Subsec. (h). Pub. L. 103–437, § 6(i)(2), struck out subsec. (h) which directed Secretary, within two years from Aug. 18, 1978, to develop and transmit to Congressional committees, a general management plan for War in the Pacific National Historic Park, and to transmit within 5 years of Aug. 18, 1978, a study of additional sites associated with Pacific Campaign of World War II.

1993—Subsec. (k). Pub. L. 103–197, § 3(a), substituted ''$8,000,000'' for ''$500,000''.

Subsecs. (*l*) to (*o*). Pub. L. 103–197, § 3(b), added subsecs. (*l*) to (*o*).

CONGRESSIONAL FINDINGS

Section 1 of Pub. L. 103–197 provided that: ''Congress finds that—

''(1) June 15 through August 10, 1994, marks the 50th anniversary of the Mariana campaign of World War II in which American forces captured the islands of Saipan and Tinian in the Northern Marianas and liberated the United States Territory of Guam from Japanese occupation;

''(2) an attack during this campaign by the Japanese Imperial fleet, aimed at countering the American forces that had landed on Saipan, led to the battle of the Philippine Sea, which resulted in a crushing defeat for the Japanese by United States naval forces and the destruction of the effectiveness of the Japanese carrier-based airpower;

''(3) the recapture of Guam liberated one of the few pieces of United States territory that was occupied for two and one-half years by the enemy during World War II and restored freedom to the indigenous Chamorros on Guam who suffered as a result of the Japanese occupation;

''(4) Army, Navy, Marine Corps, and Coast Guard units distinguished themselves with their heroic bravery and sacrifice;

''(5) the Guam Insular Force Guard, the Guam militia, and the people of Guam earned the highest respect for their defense of the island during the Japanese invasion and their resistance during the occupation; their assistance to the American forces as scouts for the American invasion was invaluable; and their role, as members of the Guam Combat Patrol, was instrumental in seeking out the remaining Japanese forces and restoring peace to the island;

''(6) during the occupation, the people of Guam—

''(A) were forcibly removed from their homes;

''(B) were relocated to remote sections of the island;

''(C) were required to perform forced labor and faced other harsh treatment, injustices, and death; and

''(D) were placed in concentration camps when the American invasion became imminent and were brutalized by their occupiers when the liberation of Guam became apparent to the Japanese;

''(7) the liberation of the Mariana Islands marked a pivotal point in the Pacific war and led to the American victories at Iwo Jima, Okinawa, the Philippines, Taiwan, and the south China coast, and ultimately against the Japanese home islands;

''(8) the Mariana Islands of Guam, Saipan, and Tinian provided, for the first time during the war, air bases which allowed land-based American bombers to reach strategic targets in Japan; and

''(9) the air offensive conducted from the Marianas against the Japanese war-making capability helped shorten the war and ultimately reduced the toll of lives to secure peace in the Pacific.''

TRANSFER OF EXCESS LAND TO NATIONAL PARK SERVICE

Pub. L. 100–202, § 101(g) [title I], Dec. 22, 1987, 101 Stat. 1329–213, 1329–222, provided in part: ''That any Federally-owned land in War in the Pacific National Historical Park that hereafter becomes excess to the needs of the administering agency shall be transferred to the jurisdiction of the National Park Service, without reimbursement, for purposes of the park.''

## SUBCHAPTER LIX–C—SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK

### § 410ee. Establishment

**(a) Composition; boundary revisions**

In order to provide for the preservation, restoration, and interpretation of the Spanish Missions of San Antonio, Texas, for the benefit and enjoyment of present and future generations of Americans, there is hereby established the San Antonio Missions National Historical Park (hereafter in this section referred to as the ''park'') consisting of Concepcion, San Jose, San Juan, and Espada Missions, together with areas and features historically associated therewith, as generally depicted on the drawing entitled ''Boundary Map, San Antonio Missions National Historical Park'', numbered 930–80,022–C and dated May 1978, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and in the offices of the Superintendent of the park. The park shall also consist of the lands and interests therein within the area bounded by the line depicted as ''Proposed Boundary Extension'' on the maps entitled ''San Antonio Missions National Historical Park'', numbered 472–80,075, 472–80,076, 472–80,077, 472–80,078, 472–80,079, 472–80,080, and 472–80,081 and dated June 7, 1990, which shall be on file and available for public inspection in the same manner as is such drawing. After advising the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, in writing, the Secretary of the Interior (hereinafter referred to as the ''Secretary'') may make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

**(b) Acquisition of lands and interests; cooperative agreements; submittal to Department of Justice**

For the purposes of this section, the Secretary is authorized—

(1) to acquire by donation, purchase with donated or appropriated funds, or exchange, lands and interests therein constituting the following generally described areas in the historic missions district of the city of San Antonio, Texas—

