

## AMENDMENTS

2000—Pub. L. 106-510 substituted “Pu’uhonua o Hōnaunau National Historical Park” for “Puuhonua o Honaunau National Historical Park”.

1978—Pub. L. 95-625 redesignated as “Puuhonua o Honaunau National Historical Park” the park previously designated “City of Refuge National Historical Park”.

**§ 397b. Procurement of lands**

The Secretary of the Interior is authorized to procure, by donation or purchase, with any funds that may be available for that purpose, lands and interests in lands which may be needed for the Pu’uhonua o Hōnaunau National Historical Park within the area described in section 397 of this title.

(July 26, 1955, ch. 385, §3, 69 Stat. 379; Pub. L. 95-625, title III, §305, Nov. 10, 1978, 92 Stat. 3477; Pub. L. 106-510, §3(d)(1), Nov. 13, 2000, 114 Stat. 2364.)

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**§ 397c. Acquisition of lands by Governor of the Territory of Hawaii**

In order to cooperate with the Secretary of the Interior in consolidating in Federal ownership lands within the area described in section 397 of this title, and to facilitate acquisition of the lands needed for the national historical park, the Governor of the Territory of Hawaii is also authorized to acquire lands for said park, at the expense of the Territory of Hawaii by exchange or otherwise, in accordance with procedure prescribed by section 392 of this title.

(July 26, 1955, ch. 385, §4, 69 Stat. 379.)

## ADMISSION OF HAWAII AS STATE

Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding former section 491 of Title 48, Territories and Insular Possessions.

**§ 397d. Administration**

The Pu’uhonua o Hōnaunau National Historical Park shall be administered by the Secretary of the Interior subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1946 edition, secs. 1-4),<sup>1</sup> as amended and supplemented, and such additional authority compatible therewith as is contained in the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., 1946 edition, secs. 461-467),<sup>1</sup> with regard to preservation of historic sites and objects of national significance.

(July 26, 1955, ch. 385, §5, 69 Stat. 379; Pub. L. 95-625, title III, §305, Nov. 10, 1978, 92 Stat. 3477; Pub. L. 106-510, §3(d)(1), Nov. 13, 2000, 114 Stat. 2364.)

<sup>1</sup> See References in Text note below.

## REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1946 edition, secs. 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 Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., 1946 edition, secs. 461-467), referred to in text, 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.

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SUBCHAPTER XLIV—VIRGIN ISLANDS  
NATIONAL PARK**§ 398. Establishment; administration**

A portion of the Virgin Islands of the United States, containing outstanding scenic and other features of national significance, shall be established, as prescribed in section 398a of this title, as the “Virgin Islands National Park”.

The national park shall be administered and preserved by the Secretary of the Interior in its natural condition for the public benefit and inspiration, in accordance with the laws governing the administration of the national parks.

(Aug. 2, 1956, ch. 885, §1, 70 Stat. 940.)

**§ 398a. Conditions and limitations**

The Secretary of the Interior is authorized subject to the following conditions and limitations, to proceed in such manner as he shall find to be necessary in the public interest to consummate the establishment of the Virgin Islands National Park:

(a) The acreage of the national park shall be limited to a total of not more than nine thousand five hundred acres of land area, such total to be comprised of not more than fifteen acres on the island of Saint Thomas, and not more than nine thousand four hundred and eighty-five additional acres to be comprised of portions of the island of Saint John and such small islands, rocks, and cays not in excess of five hundred acres in the general vicinity thereof as may be desirable for inclusion within the park;

(b) Tentative exterior boundary lines, to include land not in excess of the aforesaid acreage limitations, may be selected for the park in order to establish the particular areas in which land may be acquired pursuant to this section and section 398 of this title, such tentative boundaries to be selected and adjusted as may be necessary by the Secretary of the Interior;

(c) The Secretary, on behalf of the United States, is authorized to accept donations of real and personal property within the areas selected for the park until such time as the aforesaid total of nine thousand five hundred acres shall have been acquired for the park by the United States, and he may also accept donations of funds for the purposes of this section and section 398 of this title. Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary is authorized to accept through donation, or purchase from a willing seller, the real and personal property located on Lots 251-252 Estate Contant Enighed, Parcels 86B and 86AA Cruz Bay Quarter;

