau of Land Management).

(B) Termination

With respect to each grazing permit or lease donated under subparagraph (A), the Secretary shall—

- (i) terminate the grazing permit or lease; and
- (ii) ensure a permanent end to grazing on the land covered by the grazing permit or lease.

(2) Effect of donation

A lessee or permittee that donates a grazing lease or grazing permit (or a portion of a grazing lease or grazing permit) under this section shall be considered to have waived any claim to any range improvement on the associated grazing allotment or portion of the associated grazing allotment, as applicable.

(Pub. L. 113–291, div. B, title XXX, § 3041, Dec. 19, 2014, 128 Stat. 3789.)

REFERENCES IN TEXT

Presidential Proclamation Number 876, referred to in subsecs. (a)(2) and (c)(1)(B), is listed in a table of National Monuments Established Under Presidential Proclamation set out under section 320301 of Title 54, National Park Service and Related Programs.

The National Park Service Organic Act (16 U.S.C. 1 et seq.), referred to in subsec. (c)(1)(C), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, 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.

CODIFICATION

Section is comprised of section 3041 of Pub. L. 113–291. Subsec. (e) of section 3041 of Pub. L. 113–291 amended sections 1274 and 1276 of this title.

¹ See References in Text note below.

SUBCHAPTER LIX-UU—MARTIN LUTHER KING, JR. NATIONAL HISTORICAL PARK

CODIFICATION

Subchapter was formerly classified to subchapter CXXXIX (§460bbbb et seq.) of this chapter prior to transfer to this subchapter.

Pub. L. 96-428, which enacted this subchapter, originally established the Martin Luther King, Junior, National Historic Site, which is listed in a table of National Historic Sites under section 320101 of Title 54, National Park Service and Related Programs. The amendments made by Pub. L. 115-108 effectively redesignated the site as the Martin Luther King, Jr. National Historical Park, after which the text of Pub. L. 96-428 was set out as this subchapter.

§ 410www. Establishment of Martin Luther King, Jr. National Historical Park

(a) In order to protect and interpret for the benefit, inspiration, and education of present and future generations the places where Martin Luther King, Junior, was born, where he lived, worked, and worshipped, and where he is buried, there is hereby established the Martin Luther King, Jr. National Historical Park in the State of Georgia. The national historical park shall consist of that real property in the city of Atlanta, Georgia, within the boundary generally depicted on the map entitled “Martin Luther King, Jr. National Historical Park Proposed Boundary Revision”, numbered 489/128,786 and dated June 2015, together with the property known as 234 Sunset Avenue, Northwest. The map referred to in this subsection shall be on file and available for public inspection in the local and Washington, District of Columbia offices of the National Park Service, Department of the Interior.

(b) In furtherance of the purposes of this subchapter, there is hereby established the Martin Luther King, Junior, Preservation District, which shall consist of the area identified as “Preservation District” in the map referred to in subsection (a) of this section.

(Pub. L. 96-428, §1, Oct. 10, 1980, 94 Stat. 1839; Pub. L. 102-575, title XL, §4024(a), Oct. 30, 1992, 106 Stat. 4768; Pub. L. 115-108, §2(1)-(3), Jan. 8, 2018, 131 Stat. 2267.)

CODIFICATION

Section was formerly classified to section 460bbbb of this title.

This subchapter is comprised of Pub. L. 96-428, as amended. Pub. L. 96-428 is also listed in a table of National Historic Sites set out under section 320101 of Title 54, National Park Service and Related Programs.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-108 substituted “Martin Luther King, Jr. National Historical Park” for “Martin Luther King, Junior, National Historic Site”, “the map entitled ‘Martin Luther King, Jr. National Historical Park Proposed Boundary Revision’, numbered 489/128,786 and dated June 2015” for “the map entitled ‘Martin Luther King, Junior, National Historic Site Boundary Map’, number 489/80,013B, and dated September 1992”, and “national historical park” for “national historic site”.

1992—Subsec. (a). Pub. L. 102-575 substituted “number 489/80,013B, and dated September 1992” for “numbered NASM/SERO/20, 109-C, and dated May 1980”.

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-108, §1, Jan. 8, 2018, 131 Stat. 2267, provided that: “This Act [amending this section and sections

410www-1, 410www-2, and 410www-4 of this title and enacting provisions set out as a note under this section] may be cited as the ‘Martin Luther King, Jr. National Historical Park Act of 2017’.

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-314, §1, Oct. 5, 2004, 118 Stat. 1198, provided that: “This Act [amending section 410www-1 of this title and enacting provisions set out as a note under this section] may be cited as the ‘Martin Luther King, Junior, National Historic Site Land Exchange Act’.”

REFERENCES

Pub. L. 115-108, §3, Jan. 8, 2018, 131 Stat. 2267, provided that: “Any reference in a law (other than this Act [See Short Title of 2017 Amendment note above]), map, regulation, document, paper, or other record of the United States to ‘Martin Luther King, Junior, National Historic Site’ shall be deemed to be a reference to ‘Martin Luther King, Jr. National Historical Park’.”

FINDINGS AND PURPOSE

Pub. L. 108-314, §2, Oct. 5, 2004, 118 Stat. 1198, provided that:

“(a) FINDINGS.—Congress finds the following:

“(1) Public Law 96-438 [probably means 96-428, enacting this subchapter] established the Martin Luther King, Junior, National Historic Site [now Martin Luther King, Jr. National Historical Park], and allows acquisition, by donation only, of lands owned by the State.

“(2) The National Park Service owns a vacant lot that has no historic significance. The City of Atlanta has expressed interest in acquiring this property to encourage commercial development along Edgewood Avenue.

“(3) The National Historic Site Visitor Center and Museum is land-locked and has no emergency ingress or egress, making it virtually impossible for fire-fighting equipment to reach.

“(4) The acquisition of city-owned property would enable the National Park Service to establish easy street access to the National Historic Site Visitor Center and Museum, and would benefit the City by exchanging a piece of property that the City could develop.

“(b) PURPOSE.—The purpose of this Act [see Short Title of 2004 Amendment note above] is to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia.”

§ 410www-1. Administration

(a) The Secretary of the Interior (hereinafter referred to as “the Secretary”) shall administer the Martin Luther King, Jr. National Historical Park and Preservation District in accordance with the provisions of this subchapter, and the provisions of law generally applicable to national historic sites,¹ including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-7).

(b)(1) Within the national historical park the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer, or exchange, lands and interests therein, except that property owned by the State of Georgia or any political subdivision thereof may be acquired only by donation or exchange.

(2) Notwithstanding the acquisition authority contained in paragraph (1), any lands or interests therein which are owned wholly or in part,

¹ So in original. Probably should be “to the National Park System.”