

evaluation, the Secretary shall, to the extent practicable, utilize existing information relating to such sites.

(ii) If any of the sites evaluated are found to meet the standards of the National Historic Landmark program and National Park Service tests of suitability and feasibility, and offer outstanding opportunities to further the purposes of this subchapter, the Secretary may designate such sites as part of the historical park, following consultation with the owners of such sites, the city of New Orleans, the Smithsonian Institution, and the New Orleans Jazz Commission, and notification to 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.

(Pub. L. 103-433, title XII, §1203, Oct. 31, 1994, 108 Stat. 4520.)

REFERENCES IN TEXT

Public Law 101-499, referred to in subsec. (b)(3)(B)(i), is Pub. L. 101-499, Nov. 2, 1990, 104 Stat. 1209, which is not classified to the Code.

§ 410bbb-2. Administration

(a) In general

(1) The Secretary shall administer the historical park in accordance with this subchapter and with 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 and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).¹ The Secretary shall manage the historical park in such a manner as will preserve and perpetuate knowledge and understanding of the history of jazz and its continued evolution as a true American art form.

(2) To minimize operational costs associated with the management and administration of the historical park and to avoid duplication of effort, the Secretary shall, to the maximum extent practicable, utilize the facilities, administrative staff and other services of the Jean Lafitte National Historical Park and Preserve.

(b) Donations

The Secretary may accept and retain donations of funds, property, or services from individuals, foundations, corporations, or other public entities for the purposes of providing services, programs, and facilities that further the purposes of this subchapter.

(c) Interpretive center

The Secretary is authorized to construct, operate, and maintain an interpretive center in the historical park on lands identified by the Secretary pursuant to section 410bbb-1(b)(1) of this title. Programs at the center shall include, but need not be limited to, live jazz interpretive and educational programs, and shall provide visitors with information about jazz-related programs, performances, and opportunities.

(d) Jazz heritage districts

The Secretary may provide technical assistance to the city of New Orleans and other appro-

priate entities for the designation of certain areas in and around New Orleans as jazz heritage districts. Such districts shall include those areas with an exceptional concentration of jazz historical sites and established community traditions of jazz street parades.

(e) Cooperative agreements, grants and technical assistance

In furtherance of the purposes of this subchapter—

(1) the Secretary, after consultation with the New Orleans Jazz Commission established pursuant to section 410bbb-5 of this title, is authorized to enter into cooperative agreements with owners of properties that are designated pursuant to section 410bbb-1(b)(3) of this title which provide outstanding educational and interpretive opportunities relating to the evolution of jazz in New Orleans. The Secretary may assist in rehabilitating, restoring, marking, and interpreting and may provide technical assistance for the preservation and interpretation of such properties. Such agreements shall contain, but need not be limited to, provisions that the National Park Service will have reasonable rights of access for operational and visitor use needs, that rehabilitation and restoration will meet the Secretary's standards for rehabilitation of historic buildings, and that specify the roles and responsibilities of the Secretary for each site or structure;

(2) the Secretary is authorized to enter into cooperative agreements with the city of New Orleans, the State of Louisiana, and other appropriate public and private organizations under which the other parties to the agreement may contribute to the acquisition, construction, operation, and maintenance of the interpretive center and to the operation of educational and interpretive programs to further the purposes of this subchapter; and

(3) the Secretary, in consultation with the New Orleans Jazz Commission, is authorized to provide grants or technical assistance to public and private organizations.

(f) Jazz educational programs

The Secretary shall, in the administration of the historical park, promote a broad range of educational activities relating to jazz and its history. The Secretary shall cooperate with schools, universities, and organizations supporting jazz education to develop educational programs that provide expanded public understanding of jazz and enhanced opportunities for public appreciation. The Secretary may assist appropriate entities in the development of an information base including archival material, audiovisual records, and objects that relate to the history of jazz.

(Pub. L. 103-433, title XII, §1204, Oct. 31, 1994, 108 Stat. 4520.)

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 subsec. (a)(1), 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

¹ See References in Text note below.

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 (49 Stat. 666; 16 U.S.C. 461-467), referred to in subsec. (a)(1), 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.

§ 410bbb-3. Acquisition of property

(a) General authority

The Secretary may acquire lands and interests therein within the sites designated pursuant to section 410bbb-1(b)(1) and (3) of this title by donation or purchase with donated or appropriated funds or long term lease: *Provided*, That sites designated pursuant to section 410bbb-1(b)(3) of this title shall only be acquired with the consent of the owner thereof.

(b) State and local properties

Lands and interests in lands which are owned by the State of Louisiana, or any political subdivision thereof, may be acquired only by donation.

(Pub. L. 103-433, title XII, § 1205, Oct. 31, 1994, 108 Stat. 4522.)

§ 410bbb-4. General management plan

Within three years after the date funds are made available therefor and concurrent with the national landmark study referenced in section 410bbb-1(b)(3) of this title, the Secretary, in consultation with the New Orleans Jazz Commission, shall prepare a general management plan for the historical park. The plan shall include, but need not be limited to—

- (1) a visitor use plan indicating programs and facilities associated with park programs that will be made available to the public;
- (2) preservation and use plans for any structures and sites that are identified through the historic landmark study for inclusion within the historical park;
- (3) the location and associated cost of public facilities that are proposed for inclusion within the historical park, including a visitor center;
- (4) identification of programs that the Secretary will implement or be associated with through cooperative agreements with other groups and organizations;
- (5) a transportation plan that addresses visitor use access needs to sites, facilities, and programs central to the purpose of the historical park;

(6) plans for the implementation of an archival system for materials, objects, and items of importance relating to the history of jazz; and

(7) guidelines for the application of cooperative agreements that will be used to assist in the management of historical park facilities and programs.

(Pub. L. 103-433, title XII, § 1206, Oct. 31, 1994, 108 Stat. 4522.)

§ 410bbb-5. New Orleans Jazz Commission

(a) Establishment

To assist in implementing the purposes of this subchapter and the document entitled “New Orleans Jazz Special Resource Study”, there is established the New Orleans Jazz Commission (hereinafter referred to as the “Commission”).

(b) Membership

The Commission shall consist of 17 members to be appointed no later than six months after October 31, 1994. The Commission shall be appointed by the Secretary as follows:

- (1) One member from recommendations submitted by the Mayor of New Orleans.
- (2) Two members who have recognized expertise in music education programs that emphasize jazz.
- (3) One member, with experience in and knowledge of tourism in the greater New Orleans area, from recommendations submitted by local businesses.
- (4) One member from recommendations submitted by the Board of the New Orleans Jazz and Heritage Foundation.
- (5) One member, with experience in and knowledge of historic preservation within the New Orleans area.
- (6) Two members, one from recommendations submitted by the Secretary of the Smithsonian Institution and one member from recommendations submitted by the Chairman of the National Endowment of the Arts, who are recognized musicians with knowledge and experience in the development of jazz in New Orleans.
- (7) Two members, one from recommendations submitted by the Secretary of the Smithsonian Institution and one member from recommendations submitted by the Director of the Louisiana State Museum with recognized expertise in the interpretation of jazz history or traditions related to jazz in New Orleans.
- (8) Two members who represent local neighborhood groups or other local associations; from recommendations submitted by the Mayor of New Orleans.
- (9) One member representing local mutual aid and benevolent societies as well as local social and pleasure clubs, from recommendations submitted by the Board of the New Orleans Jazz and Heritage Foundation.
- (10) One member from recommendations submitted by the Governor of the State of Louisiana, who shall be a member of the Louisiana State Music Commission.
- (11) One member representing the New Orleans Jazz Club from recommendations submitted by the club.