

sion, surrounding buildings and a portion of the area known as “Mt. Tom”, comprising approximately 555 acres, and a protection zone, including the areas presently occupied by the Billings Farm and Museum, comprising approximately 88 acres, all as generally depicted on the map entitled “Marsh-Billings-Rockefeller National Historical Park Boundary Map” and dated November 19, 1991.

(2) The map referred to in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(Pub. L. 102-350, §3, Aug. 26, 1992, 106 Stat. 934; Pub. L. 105-277, div. A, §101(e) [title I, §143], Oct. 21, 1998, 112 Stat. 2681-231, 2681-267.)

Editorial Notes

AMENDMENTS

1998—Subsecs. (a), (b)(1). Pub. L. 105-277 substituted “Marsh-Billings-Rockefeller” for “Marsh-Billings” wherever appearing.

§ 410vv-2. Administration

(a) In general

The Secretary of the Interior (hereinafter in this subchapter referred to as the “Secretary”) shall administer the park in accordance with this subchapter, and laws generally applicable to units of the National Park System, including, but not limited to the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1, 2-4).¹

(b) Acquisition of lands

(1) Except as provided in paragraph (2), the Secretary is authorized to acquire lands or interests therein within the park only by donation.

(2) If the Secretary determines that lands within the protection zone are being used, or there is an imminent threat that such lands will be used, for a purpose that is incompatible with the purposes of this subchapter, the Secretary may acquire such lands or interests therein by means other than donation.

(3) The Secretary may acquire lands within the historic zone subject to terms and easements providing for the management and commercial operation of existing hiking and cross-country ski trails by the grantor, and the grantor’s successors and assigns, such terms and easements shall be in a manner consistent with the purposes of the historic zone. Any changes in the operation and management of existing trails shall be subject to approval by the Secretary.

(c) Historic zone

The primary purposes of the historic zone shall be preservation, education, and interpretation.

(d) Protection zone

(1) The primary purpose of the protection zone shall be to preserve the general character of the setting across from the Marsh-Billings-Rocke-

feller Mansion in such a manner and by such means as will continue to permit current and future compatible uses.

(2) The Secretary shall pursue protection and preservation alternatives for the protection zone by working with affected State and local governments and affected landowners to develop and implement land use practices consistent with this subchapter.

(Pub. L. 102-350, §4, Aug. 26, 1992, 106 Stat. 934; Pub. L. 105-277, div. A, §101(e) [title I, §143], Oct. 21, 1998, 112 Stat. 2681-231, 2681-267.)

Editorial Notes

REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1, 2-4), 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.

AMENDMENTS

1998—Subsec. (d)(1). Pub. L. 105-277 substituted “Marsh-Billings-Rockefeller” for “Marsh-Billings”.

§ 410vv-3. Marsh-Billings-Rockefeller National Historical Park Scenic Zone

(a) In general

There is established the Marsh-Billings-Rockefeller National Historical Park Scenic Zone (hereinafter in this subchapter referred to as the “scenic zone”), which shall include those lands as generally depicted on the map entitled “Marsh-Billings-Rockefeller National Historical Park Scenic Zone Map” and dated November 19, 1991.

(b) Purpose

The purpose of the scenic zone shall be to protect portions of the natural setting beyond the park boundaries that are visible from the Marsh-Billings-Rockefeller Mansion, by such means and in such a manner as will permit current and future compatible uses.

(c) Acquisition of scenic easements

Within the boundaries of the scenic zone, the Secretary is authorized only to acquire scenic easements by donation.

(Pub. L. 102-350, §5, Aug. 26, 1992, 106 Stat. 935; Pub. L. 105-277, div. A, §101(e) [title I, §143], Oct. 21, 1998, 112 Stat. 2681-231, 2681-267.)

Editorial Notes

AMENDMENTS

1998—Pub. L. 105-277 substituted “Marsh-Billings-Rockefeller” for “Marsh-Billings” in section catchline and wherever appearing in subsecs. (a) and (b).

¹ See References in Text note below.

§ 410vv-4. Cooperative agreements**(a) In general**

The Secretary may enter into cooperative agreements with such persons or entities as the Secretary determines to be appropriate for the preservation, interpretation, management, and providing of educational and recreational uses for the properties in the park and the scenic zone.

