

thorized activity (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way acquired by or issued, granted, or permitted to Pacific Gas and Electric Company (including any successor in interest or assign) that is located on land included in the Spangler Hills Off-Highway Vehicle Recreation Area; or

(B) prohibits the upgrading or replacement of any—

(i) utility facilities of the Pacific Gas and Electric Company, including those utility facilities known on March 12, 2019, as—

(I) “Gas Transmission Line 311 or rights-of-way”; or

(II) “Gas Transmission Line 372 or rights-of-way”; or

(ii) utility facilities of the Pacific Gas and Electric Company in rights-of-way issued, granted, or permitted by the Secretary adjacent to a utility facility referred to in clause (i).

## (2) Plans for access

Not later than 1 year after March 12, 2019, or the issuance of a new utility facility right-of-way within the Spangler Hills Off-Highway Vehicle Recreation Area, whichever is later, the Secretary, in consultation with the Pacific Gas and Electric Company, shall publish plans for regular and emergency access by the Pacific Gas and Electric Company to the rights-of-way of the Pacific Gas and Electric Company.

(Pub. L. 103-433, title XIII, §1301, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 702.)

### REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subssecs. (a)(1) and (e)(1)(B), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

Section 2945 of the Military Construction Authorization Act for Fiscal Year 2014, referred to in subsec. (a)(2), is section 2945 of title XXIX of div. B of Pub. L. 113-66, Dec. 26, 2013, 127 Stat. 1038, which is set out as a note below.

#### JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA

Pub. L. 113-66, div. B, title XXIX, §2945, Dec. 26, 2013, 127 Stat. 1038, provided that:

“(a) DESIGNATION.—There is hereby designated the ‘Johnson Valley Off-Highway Vehicle Recreation Area’, consisting of—

“(1) 43,431 acres (as depicted on the map referred to in subsection (b) of section 2941 [127 Stat. 1034]) of the existing Bureau of Land Management-designated Johnson Valley Off-Highway Vehicle Area that is not withdrawn and reserved for defense-related uses by such section; and

“(2) The Shared Use Area.

“(b) AUTHORIZED ACTIVITIES.—To the extent consistent with applicable Federal law (including regulations) and this subtitle [subtitle C (§§2941-2946) of title XXIX of div. B of Pub. L. 113-66, see Tables for classification] any authorized recreation activities and use designation in effect on the date of enactment of this Act [Dec. 26, 2013] and applicable to the Johnson Valley Off-Highway Vehicle Recreation Area may continue,

including casual off-highway vehicular use and recreation.

“(c) ADMINISTRATION.—The Secretary of the Interior shall administer the Johnson Valley Off-Highway Vehicle Recreation Area (other than the Shared Use Area, which is being managed in accordance with the other provisions of this subtitle) in accordance with—

“(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

“(2) any other applicable law.

“(d) TRANSIT.—In coordination with the Secretary of the Interior, the Secretary of the Navy may authorize transit through the Johnson Valley Off-Highway Vehicle Recreation Area for defense-related purposes supporting military training (including military range management and management of exercise activities) conducted on the land withdrawn and reserved by section 2941.”

[For definition of “Shared Use Area” as used in section 2945 of Pub. L. 113-66, set out above, see section 2941 of title XXIX of div. B of Pub. L. 113-66, Dec. 26, 2013, 127 Stat. 1034, which is not classified to the Code.]

## SUBCHAPTER LIX-Z—NEW ORLEANS JAZZ NATIONAL HISTORICAL PARK

### § 410bbb. Findings and purpose

#### (a) Findings

The Congress finds that:

(1) Jazz is the United States’ most widely recognized indigenous music and art form. Congress previously recognized jazz in 1987 through Senate Concurrent Resolution 57 as a rare and valuable national treasure of international importance.

(2) The city of New Orleans is widely recognized as the birthplace of jazz. In and around this city, cultural and musical elements blended to form the unique American music that is known as New Orleans jazz, which is an expression of the cultural diversity of the lower Mississippi Delta Region.

(3) Jean Lafitte National Historical Park and Preserve was established to commemorate the cultural diversity of the lower Mississippi Delta Region including a range of cultural expressions like jazz.

#### (b) Purpose

In furtherance of the need to recognize the value and importance of jazz, it is the purpose of this subchapter to establish a New Orleans Jazz National Historical Park to preserve the origins, early history, development and progression of jazz; provide visitors with opportunities to experience the sights, sounds, and places where jazz evolved; and implement innovative ways of establishing jazz educational partnerships that will help to ensure that jazz continues as a vital element of the culture of New Orleans and our Nation.

(Pub. L. 103-433, title XII, §1202, Oct. 31, 1994, 108 Stat. 4519.)

### REFERENCES IN TEXT

Senate Concurrent Resolution 57, referred to in subsec. (a)(1), probably means H. Con. Res. 57, Dec. 4, 1987, 101 Stat. 2013, which is not classified to the Code.

### SHORT TITLE

Pub. L. 103-433, title XII, §1201, Oct. 31, 1994, 108 Stat. 4519, provided that: “This title [enacting this subchapter] may be cited as the ‘New Orleans Jazz National Historical Park Act of 1994’.”

**§ 410bbb-1. Establishment****(a) In general**

In order to assist in the preservation, education, and interpretation of jazz as it has evolved in New Orleans, and to provide technical assistance to a broad range of organizations involved with jazz music and its history, there is hereby established the New Orleans Jazz National Historical Park (hereinafter referred to as the “historical park”). The historical park shall be administered in conjunction with the Jean Lafitte National Historical Park and Preserve, which was established to preserve and interpret the cultural and natural resources of the lower Mississippi Delta Region.

**(b) Area included**

The historical park shall consist of lands and interests therein as follows:

(1) Lands which the Secretary of the Interior (hereinafter referred to as “the Secretary”) may designate for an interpretive visitor center complex.

(2) Sites that are the subject of cooperative agreements with the National Park Service for the purposes of interpretive demonstrations and programs associated with the purposes of this subchapter.

(3)(A) Sites designated by the Secretary as provided in subparagraph (B).

(B)(i) No later than 18 months after October 31, 1994, the Secretary is directed to complete a national historic landmark evaluation of sites associated with jazz in and around New Orleans as identified in the document entitled “New Orleans Jazz Special Resource Study”, prepared by the National Park Service pursuant to Public Law 101-499. In undertaking the 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);<sup>1</sup> and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).<sup>1</sup> 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 appropriate 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

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