

Canyon National Park for the use of customers within Tusayan, Arizona, to a nonprofit entity authorized to receive and distribute water within Tusayan, Arizona by the laws of the State of Arizona, upon his determination that such sale is not detrimental to the protection of the resources of Grand Canyon National Park or its visitors and that appropriate measures to provide for such protection, including a right of immediate termination, are included in the transaction.

(Feb. 26, 1919, ch. 44, §2, 40 Stat. 1177; Pub. L. 95-586, title XII, Nov. 3, 1978, 92 Stat. 2495.)

## REFERENCES IN TEXT

The Act of August twenty-fifth, nineteen hundred and sixteen, entitled "An Act to establish a National Park Service, and for other purposes", 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 Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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.

## CODIFICATION

"Section 9701 of title 31" substituted in text for "section 483a of title 31" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

## AMENDMENTS

1978—Pub. L. 95-586 inserted provisions authorizing the Secretary to contract for the sale of water located within the park for use of customers within Tusayan, Arizona.

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

SPECIAL UNITED STATES MAGISTRATE JUDGE FOR  
GRAND CANYON NATIONAL PARK

Appointment by United States District Court for the District of Arizona of a special commissioner [now United States magistrate judge] for the Grand Canyon National Park, see Pub. L. 86-258, Sept. 14, 1959, 73 Stat. 546, as amended, formerly set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

**§ 223. Repealed. Pub. L. 93-620, §10(f), Jan. 3, 1975, 88 Stat. 2093**

Section, act Feb. 26, 1919, ch. 44, §3, 40 Stat. 1177, enumerated occupancy rights of the Havasupai Indians. See section 228i of this title and Codification note set out thereunder.

**§ 224. Entries under land laws; toll road**

Nothing herein contained shall affect any valid claim, location, or entry existing under the land laws of the United States, prior to February 26, 1919, whether for homestead, mineral,

right-of-way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land and nothing herein contained shall affect, diminish, or impair the right and authority of the county of Coconino, in the State of Arizona, to levy and collect tolls for the passage of livestock over and upon the Bright Angel Toll Road and Trail, and the Secretary of the Interior is authorized to negotiate with the said county of Coconino for the purchase of said Bright Angel Toll Road and Trail and all rights therein.

(Feb. 26, 1919, ch. 44, §4, 40 Stat. 1177.)

## REFERENCES IN TEXT

Herein, referred to in text, means act Feb. 26, 1919, which is classified to sections 221, 222 to 228, and 687 of this title. For complete classification of this Act to the Code, see Tables.

## CODIFICATION

The words "prior to February 26, 1919," were in the original "existing", and refer to the date of enactment of act Feb. 26, 1919.

A provision of the original text requiring a report to Congress as to terms upon which the toll road and trail mentioned herein might be purchased was omitted as historically obsolete.

**§ 225. Laws applicable; easements and rights-of-way**

Whenever consistent with the primary purposes of Grand Canyon National Park, the Act of February fifteenth, nineteen hundred and one,<sup>1</sup> applicable to the locations of rights of way in certain national parks and the national forests for irrigation and other purposes, and subsequent Acts shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park.

(Feb. 26, 1919, ch. 44, §5, 40 Stat. 1178.)

## REFERENCES IN TEXT

The Act of February fifteenth, nineteen hundred and one, referred to in text, is act Feb. 15, 1901, ch. 372, 31 Stat. 790, which is classified to section 959 of Title 43, Public Lands. The Act, insofar as it related to National Park System units, was repealed and restated as section 100902(a) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

**§ 226. Omitted**

## CODIFICATION

Section, act Feb. 26, 1919, ch. 44, §6, 40 Stat. 1178, authorized Secretary of the Interior to permit prospecting, development, and utilization of the mineral resources within Grand Canyon National Park. Act Jan. 26, 1931, ch. 47, §1, 46 Stat. 1043, provided that no permit, license, lease for the prospecting, development, or utilization of the mineral resources within the Grand Canyon National Park should be granted after January 26, 1931.

**§ 227. Utilization of areas for Government reclamation projects**

Whenever consistent with the primary purposes of such park, the Secretary of the Interior

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

is authorized to permit the utilization of those areas formerly within the Lake Mead National Recreation Area immediately prior to January 3, 1975, and added to the park by sections 228a to 228j of this title, which may be necessary for the development and maintenance of a Government reclamation project.