(A) Mission San Jose y San Miguel de Aguayo;

(B) Mission Nuestra Senora de la Purisima Concepcion de Acuna;

(C) Mission San Francisco de la Espada;

(D) Espada Acequia, the section of approximately five miles along the west side of and parallel to the San Antonio River;

(E) Espada Dam and Aqueduct;

(F) Mission San Juan Capistrano;

(G) San Juan Acequia, on the east side of the San Antonio River; and

(H) such lands and interests therein which the Secretary determines are necessary or desirable to provide for public access to, and interpretation and protection of, the foregoing; and

(2) to enter cooperative agreements with the owners of any historic properties, including

properties referred to in paragraph (1), in furtherance of the purposes of this section.

Each agreement under paragraph (2) shall provide among other things that the owner will hold and preserve the historic property in perpetuity and will not undertake or permit the alteration or removal of historic features or the erection of markers, structures, or buildings without the prior concurrence of the Secretary, and that the public shall have reasonable access to those portions of the property to which access is necessary in the judgment of the Secretary for the proper appreciation and interpretation of its historical and architectural value. Pursuant to such cooperative agreements and notwithstanding any other provision of law to the contrary the Secretary may, directly or by contract, construct, reconstruct, rehabilitate, or develop such buildings, structures, and related facilities including roads, trails, and other interpretive facilities on real property not in Federal ownership and may maintain and operate programs in connection therewith as he deems appropriate. Any lands or interest therein owned by the Catholic Archdiocese of San Antonio, the State of Texas, or any political subdivision of such State, including the San Antonio River Authority, may be acquired by donation only: *Provided*, That the Secretary shall submit all proposed cooperative agreements to the Department of Justice for a determination that the proposed agreements do not violate the constitutional provisions regarding the separation of church and state.

**(c) Retention of rights by owners; compensation for property; termination of rights; "improved property" defined**

(1) With the exception of any property deemed necessary by the Secretary for visitor facilities or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for noncommercial residential purposes, for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or his spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(2) A right of use and occupancy retained or enjoyed pursuant to this subsection may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof had ceased to be used for noncommercial residential purposes and upon tender to the holder of a right an amount equal to the fair market value, as of the date of tender, of that portion of the right which remains unexpired on the date of termination.

(3) The term ''improved property'', as used in this subsection, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1978 (hereinafter referred to as a ''dwelling''), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment or[1] the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

**(d) Protection and preservation of historical and architectural values; administration**

The Secretary is authorized and directed to take prompt and appropriate action in accordance with the provisions of this section and any cooperative agreement hereunder to assure the protection and preservation of the historical and architectural values of the missions and the areas and features historically associated therewith within the boundaries of the park. The park shall be administered by the Secretary in accordance with this section and provisions of law generally applicable to units of the National Park System, including sections 1, 2, 3, and 4 of this title and sections 461 to 467 of this title.

**(e) San Antonio Missions Advisory Commission; membership; Chairman; vacancies; compensation and expenses; meeting and consultation between Secretary and Advisory Commission; termination**

(1) There is hereby authorized to be established by the Secretary, a San Antonio Missions Advisory Commission. The Commission shall be composed of eleven members, each appointed for a term of two years by the Secretary, as follows:

(A) one member to be appointed from recommendations made by the Governor of the State of Texas;

(B) one member to be appointed from recommendations made by the County Commissioners of Bexar County, Texas;

(C) one member to be appointed from recommendations made by the City Council of the City of San Antonio, Texas;

(D) one member to be appointed to represent non-Federal property owners whose property is operated and maintained in accordance with cooperative agreements with the Secretary pursuant to subsection (b)(2) of this section;

(E) one member from the membership of a local conservation or historical organization; and

(F) six members representing the general public.

The Secretary shall designate one member to be Chairman of the Commission and may fill any vacancy in the same manner in which the original appointment was made.

(2) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred by the Commission and may reimburse members for reasonable expenses incurred in carrying out their responsibilities under this section on vouchers signed by the Chairman.

(3) All appointments to the Commission shall be made by the Secretary within six months after November 10, 1978, and the Secretary, or his designee, shall from time to time, but at least semiannually, meet and consult with the

[1] So in original. Probably should be ''of''.

Advisory Commission in matters relating to the park and with respect to carrying out the provisions of this section.

(4) Unless extended by Act of Congress, this Commission shall terminate ten years after the date of its first meeting with the Secretary or his designee.

**(f) Authorization of appropriations**

(1) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not more than $10,000,000 for the acquisition of lands and interests in lands.

