

### § 674. White Horse Hill National Game Preserve

The Secretary of the Interior is authorized to inclose the Sullys Hill National Game Preserve<sup>1</sup> with a good and substantial fence, to construct thereon all sheds, buildings, and corrals necessary for the proper care and maintenance of the animals and birds therein, to erect a suitable headquarters, to construct and maintain roads, trails, and other structures necessary for the convenience of visitors, and to incur such other expenses as may be necessary for the proper maintenance of the preserve and the animals and birds placed therein. He is also authorized to place in the park buffalos, elk, deer, and such other wild or rare animals and birds as he may in his discretion decide.

(June 30, 1914, ch. 131, 38 Stat. 434; Mar. 3, 1931, ch. 439, §1, 46 Stat. 1509; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

#### Editorial Notes

##### CODIFICATION

This section was a provision of the agricultural appropriation act for the fiscal year 1915, act June 30, 1914, which, in the first sentence, made an appropriation of \$5,000 for the improvement of a game preserve in Sullys Hill National Park, the same to be available until expended.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Act Mar. 3, 1931, provided that the Sullys Hill National Park should be administered as a big-game preserve, refuge and breeding grounds for wild animals and birds, which should be known as the Sullys Hill National Game Preserve. Sullys Hill National Game Preserve was renamed White Horse Hill National Game Preserve by Pub. L. 116-94, div. P, title IV, §402(a), Dec. 20, 2019, 133 Stat. 3191.

##### SHORT TITLE OF 2019 AMENDMENT

Pub. L. 116-94, div. P, title IV, §401, Dec. 20, 2019, 133 Stat. 3191, provided that: "This title [amending sections 674a and 674b of this title and enacting provisions set out as a note under section 674a of this title] may be cited as the 'White Horse Hill National Game Preserve Designation Act'."

#### Executive Documents

##### TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

#### § 674a. Sullys Hill National Park; transfer of control; change of name to White Horse Hill National Game Preserve; boundaries; use by public; hunting

The Secretary of the Interior shall administer Sullys Hill National Park, together with all improvements thereon, in the State of North Dakota, as a big game preserve, refuge, and breeding grounds for wild animals and birds, which shall be known as the White Horse Hill National Game Preserve and shall embrace within its

boundaries the lands described in the proclamation of June 2, 1904, establishing Sullys Hill Park, together with all unsurveyed or public lands uncovered by the recession of the waters of Devils Lake in front of said reservation, the preserve to be bounded on the north and northwest by the waters of Devils Lake, and on the west and southwest by a stream which flows through lands uncovered by the recession of the waters of Devils Lake, approximately midway between lots 10 and 11, section 17; lots 1, 2, 6, and 8, section 16; and lot 2, section 9; lots 3, 4, and 5, section 16, township 152 north, range 65 west, fifth principal meridian, as meandered on the official plats of survey approved June 23, 1904, and June 2, 1927: *Provided*, That the said game preserve is to be made available to the public for recreational purposes insofar as consistent with the use of this area as a game preserve: *Provided further*, That hunting shall not be permitted on said game preserve.

(Mar. 3, 1931, ch. 439, §1, 46 Stat. 1509; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Pub. L. 116-94, div. P, title IV, §402(a), Dec. 20, 2019, 133 Stat. 3191.)

#### Editorial Notes

##### AMENDMENTS

2019—Pub. L. 116-94 substituted "White Horse Hill National Game Preserve" for "Sullys Hill National Game Preserve" in text.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Pub. L. 116-94, div. P, title IV, §402(c), Dec. 20, 2019, 133 Stat. 3191, provided that: "Any reference in a law, map, regulation, document, paper, or other record of the United States to the Sullys Hill National Game Preserve shall be considered to be a reference to the 'White Horse Hill National Game Preserve'."

#### Executive Documents

##### TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

#### § 674b. White Horse Hill National Game Preserve; acquisition of additional lands

The Secretary of the Interior is authorized to acquire, by purchase or otherwise, after July 1, 1932, an area of land not to exceed three thousand acres, at an average cost of not more than \$10 per acre, with the improvements thereon, situated on the east and south of said preserve as described in section 674a of this title, within sections 10, 11, 12, 13, 14, 15, 22, 23, and 24, township 152 north, range 65 west, fifth principal meridian, said lands, upon acquisition by the United States, to become a part of the White Horse Hill National Game Preserve.