(Feb. 26, 1919, ch. 44, §7, 40 Stat. 1178; Pub. L. 93-620, §9(b), Jan. 3, 1975, 88 Stat. 2091.)

#### AMENDMENTS

1975—Pub. L. 93-620 substituted provisions authorizing utilization of areas formerly within Lake Mead National Recreation Area and added to the Grand Canyon National Park by sections 228a to 228j of this title, for provisions authorizing utilization of areas within the Park.

#### § 228. Buildings on privately owned lands

Where privately owned lands within the said park lie within three hundred feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned lands and the rim.

(Feb. 26, 1919, ch. 44, §8, 40 Stat. 1178.)

#### § 228a. Enlargement of boundaries; statement of purpose

It is the object of sections 228a to 228j of this title to provide for the recognition by Congress that the entire Grand Canyon, from the mouth of the Paria River to the Grand Wash Cliffs, including tributary side canyons and surrounding plateaus, is a natural feature of national and international significance. Congress therefore recognizes the need for, and in sections 228a to 228j of this title provides for, the further protection and interpretation of the Grand Canyon in accordance with its true significance.

(Pub. L. 93-620, §2, Jan. 3, 1975, 88 Stat. 2089.)

#### SHORT TITLE

For short title of sections 228a to 228j of this title as the "Grand Canyon National Park Enlargement Act", see Short Title note set out under section 221 of this title.

#### § 228b. Composition of park

##### (a) Additional lands, waters, and interests therein

In order to add to the Grand Canyon National Park certain prime portions of the canyon area possessing unique natural, scientific, and scenic values, the Grand Canyon National Park shall comprise, subject to any valid existing rights under the Navajo Boundary Act of 1934, all those lands, waters, and interests therein, constituting approximately one million two hundred thousand acres, located within the boundaries as depicted on the drawing entitled "Boundary Map, Grand Canyon National Park," numbered 113-20, 021 B and dated December 1974, a copy of which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

##### (b) Abolition of Grand Canyon and Marble Canyon National Monuments

For purposes of sections 228a to 228j of this title, the Grand Canyon National Monument and

the Marble Canyon National Monument are abolished.

##### (c) Study and report to Congress of suitability of lands included within enlarged boundaries; submission date

The Secretary of the Interior shall study the lands within the former boundaries of the Grand Canyon National Monument commonly known as the Tuckup Point, Slide Mountain, and Jensen Tank areas to determine whether any portion of these lands might be unsuitable for park purposes and whether in his judgment the public interest might be better served if they were deleted from the Grand Canyon National Park. The Secretary shall report his findings and recommendations to the Congress no later than one year from January 3, 1975.

(Pub. L. 93-620, §3, Jan. 3, 1975, 88 Stat. 2090.)

#### REFERENCES IN TEXT

The Navajo Boundary Act of 1934, referred to in subsec. (a), is act June 14, 1934, ch. 521, 48 Stat. 960, which was not classified to the Code.

#### § 228c. Acquisition of lands within enlarged boundaries by donation, purchase, or exchange; transfer of jurisdiction over Federal lands

(a) Within the boundaries of the Grand Canyon National Park, as enlarged by sections 228a to 228j of this title, the Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire land and interest in land by donation, purchase with donated or appropriated funds, or exchange.

(b) Federal lands within the boundaries of such park are hereby transferred to the jurisdiction of the Secretary for the purposes of sections 228a to 228j of this title.

(Pub. L. 93-620, §4, Jan. 3, 1975, 88 Stat. 2090.)

#### § 228d. Acquisition of State of Arizona or local lands by donation or exchange; approval for transfer to United States of Indian trust lands

Notwithstanding any other provision of sections 228a to 228j of this title (1) land or interest in land owned by the State of Arizona or any political subdivision thereof may be acquired by the Secretary under sections 228a to 228j of this title only by donation or exchange and (2) no land or interest in land, which is held in trust for any Indian tribe or nation, may be transferred to the United States under sections 228a to 228j of this title or for purposes of sections 228a to 228j of this title except after approval by the governing body of the respective Indian tribe or nation.

(Pub. L. 93-620, §5, Jan. 3, 1975, 88 Stat. 2090.)

#### § 228e. Cooperative agreements for protection and unified interpretation of enlarged park; scope of agreements

In the administration of the Grand Canyon National Park, as enlarged by sections 228a to 228j of this title, the Secretary is authorized and encouraged to enter into cooperative agreements with other Federal, State, and local pub-