(2) For the development of essential public facilities there are authorized to be appropriated not more than $15,000,000.

(Pub. L. 95–629, title II, § 201, Nov. 10, 1978, 92 Stat. 3636; Pub. L. 96–344, § 13, Sept. 8, 1980, 94 Stat. 1136; Pub. L. 101–628, title V, § 501, Nov. 28, 1990, 104 Stat. 4492; Pub. L. 103–437, § 6(j), Nov. 2, 1994, 108 Stat. 4585.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103–437, § 6(j)(1), substituted ''Natural Resources'' for ''Interior and Insular Affairs'' after ''Committee on''.

Subsec. (f)(2). Pub. L. 103–437, § 6(j)(2), struck out at end ''Within one year from November 10, 1978, the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a final master plan for the development of the park consistent with the objectives of this section, indicating (A) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public; (B) the location and estimated cost of all facilities; and (C) the projected need for any additional facilities within the park.''

1990—Subsec. (a). Pub. L. 101–628, § 501(a), inserted after first sentence ''The park shall also consist of the lands and interests therein within the area bounded by the line depicted as 'Proposed Boundary Extension' on the maps entitled 'San Antonio Missions National Historical Park', numbered 472–80,075, 472–80,076, 472–80,077, 472–80,078, 472–80,079, 472–80,080, and 472–80,081 and dated June 7, 1990, which shall be on file and available for public inspection in the same manner as is such drawing.''

Subsec. (f)(2). Pub. L. 101–628, § 501(b), substituted ''$15,000,000'' for ''$500,000''.

1980—Subsec. (e)(1). Pub. L. 96–344 substituted ''eleven'' for ''seven'' in provision preceding subpar. (A) and ''six'' for ''two'' in subpar. (F).

## SUBCHAPTER LIX–D—CHANNEL ISLANDS NATIONAL PARK

### § 410ff. Establishment

In order to protect the nationally significant natural, scenic, wildlife, marine, ecological, archaeological, cultural, and scientific values of the Channel Islands in the State of California, including, but not limited to, the following:

(1) the brown pelican nesting area;

(2) the undisturbed tide pools providing species diversity unique to the eastern Pacific coast;

(3) the pinnipeds which breed and pup almost exclusively on the Channel islands, including the only breeding colony for northern fur seals south of Alaska;

(4) the Eolian landforms and caliche;

(5) the presumed burial place of Juan Rodriquez Cabrillo; and

(6) the archaeological evidence of substantial populations of Native Americans;

there is hereby established the Channel Islands National Park, the boundaries of which shall include San Miguel and Prince Islands, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara Islands, including the rocks, islets, submerged lands, and waters within one nautical mile of each island, as depicted on the map entitled, ''Proposed Channel Islands National Park'' numbered 159–20,008 and dated April 1979, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Channel Islands National Monument is hereby abolished as such, and the lands, waters, and interests therein withdrawn or reserved for the monument are hereby incorporated within and made a part of the new Channel Islands National Park.

(Pub. L. 96–199, title II, § 201, Mar. 5, 1980, 94 Stat. 74.)

ROBERT J. LAGOMARSINO VISITOR CENTER

Pub. L. 104–333, div. I, title VIII, § 809, Nov. 12, 1996, 110 Stat. 4189, as amended by Pub. L. 106–176, title I, § 119, Mar. 10, 2000, 114 Stat. 28, provided that:

''(a) DESIGNATION.—The visitor center at the Channel Islands National Park, California, is designated as the 'Robert J. Lagomarsino Visitor Center'.

''(b) LEGAL REFERENCES.—Any reference in any law, regulation, document, record, map, or other document of the United States to the visitor center referred to in subsection (a) is deemed to be a reference to the 'Robert J. Lagomarsino Visitor Center'.''

Similar provisions were contained in Pub. L. 104–208, div. A, title I, § 101(d) [title I, § 125], Sept. 30, 1996, 110 Stat. 3009–181, 3009–204.

### § 410ff–1. Acquisition of property

**(a) Authority of Secretary of the Interior; fair market value; State-owned land; Federal property located within park**

Within the boundaries of the park as established in section 410ff of this title, the Secretary of the Interior (hereinafter referred to as the ''Secretary'') is authorized to acquire lands, waters, or interests therein (including but not limited to scenic easements) by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of any right retained by the owner. Any lands, waters, or interests therein owned by the State of California or any political subdivision thereof shall not be acquired. Notwithstanding any other provision of law, Federal property located within the boundaries of the park shall with the concurrence of the head of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary for the purposes of the park: *Provided*, That the Secretary shall permit the use of federally owned park lands and waters which (i) have been transferred from another Federal agency pursuant to this section or which (ii) were the