

SUBCHAPTER LIX-E—BISCAYNE NATIONAL  
PARK

**§ 410gg. Establishment; description of boundary;  
minor boundary revisions; publication in  
Federal Register**

In order to preserve and protect for the education, inspiration, recreation, and enjoyment of present and future generations a rare combination of terrestrial, marine, and amphibious life in a tropical setting of great natural beauty, there is hereby established the Biscayne National Park (hereinafter referred to in this subchapter as the “park”) in the State of Florida. The boundary of the park shall include the lands, waters, and interests therein as generally depicted on the map entitled “Boundary Map, Biscayne National Park”, numbered 169-90,003, and dated April 1980, which map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the “Secretary”) shall publish in the Federal Register, not more than one year after June 28, 1980, a detailed description of the boundary established pursuant to this section. Following reasonable notice in writing to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate of his intention to do so, the Secretary may make minor revisions in the boundary of the park by publication of a revised boundary map or other description in the Federal Register.

(Pub. L. 96-287, title I, §101, June 28, 1980, 94 Stat. 599; Pub. L. 103-437, §6(d)(10), Nov. 2, 1994, 108 Stat. 4584.)

AMENDMENTS

1994—Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

DANTE FASCELL BISCAYNE NATIONAL PARK VISITOR  
CENTER

Pub. L. 105-307, Oct. 29, 1998, 112 Stat. 2931, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Dante Fascell Biscayne National Park Visitor Center Designation Act’.

“SEC. 2. DESIGNATION OF THE DANTE FASCELL  
VISITOR CENTER AT BISCAYNE NATIONAL  
PARK.

“(a) DESIGNATION.—The Biscayne National Park visitor center, located on the shore of Biscayne Bay on Convoy Point, Florida, is designated as the ‘Dante Fascell Visitor Center’.

“(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other document of the United States to the Biscayne National Park visitor center shall be deemed to be a reference to the ‘Dante Fascell Visitor Center’.”

**§ 410gg-1. Acquisition of property**

**(a) Authority of Secretary; manner; State lands; donation, reservations, and restrictions; Federal lands; transfer to administrative jurisdiction of National Park Service and Secretary**

Within the boundary of the park the Secretary is authorized to acquire lands, waters, and inter-

ests therein by donation, purchase with donated or appropriated funds, or exchange, except that property owned by the State of Florida or any political subdivision thereof may be acquired only by donation, and subject to such reservations and restrictions as may be provided by Florida law. Lands, waters, and interests therein within such boundary which are owned by the United States and under the control of the Secretary are hereby transferred to the administrative jurisdiction of the National Park Service to be managed for the purposes of the park. Any federally owned lands within the park which are not under the control of the Secretary shall be transferred to his control for purposes of the park at such time as said lands cease to be needed by the agencies which currently control them.

**(b) Acquisition period; consideration by Secretary of prompt acquisition of property**

It is the express intent of the Congress that the Secretary shall substantially complete the land acquisition program authorized herein within three complete fiscal years from the effective date of this subchapter. Any owner of property within the park may notify the Secretary of the desire of such owner that his property be promptly acquired, and the Secretary shall give immediate and careful consideration, subject to the availability of funds, to the prompt acquisition of such property.

(Pub. L. 96-287, title I, §102, June 28, 1980, 94 Stat. 599.)

REFERENCES IN TEXT

The effective date of this subchapter, referred to in subsec. (b), probably means the date of enactment of Pub. L. 96-287, which was approved on June 28, 1980.

**§ 410gg-2. Administration; fishing; abolition of Biscayne National Monument; monument incorporated within and made part of park; monument funds and appropriations available for park**

(a) The Secretary shall preserve and administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4),<sup>1</sup> as amended and supplemented. The waters within the park shall continue to be open to fishing in conformity with the laws of the State of Florida except as the Secretary, after consultation with appropriate officials of said State, designates species for which, areas and times within which, and methods by which fishing is prohibited, limited, or otherwise regulated in the interest of sound conservation to achieve the purposes for which the park is established: *Provided*, That with respect to lands donated by the State after the effective date of this subchapter, fishing shall be in conformance with State law.

