

funds, or exchange, except that lands owned by the State of Illinois or any political subdivision thereof may be acquired only by donation.

(May 17, 1954, ch. 204, § 4, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1467; amended Pub. L. 102-355, § 1(1), Aug. 26, 1992, 106 Stat. 947.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 4 of act May 17, 1954, was renumbered section 11 and is set out as a note under section 450jj of this title.

##### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-355 substituted “There is hereby designated” for “The Secretary of the Interior is further authorized to designate”, “approximately” for “not more than”, and “366-80013, dated January 1992,” for “MWR-366/80,004, and dated February 9, 1984.”

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Jefferson National Expansion Memorial redesignated Gateway Arch National Park by Pub. L. 115-128, § 2, Feb. 22, 2018, 132 Stat. 328, which is classified to section 450jj-10 of this title.

##### COMPLIANCE WITH CONGRESSIONAL BUDGET ACT

Pub. L. 98-398, title II, § 202, Aug. 24, 1984, 98 Stat. 1472, provided that any provision of title II of Pub. L. 98-398 (enacting sections 450jj-3 to 450jj-9 of this title and enacting and amending provisions set out as notes under section 450jj of this title) authorizing the enactment of new budget authority described in former section 652(a) of Title 2, The Congress, would be effective only for fiscal years beginning after Sept. 30, 1983.

#### § 450jj-4. Transfer of land

Where appropriate in the discretion of the Secretary of the Interior, he may transfer by lease or otherwise, to any appropriate person or governmental entity, land owned by the United States (or any interest therein) which has been acquired by the Secretary under section 450jj-3 of this title. Any such transfer shall be consistent with the management plan for the area and with the requirements of sections 100903 and 102901 of title 54 and shall be subject to such conditions and restrictions as the Secretary deems necessary to carry out the purposes of sections 450jj to 450jj-9 of this title, including terms and conditions which provide for—

- (1) the continuation of existing uses of the land which are compatible with the Memorial,
- (2) the protection of the important historical resources of the leased area, and
- (3) the retention by the Secretary of such access and development rights as the Secretary deems necessary to provide for appropriate visitor use and resource management.

In transferring any lands or interest in lands under this section, the Secretary shall take into account the views of the Commission established under section 450jj-6 of this title.

(May 17, 1954, ch. 204, § 5, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1468.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 450jj-6 of this title, referred to in text, was in the original “section 8”, meaning section 8 of act May 17, 1954, ch. 204, and was translated as reading “section 7” of such act, to reflect the probable intent of Congress, because section 7 related to the establishment of the Jefferson National Expansion Memorial Commission.

##### CODIFICATION

In introductory provisions, “sections 100903 and 102901 of title 54” substituted for “section 5 of the Act of July 15, 1968 (82 Stat. 356; 16 U.S.C. 4601-22)” 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.

##### PRIOR PROVISIONS

A prior section 5 of act May 17, 1954, contained a limitation on appropriation authorization and a prohibition on expenditure of Government funds and was classified as a note under section 450jj of this title, prior to the general amendment made by Pub. L. 85-936, Sept. 6, 1958, 72 Stat. 1794.

#### § 450jj-5. Administration of Memorial; cooperation with State and local governments and private sector

Lands and interests in lands acquired pursuant to section 450jj-3 of this title shall, upon acquisition, be a part of the Memorial. The Secretary of the Interior shall administer the Memorial in accordance with sections 450jj to 450jj-9 of this title and the 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. 1-4)<sup>1</sup> and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).<sup>1</sup> In the development, management, and operation of that portion of the Memorial which is added to the Memorial under section 450jj-3 of this title, the Secretary shall, to the maximum extent feasible, utilize the assistance of State and local government agencies and the private sector. For such purposes, the Secretary may, consistent with the management plan for the area, enter into cooperative agreements with the State, with any political subdivision of the State, or with any person. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Secretary of any action proposed by the State, such political subdivision, or such person, which may affect the area.

(May 17, 1954, ch. 204, § 6, as added Pub. L. 98-398, title II, § 201(a), Aug. 24, 1984, 98 Stat. 1468.)

#### Editorial Notes

##### REFERENCES IN TEXT

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. 1-4), 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

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

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 Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467), referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, 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.

#### § 450jj-6. Jefferson National Expansion Memorial Commission

##### (a) Establishment

There is hereby established the Jefferson National Expansion Memorial<sup>1</sup> Commission (hereinafter in sections 450jj-6 to 450jj-9 of this title referred to as the “Commission”).

##### (b) Composition

The Commission shall be composed of twenty members as follows:

(1) The county executive of Saint Louis County, Missouri, ex officio, or a delegate.

(2) The chairman of the Saint Clair County Board of Supervisors, Illinois, ex officio, or a delegate.

(3)(A) The executive director of the Bi-State Development Agency, Saint Louis, Missouri, ex officio, or a delegate.

(B) A member of the Bi-State Development Agency, Saint Louis, Missouri, who is not a resident of the same State as the executive director of such agency, appointed by a majority of the members of such agency, or a delegate.

(4) The mayor of the city of East Saint Louis, Illinois, ex officio, or a delegate.

(5) The mayor of Saint Louis, Missouri, ex officio, or a delegate.

(6) The Governor of the State of Illinois, ex officio, or a delegate.

(7) The Governor of the State of Missouri, ex officio, or a delegate.

(8) The Secretary of the Interior, ex officio, or a delegate.

(9) The Secretary of Housing and Urban Development, ex officio, or a delegate.

(10) The Secretary of Transportation, ex officio, or a delegate.

(11) The Secretary of the Treasury, ex officio, or a delegate.

(12) The Secretary of Commerce, ex officio, or a delegate.

(13) The Secretary of the Smithsonian Institution, ex officio, or a delegate.

(14) Three individuals appointed by the Secretary of the Interior from a list of individuals nominated by the mayor of East Saint Louis, Illinois, and the Governor of the State of Illinois.

(15) Three individuals appointed by the Secretary of the Interior from a list of individuals nominated by the mayor of Saint Louis, Missouri, and the Governor of the State of Missouri.

Individuals nominated for appointment under paragraphs (14) and (15) shall be individuals who have knowledge and experience in one or more of the fields of parks and recreation, environmental protection, historic preservation, cultural affairs, tourism, economic development, city planning and management, finance, or public administration. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

##### (c) Term of office of members

(1) Except as provided in paragraphs (2) and (3), members of the Commission shall be appointed for terms of three years.

(2) Of the members of the Commission first appointed under paragraphs (14) and (15) of subsection (c)—<sup>2</sup>

(A) two shall be appointed for terms of one year;

(B) two shall be appointed for terms of two years; and

(C) two shall be appointed for terms of three years;

as designated by the Secretary of the Interior at the time of appointment.

(3) Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member of the Commission may serve after the expiration of his term until his successor has taken office.

##### (d) Compensation of members; travel expenses and per diem

Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

##### (e) Chairperson

The chairperson of the Commission shall be elected by the members of the Commission.

##### (f) Assistance from Federal agencies

Upon request of the Commission, the head of any Federal agency represented by members on the Commission may detail any of the personnel or<sup>3</sup> such agency, or provide administrative services to the Commission to assist the Commission in carrying out the Commission’s duties under section 450jj-7 of this title.

##### (g) Gifts, bequests, or donations

The Commission may, for the purposes of carrying out the Commission’s duties under section 450jj-7 of this title, seek, accept, and dispose of

<sup>1</sup> See Change of Name note below.

<sup>2</sup> So in original. Probably should be “subsection (b)—”.

<sup>3</sup> So in original. Probably should be “of”.