(Mar. 3, 1931, ch. 439, §2, 46 Stat. 1509; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Pub. L. 116-94, div. P, title IV, §402(b), Dec. 20, 2019, 133 Stat. 3191.)

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

**Editorial Notes**

## AMENDMENTS

2019—Pub. L. 116–94 substituted “White Horse Hill National Game Preserve” for “Sullys Hill National Game Preserve” in text.

**Executive Documents**

## TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

**§ 674c. Boundary and division fences for White Horse Hill National Game Preserve; buildings and improvements; supplies; employees**

The Secretary of the Interior is authorized to construct and maintain such boundary and division fences as are required to inclose and subdivide the preserve; to construct such buildings and improvements, to install and maintain a suitable water-supply and sanitary system, to purchase such supplies, and to employ such assistants as are necessary for the maintenance of the preserve and the improvements thereon and for the accommodation of visitors thereto.

(Mar. 3, 1931, ch. 439, § 3, 46 Stat. 1510; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

**Executive Documents**

## TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

**§ 674d. Authorization of appropriations**

There is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as Congress shall from time to time deem necessary to carry out the purposes of sections 674a to 674c of this title.

(Mar. 3, 1931, ch. 439, § 4, 46 Stat. 1510.)

**§ 675. Norbeck Wildlife Preserve; establishment**

There is designated as the Norbeck Wildlife Preserve such areas, not exceeding forty-six thousand acres, of the Harney National Forest, and adjoining or in the vicinity of the Custer State Park, in the State of South Dakota, as should, in the opinion of the President of the United States, be set aside for the protection of game animals and birds, and be recognized as a breeding place therefor.

(June 5, 1920, ch. 247, § 1, 41 Stat. 986; June 7, 1924, ch. 324, 43 Stat. 632; Oct. 6, 1949, ch. 620, § 1, 63 Stat. 708.)

**Editorial Notes**

## CODIFICATION

As enacted by act June 5, 1920, this section authorized the President to designate areas not exceeding 30,000 acres, but by amendment by act June 7, 1924, the President was authorized, upon recommendation of the Sec-

retary of Agriculture, to enlarge the area by proclamation to embrace a total of not to exceed 46,000 acres and the provisions of sections 676 to 678 of this title, apply with equal force to the additional area.

**Statutory Notes and Related Subsidiaries**

## CHANGE OF NAME

“Custer State Park Game Sanctuary” changed to “Norbeck Wildlife Preserve” by act Oct. 6, 1949.

**Executive Documents**

## CHANGE OF NAME

Harney National Forest abolished and its lands transferred to and consolidated with those of Black Hills National Forest by Public Land Order No. 1016 of Oct. 4, 1954, 19 F.R. 6500.

## PRESIDENTIAL DESIGNATION

Areas comprising the Norbeck Wildlife Preserve, formerly known as the Custer State Park Game Sanctuary, were designated by Proclamations of Oct. 9, 1920 (41 Stat. 1805), Jan. 8, 1925 (43 Stat. 1981), and Jan. 14, 1929 (45 Stat. 2985).

**§ 676. Hunting, trapping, killing, or capturing game on Norbeck Wildlife Preserve unlawful**

When such areas have been designated as provided for in section 675 of this title, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture. It is the purpose of this section to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private or State lands.

(June 5, 1920, ch. 247, §§ 2, 3, 41 Stat. 986; June 25, 1948, ch. 645, § 11, 62 Stat. 860.)

**Editorial Notes**

## CODIFICATION

First sentence of section is from section 2 and the last from section 3 of act June 5, 1920.

## AMENDMENTS

1948—Act June 25, 1948, struck out penal provisions. See section 41 of Title 18, Crimes and Criminal Procedure.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1948 AMENDMENT

Section 20 of act June 25, 1948, provided that the amendment made by that act is effective Sept. 1, 1948.

**§ 677. Inclosure of Norbeck Wildlife Preserve**

The State of South Dakota is authorized and permitted to erect and maintain a good substantial fence, inclosing in whole or in part Norbeck Wildlife Preserve. The State shall erect and maintain such gates in this fence as may be required by the authorized agents of the Federal Government in administering this wildlife preserve and the adjoining national forest lands, and may erect and maintain such additional inclosures as may be agreed upon with the Sec-