(b) Facilities

The Secretary, through cooperative agreements with owners or operators of land and facilities in the protection zone, may provide for facilities in the protection zone to support activities within the historic zone.

(Pub. L. 102-350, § 6, Aug. 26, 1992, 106 Stat. 935.)

§ 410vv-5. Endowment**(a) In general**

In accordance with the provisions of subsection (b), the Secretary is authorized to receive and expend funds from an endowment to be established with the Woodstock Foundation, or its successors and assigns.

(b) Conditions

(1) Funds from the endowment referred to in subsection (a) shall be expended exclusively as the Woodstock Foundation, or its successors and assigns, in consultation with the Secretary, may designate for the preservation and maintenance of the Marsh-Billings-Rockefeller Mansion and its immediate surrounding property.

(2) No expenditure shall be made pursuant to this section unless the Secretary determines that such expenditure is consistent with the purposes of this subchapter.

(Pub. L. 102-350, § 7, Aug. 26, 1992, 106 Stat. 936; Pub. L. 105-277, div. A, § 101(e) [title I, § 143], Oct. 21, 1998, 112 Stat. 2681-231, 2681-267.)

Editorial Notes

AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105-277 substituted “Marsh-Billings-Rockefeller” for “Marsh-Billings”.

§ 410vv-6. Reservation of use and occupancy

In acquiring land within the historic zone, the Secretary may permit an owner of improved residential property within the boundaries of the historic zone to retain a right of use and occupancy of such property for noncommercial residential purposes for a term not to exceed 25 years or a term ending at the death of the owner, or the owner’s spouse, whichever occurs last. The owner shall elect the term to be reserved.

(Pub. L. 102-350, § 8, Aug. 26, 1992, 106 Stat. 936.)

§ 410vv-7. General management plan

Not later than 3 complete fiscal years after August 26, 1992, the Secretary shall develop and transmit a general management plan for the park to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate.

(Pub. L. 102-350, § 9, Aug. 26, 1992, 106 Stat. 936; Pub. L. 103-437, § 6(d)(14), Nov. 2, 1994, 108 Stat. 4584.)

Editorial Notes

AMENDMENTS

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

§ 410vv-8. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 102-350, § 10, Aug. 26, 1992, 106 Stat. 936.)

SUBCHAPTER LIX—DAYTON AVIATION
HERITAGE NATIONAL HISTORICAL PARKPART A—DAYTON AVIATION HERITAGE NATIONAL
HISTORICAL PARK**§ 410ww. Establishment****(a) In general**

There is established, as a unit of the National Park System in the State of Ohio, the Dayton Aviation Heritage National Historical Park (hereinafter in this subchapter referred to as the “park”).

(b) Areas included

The park shall consist of the following sites, as generally depicted on a map entitled “Dayton Aviation Heritage National Historical Park”, numbered 362-80,010 and dated September 1, 2000:

(1) A core parcel in Dayton, Ohio, which shall consist of the Wright Cycle Company building, Hoover Block, and lands between.

(2) The Setzer building property (also known as the Aviation Trail building property), Dayton, Ohio.

(3) The residential properties at 26 South Williams Street and at 30 South Williams Street, Dayton, Ohio.

(4) Huffman Prairie Flying Field, located at Wright-Patterson Air Force Base, Ohio.

(5) The Wright 1905 Flyer III and Wright Hall, including constructed additions and attached structures, known collectively as the John W. Berry, Sr. Wright Brothers National Museum, Dayton, Ohio.

(6) The Paul Laurence Dunbar State Memorial, Dayton, Ohio.

(c) Additional sites

In addition to the sites described in subsection (b), the park shall consist of the following sites, as generally depicted on a map titled “Dayton Aviation Heritage National Historical Park”, numbered 362/80,013 and dated May 2008:

(1) Hawthorn Hill, Oakwood, Ohio.

(2) The Wright Company factory and associated land and buildings, Dayton, Ohio.

(Pub. L. 102-419, title I, § 101, Oct. 16, 1992, 106 Stat. 2141; Pub. L. 106-356, § 2(a), Oct. 24, 2000, 114 Stat. 1391; Pub. L. 111-11, title VII, § 7117(a), Mar. 30, 2009, 123 Stat. 1204; Pub. L. 114-328, div. B, title XXVIII, § 2832, Dec. 23, 2016, 130 Stat. 2740.)