

Editorial Notes

AMENDMENTS

2009—Subsec. (a). Pub. L. 111–11, §7101(c)(1), substituted “\$50,000,000 for development, and \$25,000,000” for “\$25,000,000 for development, and \$3,000,000”.

Subsec. (b). Pub. L. 111–11, §7101(c)(2), substituted “\$250,000” for “\$100,000 except that the Federal contribution to the Commission shall not exceed 50 percent of the annual costs to the Commission in carrying out those duties”.

SUBCHAPTER LIX—X—SAGUARO NATIONAL PARK

§ 410zz. Findings and purpose

The Congress finds that—

(1) the Saguaro National Monument was established by Presidential Proclamation in 1933;

(2) the Tucson Mountain unit was established by Presidential Proclamation in 1961;

(3) in recognition of the need to provide increased protection for the monument, the boundaries of Tucson Mountain unit were expanded in 1976, and the boundaries of Rincon unit were expanded in 1991;

(4) the Tucson Mountain unit continues to face threats to the integrity of its natural resources, scenic beauty, and habitat protection for which the unit was established;

(5) these threats impede opportunities for public enjoyment, education, and safety within the monument, as well as opportunities for solitude within the wilderness areas of the monument designated by Congress in 1976;

(6) the residential and commercial growth of the greater Tucson, Arizona metropolitan area is causing increasing threats to the monument’s resources; and

(7) the Tucson Mountain unit should be enlarged by the addition of adjacent lands of National Park caliber and Saguaro National Monument should be afforded full recognition and statutory protection as a National Park.

(Pub. L. 103–364, §2, Oct. 14, 1994, 108 Stat. 3467.)

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116–260, div. FF, title II, §201(a), Dec. 27, 2020, 134 Stat. 3088, provided that: “This section [amending section 410zz–2 of this title] may be cited as the ‘Saguaro National Park Boundary Expansion Act.’”

SHORT TITLE

Pub. L. 103–364, §1, Oct. 14, 1994, 108 Stat. 3467, provided that: “This Act [enacting this subchapter and amending provisions listed in a table of National Monuments Established Under Presidential Proclamation set out under section 431 of this title] may be cited as the ‘Saguaro National Park Establishment Act of 1994.’”

§ 410zz–1. Establishment

There is hereby established the Saguaro National Park (hereinafter in this subchapter referred to as the “park”) in the State of Arizona. The Saguaro National Monument is abolished as such, and all lands and interests therein are hereby incorporated within and made part of Saguaro National Park. Any reference to Saguaro National Monument shall be deemed a

reference to Saguaro National Park, and any funds available for the purposes of the monument shall be available for purposes of the park.

(Pub. L. 103–364, §3, Oct. 14, 1994, 108 Stat. 3467.)

§ 410zz–2. Expansion of boundaries**(a) In general**

(1) The boundaries of the park are hereby modified to reflect the addition of approximately 3,460 acres of land and interests therein as generally depicted on the map entitled “Saguaro National Monument Additions” and dated April, 1994.

(2)(A) The boundaries of the park are further modified to include approximately 1,152 acres, as generally depicted on the map titled “Saguaro National Park Proposed Boundary Adjustment”, numbered 151/80,045G, and dated December 2020.

(B) The map referred to in subparagraph (A) shall be on file and available for inspection in the appropriate offices of the National Park Service.

(b) Land acquisition

(1) Within the lands added to the park pursuant to subsection (a), the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, transfer, or exchange: *Provided*, That no such lands or interests therein may be acquired without the consent of the owner thereof unless the Secretary determines that the land is being developed, or is proposed to be developed in a manner which is detrimental¹ to the integrity of the park.

(2) The Secretary may, with the consent of the State of Arizona and in accordance with Federal and State law, acquire land or interests therein owned by the State of Arizona within the boundary of the park.

(3) If the Secretary is unable to acquire the State land under paragraph (2), the Secretary may enter into an agreement with the State that would allow the National Park Service to manage State land within the boundary of the park.

(c) Withdrawal

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the United States mining laws, and from disposition under all laws relating to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

(Pub. L. 103–364, §4, Oct. 14, 1994, 108 Stat. 3468; Pub. L. 116–260, div. FF, title II, §201(b), Dec. 27, 2020, 134 Stat. 3088.)

Editorial Notes

AMENDMENTS

2020—Subsec. (a). Pub. L. 116–260, §201(b)(1), designated existing provisions as par. (1) and added par. (2).

Subsec. (b)(2), (3). Pub. L. 116–260, §201(b)(2), added pars. (2) and (3) and struck out former par. (2) which read as follows: “Lands or interests therein owned by

¹ So in original. Probably should be “detrimental”.

the State of Arizona or a political subdivision thereof may only be acquired by donation or exchange.”

§ 410zz-3. Authorization of appropriations

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

(Pub. L. 103-364, §5, Oct. 14, 1994, 108 Stat. 3468.)

