

§ 410aaa-1. Establishment

There is hereby established the Death Valley National Park (hereinafter in this part referred to as the “park”) as generally depicted on twenty-three maps entitled “Death Valley National Park Boundary and Wilderness—Proposed”, numbered in the title one through twenty-three, and dated July 1993 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Death Valley National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Death Valley National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

(Pub. L. 103-433, title III, §302, Oct. 31, 1994, 108 Stat. 4485.)

§ 410aaa-2. Transfer and administration of lands

On October 31, 1994, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted in the maps described in section 410aaa-1 of this title, without consideration, to the administrative jurisdiction of the National Park Service for administration as part of the National Park System, and the boundary of the park shall be adjusted accordingly. The Secretary shall administer the areas added to the park by this part in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4).¹

(Pub. L. 103-433, title III, §303, Oct. 31, 1994, 108 Stat. 4486.)

REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), 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 Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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.

§ 410aaa-3. Maps and legal description

Within six months after October 31, 1994, the Secretary shall file maps and a legal description of the park designated under this part with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if in-

cluded in this part, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 410aaa-1 of this title. The maps and legal description shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior.

(Pub. L. 103-433, title III, §304, Oct. 31, 1994, 108 Stat. 4486.)

§ 410aaa-4. Withdrawal

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

(Pub. L. 103-433, title III, §305, Oct. 31, 1994, 108 Stat. 4486.)

§ 410aaa-5. Grazing**(a) In general**

The privilege of grazing domestic livestock on lands within the park shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations.

(b) Sale of property

If a person holding a grazing permit referred to in subsection (a) informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the park and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

(Pub. L. 103-433, title III, §306, Oct. 31, 1994, 108 Stat. 4486.)

§ 410aaa-6. Death Valley National Park Advisory Commission**(a) Establishment**

The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for Death Valley National Park.

(b) Membership

(1) The advisory commission shall include an elected official for each County within which any part of the park is located, a representative of the owners of private properties located within or immediately adjacent to the park, and

¹ See References in Text note below.

other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the full diversity of views required to be represented on the advisory commission.

(c) Applicability of Federal Advisory Committee Act

The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

(d) Termination

The advisory commission shall cease to exist ten years after the date of its establishment.

(Pub. L. 103-433, title III, §307, Oct. 31, 1994, 108 Stat. 4487.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 410aaa-7. Boundary adjustment

In preparing the maps and legal descriptions required by section 410aaa-3 of this title and section 602 of this Act, the Secretary shall adjust the boundaries of the Death Valley National Park and Death Valley National Park Wilderness so as to exclude from such National Park and Wilderness the lands generally depicted on the map entitled “Porter Mine (Panamint Range) Exclusion Area” dated June 1994.

(Pub. L. 103-433, title III, §308, Oct. 31, 1994, 108 Stat. 4487.)

REFERENCES IN TEXT

Section 602 of this Act, referred to in text, is section 602 of Pub. L. 103-433, title VI, Oct. 31, 1994, 108 Stat. 4496, which is not classified to the Code.

DEATH VALLEY NATIONAL PARK BOUNDARY REVISION

Pub. L. 116-9, title I, §1431(a)-(c), Mar. 12, 2019, 133 Stat. 699, provided that:

“(a) IN GENERAL.—The boundary of Death Valley National Park is adjusted to include—

“(1) the approximately 28,923 acres of Bureau of Land Management land in San Bernardino County, California, abutting the southern end of the Death Valley National Park that lies between Death Valley National Park to the north and Ft. Irwin Military Reservation to the south and which runs approximately 34 miles from west to east, as depicted on the map entitled ‘Death Valley National Park Proposed Boundary Addition-Bowling Alley’, numbered 143/128,605A, and dated November 1, 2018; and

“(2) the approximately 6,369 acres of Bureau of Land Management land in Inyo County, California, located in the northeast area of Death Valley National Park that is within, and surrounded by, land under the jurisdiction of the Director of the National Park Service, as depicted on the map entitled ‘Death Valley National Park Proposed Boundary Addition-Crater’, numbered 143/100,079D, and dated November 1, 2018.

“(b) AVAILABILITY OF MAP.—The maps described in paragraphs (1) and (2) of subsection (a) shall be on file

and available for public inspection in the appropriate offices of the National Park Service.

“(c) ADMINISTRATION.—The Secretary—

“(1) shall administer any land added to Death Valley National Park under subsection (a)—

“(A) as part of Death Valley National Park; and

“(B) in accordance with applicable laws (including regulations); and

“(2) may enter into a memorandum of understanding with Inyo County, California, to permit operationally feasible, ongoing access to and use (including material storage and excavation) of existing gravel pits along Saline Valley Road within Death Valley National Park for road maintenance and repairs in accordance with applicable laws (including regulations).”

[For definition of “Secretary” as used in section 1431(a)-(c) of Pub. L. 116-9, set out above, see section 1401 of Pub. L. 116-9, set out as a Definitions note below.]

DEFINITIONS

Pub. L. 116-9, title I, §1401, Mar. 12, 2019, 133 Stat. 692, provided that: “In this subtitle [subtitle E (§§1401-1461) of title I of Pub. L. 116-9, enacting subchapters CXLII and CXLIII of this chapter and sections 410aaa-28, 410aaa-81 to 410aaa-81c, and 410aaa-91 of this title, amending sections 410aaa-75, 410aaa-77, 410aaa-82, and 1274 of this title, repealing section 410aaa-81 of this title, enacting provisions set out as notes under this section and sections 410aaa, 410aaa-22, 410aaa-56, 670g of this title, amending provisions set out as notes under sections 410aaa and 410aaa-82 of this title, and enacting and amending provisions listed in a table of Wilderness Areas set out under section 1132 of this title]:

“(1) CONSERVATION AREA.—The term ‘Conservation Area’ means the California Desert Conservation Area.

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

“(A) the Secretary [of the Interior], with respect to land administered by the Department of the Interior; or

“(B) the Secretary of Agriculture, with respect to National Forest System land.

“(3) STATE.—The term ‘State’ means the State of California.”

PART B—JOSHUA TREE NATIONAL PARK

§ 410aaa-21. Findings

The Congress finds that—

(1) a proclamation by President Franklin Roosevelt in 1936 established Joshua Tree National Monument to protect various objects of historical and scientific interest;

(2) Joshua Tree National Monument today is recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the monument boundaries as modified in 1950 and 1961 exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, archeological, paleontological, cultural, historical, and wilderness values;

(4) Joshua Tree National Monument should be enlarged by the addition of contiguous Federal lands of national park caliber, and afforded full recognition and statutory protection as a National Park; and

(5) the nondesignated wilderness within Joshua Tree should receive statutory protection by designation pursuant to the Wilderness Act [16 U.S.C. 1131 et seq.].

(Pub. L. 103-433, title IV, §401, Oct. 31, 1994, 108 Stat. 4487.)