(b) The Biscayne National Monument, as authorized by the Act of October 18, 1968 (82 Stat. 1188; 16 U.S.C. 450qq), as amended, is abolished as such, and all lands, waters, and interests therein acquired or reserved for such monument are hereby incorporated within and made a part of the park. Any funds available for the purposes of

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

such monument are hereby made available for the purposes of the park, and authorizations of funds for the monument shall continue to be available for the park.

(Pub. L. 96-287, title I, §103, June 28, 1980, 94 Stat. 600.)

## REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), referred to in subsec. (a), 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 effective date of this subchapter, referred to in subsec. (a), probably means the date of enactment of Pub. L. 96-287, which was approved on June 28, 1980.

Act of October 18, 1968, referred to in subsec. (b), is Pub. L. 90-606, Oct. 18, 1968, 82 Stat. 1188, as amended, which was classified to sections 450qq to 450qq-4 of this title, and was omitted from the Code in view of the abolition of the Biscayne National Monument and its incorporation within the Biscayne National Park pursuant to subsec. (b).

**§ 410gg-3. Report as to suitability for designation as wilderness area; compliance with procedure for such designation**

Within three complete fiscal years from the effective date of this subchapter, the Secretary shall review the area within the park and shall report to the President and the Congress, in accordance with section 1132(c) and (d) of this title, his recommendations as to the suitability or nonsuitability of any area within the park for designation as wilderness. Any designation of any such areas as wilderness shall be accomplished in accordance with said section 1132(c) and (d).

(Pub. L. 96-287, title I, §104, June 28, 1980, 94 Stat. 600.)

## REFERENCES IN TEXT

The effective date of this subchapter, referred to in text, probably means the date of enactment of Pub. L. 96-287, which was approved on June 28, 1980.

**§ 410gg-4. Revised comprehensive general management plan; submission to Congressional committees**

Within two complete fiscal years from the effective date of this subchapter, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a revised comprehensive general management plan for the park consistent with the provisions of this subchapter and pursuant to the provisions of section 100502 of title 54.

(Pub. L. 96-287, title I, §105, June 28, 1980, 94 Stat. 600.)

## REFERENCES IN TEXT

The effective date of this subchapter, referred to in text, probably means the date of enactment of Pub. L. 96-287, which was approved on June 28, 1980.

## CODIFICATION

In text, "section 100502 of title 54" substituted for "section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.);" 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.

## CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

**§ 410gg-5. Authorization of appropriations; entrance or admission fees prohibition**

In addition to the sums previously authorized to be appropriated for Biscayne National Monument, there are authorized to be appropriated such sums as may be necessary for the administration of the park, and not to exceed \$8,500,000 for the acquisition of lands and interests therein, as provided in this subchapter. Notwithstanding any other provision of law, no fees shall be charged for entrance or admission to the park.

(Pub. L. 96-287, title I, §106, June 28, 1980, 94 Stat. 600.)

AUTHORIZATIONS EFFECTIVE OCTOBER 1, 1980; CONTRACTUAL, OBLIGATORY, AND PAYMENT AUTHORITY PROVIDED IN APPROPRIATIONS

Pub. L. 96-287, title IV, §401, June 28, 1980, 94 Stat. 602, provided that: "Authorizations of moneys to be appropriated under this Act [Pub. L. 96-287] shall be effective October 1, 1980. Notwithstanding any other provision of this Act, authority to enter into contracts to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts."

SUBCHAPTER LIX-F—ALASKAN NATIONAL PARKS

**§ 410hh. Establishment of new areas**

The following areas are hereby established as units of the National Park System and shall be administered by the Secretary under the laws governing the administration of such lands and under the provisions of this Act:

(1) Aniakchak National Monument, containing approximately one hundred and thirty-eight thousand acres of public lands, and Aniakchak National Preserve, containing approximately three hundred and seventy-six thousand acres of public lands, as generally depicted on map numbered ANIA-90,005, and dated October 1978. The monument and preserve shall be managed for the following purposes, among others: To maintain the caldera and its associated volcanic features and landscape, including the Aniakchak River and other lakes and streams, in their natural state; to study, interpret, and assure continuation of the natural process of biological succession; to protect habitat for, and popu-