SUBCHAPTER LIX-Y—CALIFORNIA DESERT LANDS PARKS, PRESERVE, AND OFF-HIGHWAY VEHICLE RECREATION AREAS

PART A—DEATH VALLEY NATIONAL PARK

§ 410aaa. Findings

The Congress hereby finds that—

(1) proclamations by Presidents Herbert Hoover in 1933 and Franklin Roosevelt in 1937 established and expanded the Death Valley National Monument for the preservation of the unusual features of scenic, scientific, and educational interest therein contained;

(2) Death Valley National Monument is today recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the monument boundaries established in the 1930's exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, geological, archeological, paleontological, cultural, historical and¹ wilderness values;

(4) Death Valley National Monument should be substantially enlarged by the addition of all contiguous Federal lands of national park caliber and afforded full recognition and statutory protection as a National Park; and

(5) the wilderness within Death Valley should receive maximum statutory protection by designation pursuant to the Wilderness Act [16 U.S.C. 1131 et seq.].

(Pub. L. 103-433, title III, §301, Oct. 31, 1994, 108 Stat. 4485.)

Editorial Notes

REFERENCES IN TEXT

The Wilderness Act, referred to in par. (5), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 103-433, §1, Oct. 31, 1994, 108 Stat. 4471, as amended by Pub. L. 116-9, title I, §1458(a), Mar. 12, 2019, 133 Stat. 718, provided that: “Sections 1, 2, and 3, titles I through IX, and titles XIII and XIV of this Act [enacting this subchapter, part E of subchapter LIX-Y of this chapter, subchapters CXLII and CXLIII of this chapter, provisions listed in a table of Wilderness Areas set out under section 1132 of this title, provisions set out as notes under this section, section 410aaa-82 of this title, and section 1781 of Title 43, Public Lands, and amending provisions listed in a table of National Monuments

Established Under Presidential Proclamation set out under section 431 of this title and a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘California Desert Protection Act of 1994’.”

TIMBISHA SHOSHONE HOMELAND

Pub. L. 106-423, Nov. 1, 2000, 114 Stat. 1875, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Timbisha Shoshone Homeland Act’.

“SEC. 2. FINDINGS.

“Congress finds the following:

“(1) Since time immemorial, the Timbisha Shoshone Tribe has lived in portions of California and Nevada. The Tribe’s ancestral homeland includes the area that now comprises Death Valley National Park and other areas of California and Nevada now administered by the Bureau of Land Management.

“(2) Since 1936, the Tribe has lived and governed the affairs of the Tribe on approximately 40 acres of land near Furnace Creek in the Park.

“(3) The Tribe achieved Federal recognition in 1983 but does not have a land base within the Tribe’s ancestral homeland.

“(4) Since the Tribe commenced use and occupancy of the Furnace Creek area, the Tribe’s membership has grown. Tribal members have a desire and need for housing, government and administrative facilities, cultural facilities, and sustainable economic development to provide decent, safe, and healthy conditions for themselves and their families.

“(5) The interests of both the Tribe and the National Park Service would be enhanced by recognizing their coexistence on the same land and by establishing partnerships for compatible land uses and for the interpretation of the Tribe’s history and culture for visitors to the Park.

“(6) The interests of both the Tribe and the United States would be enhanced by the establishment of a land base for the Tribe and by further delineation of the rights and obligations of each with respect to the Furnace Creek area and to the Park as a whole.

“SEC. 3. PURPOSES.

“Consistent with the recommendations of the report required by section 705(b) [now (c)] of the California Desert Protection Act of 1994 [16 U.S.C. 410aaa-75(b) [now (c)]] (Public Law 103-433; 108 Stat. 4498), the purposes of this Act are—

“(1) to provide in trust to the Tribe land on which the Tribe can live permanently and govern the Tribe’s affairs in a modern community within the ancestral homeland of the Tribe outside and within the Park;

“(2) to formally recognize the contributions by the Tribe to the history, culture, and ecology of the Park and surrounding area;

“(3) to ensure that the resources within the Park are protected and enhanced by—

“(A) cooperative activities within the Tribe’s ancestral homeland; and

“(B) partnerships between the Tribe and the National Park Service and partnerships involving the Bureau of Land Management;

“(4) to ensure that such activities are not in derogation of the purposes and values for which the Park was established;

“(5) to provide opportunities for a richer visitor experience at the Park through direct interactions between visitors and the Tribe including guided tours, interpretation, and the establishment of a tribal museum and cultural center;

“(6) to provide appropriate opportunities for economically viable and ecologically sustainable visitor-related development, by the Tribe within the Park, that is not in derogation of the purposes and values for which the Park was established; and

“(7) to provide trust lands for the Tribe in 4 separate parcels of land that is now managed by the Bu-

¹ So in original. Probably should be “and”.