(d) Any Federal properties situated within the areas selected for the park, upon agreement by the particular agency administering such properties that such properties should be made available for the park, may be transferred without further authorization to the Secretary by such agency for purposes of this section and section 398 of this title;

(e) Establishment of the Virgin Islands National Park, in its initial phase, shall be and is declared to be accomplished and effective for purposes of administration when a minimum acreage of not less than five thousand acres in Federal ownership for purposes of this section and section 398 of this title shall have been acquired by the United States in specific areas containing such acquired lands to be designated by the Secretary; and

(f) Notice of the establishment of the park as authorized and prescribed by this section and section 398 of this title shall be published in the Federal Register.

(Aug. 2, 1956, ch. 885, § 2, 70 Stat. 940; Pub. L. 95-348, § 7(b)(6), Aug. 18, 1978, 92 Stat. 495.)

#### AMENDMENTS

1978—Subsec. (c). Pub. L. 95-348 inserted provisions relating to acceptance through donation or purchase of the real and personal property located on Lots 251-252 Estate Contant Enighed.

#### § 398b. Repealed. Pub. L. 85-404, May 16, 1958, 72 Stat. 112

Section, act Aug. 2, 1956, ch. 885, § 3, 70 Stat. 941, authorized an appropriation for capital improvements and an annual appropriation for administration of the Virgin Islands National Park.

#### § 398c. Addition of lands

In furtherance of the purposes of sections 398 and 398a of this title, providing for the establishment of the Virgin Islands National Park, and in order to preserve for the benefit of the public significant coral gardens, marine life, and seascapes in the vicinity thereof, the boundaries of such park, subject to valid existing rights, are revised to include the adjoining lands, sub-

merged lands, and waters, and Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters, described as follows:

#### NORTH OFFSHORE AREA

Beginning at the hereinafter lettered point A on the shore of Cruz Bay, a corner in the Virgin Islands National Park boundary, being also a corner of lot F, Cruz Bay, added to the park by order of designation signed June 29, 1960, by the Assistant Secretary of the Interior pursuant to sections 398 and 398a of this title, and published in the Federal Register of July 7, 1960, the said corner being the terminus of the course recited therein as "north 58 degrees 50 minutes west a distance of 20.0 feet, more or less, along Government land to a point;" for the third call in the metes and bounds description lot F, Cruz Bay.

From the initial point A, distances in nautical miles, along direct courses between the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

Northwestward approximately 0.13 mile to point B, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 47 minutes 43 seconds in Cruz Bay;

0.43 mile to Point C, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 48 minutes 10 seconds in Pillsbury Sound;

1.36 miles to point D, latitude 18 degrees 21 minutes 30 seconds, longitude 64 degrees 48 minutes 10 seconds in Windward Passage;

1.64 miles to point E, latitude 18 degrees 22 minutes 10 seconds, longitude 64 degrees 46 minutes 35 seconds in the Atlantic Ocean;

1.99 miles to point F, latitude 18 degrees 22 minutes 45 seconds, longitude 64 degrees 44 minutes 35 seconds in the Narrows;

3.18 miles to point G, latitude 18 degrees 22 minutes 00 seconds, longitude 64 degrees 41 minutes 20 seconds in Sir Francis Drake Channel;

1.04 miles to point H, latitude 18 degrees 21 minutes 10 seconds, longitude 64 degrees 40 minutes 40 seconds in Haulover Bay;

Southwestward approximately 0.22 mile to point I, a bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park boundary as shown on drawing numbered NP-VI-7000 entitled "Acquisition Area Virgin Islands National Park", approved November 15, 1956, by the acting Secretary of the Interior in accordance with sections 398 and 398a of this title, being also the southeasterly corner of estate Haulover 5a and 5c east end quarter as delineated on the municipality of Saint Thomas and Saint John drawing PW file numbered 9-24-T51 dated October 26, 1950;

Thence running generally westward along the Virgin Islands National Park northerly boundary as it follows the northerly shore of the island of Saint John as shown on the said drawing numbered NP-VI-7000 and on drawing numbered NP-VI-7003 entitled "Land Ownership Cruz Bay Creek" depicting the boundary adjustment affected by the said order of designation to point A, the point of beginning.

The area described contains approximately 4,100 acres.