

“(a) FINDINGS.—The Congress finds the following:

“(1) Tumacacori Mission in southern Arizona was declared a National Monument in 1908 in recognition of its great historical significance as ‘one of the oldest mission ruins in the southwest’.

“(2) In establishing Tumacacori National Historical Park in 1990 to include the Tumacacori Mission and the ruins of the mission of Los Santos Angeles de Guevavi and the Kino visita and rancharia of Calabazas, Congress recognized the importance of these sites ‘to protect and interpret, for the education and benefit of the public, sites in the State of Arizona associated with the early Spanish missionaries and explorers of the 17th and 18th centuries’.

“(3) Tumacacori National Historical Park plays a major role in interpreting the Spanish colonial heritage of the United States.

“(b) PURPOSES.—The purposes of this Act [see Short Title of 2002 Amendment note above] are—

“(1) to protect and interpret the resources associated with the Tumacacori Mission by revising the boundary of Tumacacori National Historical Park to include approximately 310 acres of land adjacent to the park; and

“(2) to enhance the visitor experience at Tumacacori by developing access to these associated mission resources.”

§ 410ss-1. Administration

(a) In general

The Secretary of the Interior (hereinafter referred to as the “Secretary”) shall administer the park in accordance with this subchapter and with the 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. The Secretary may acquire lands or interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange.

(b) Donations

Notwithstanding any other provision of law, the Secretary may accept and retain donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of providing services and facilities which he deems consistent with the purposes of this subchapter.

(c) Separate units

The Secretary shall provide for the identification of the Guevavi, Calabazas, and Tumacacori sites as 3 separate units of the park.

(d) Recognition of Father Eusebio Francisco Kino’s role

In administering the park, the Secretary shall utilize such interpretative materials and other devices as may be necessary to give appropriate recognition to the role of the Jesuit Missionary Priest, Father Eusebio Francisco Kino, in the development of the mission sites and the settlement of the region.

(Pub. L. 101-344, §2, Aug. 6, 1990, 104 Stat. 393.)

SUBCHAPTER LIX-R—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

§ 410tt. Findings

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 B.C., and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

(Pub. L. 102-247, title I, §102, Feb. 24, 1992, 106 Stat. 33.)

SHORT TITLE

Section 1 of Pub. L. 102-247 provided that: “This Act [enacting this subchapter, sections 5204 to 5204c of Title 42, The Public Health and Welfare, and sections 1469e and 1973 of Title 48, Territories and Insular Possessions, amending section 5122 of Title 42 and section 1903 of Title 48, enacting provisions set out as a note under this section, and amending provisions set out as a note under section 301 of Title 7, Agriculture] may be cited as the ‘Omnibus Insular Areas Act of 1992’.”

Section 101 of title I of Pub. L. 102-247 provided that: “This title [enacting this subchapter] may be cited as the ‘Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992’.”

§ 410tt-1. Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands

(a) Establishment

In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this subchapter referred to as the “park”).

(b) Area included

The park shall consist of approximately 1015 acres of lands, waters, and interests in lands as

generally depicted on the map entitled “Salt River Bay National Historical Park and Ecological Preserve, St. Croix, U.S.V.I.”, numbered 141/80002, and dated May 2, 2002. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

(Pub. L. 102-247, title I, §103, Feb. 24, 1992, 106 Stat. 34; Pub. L. 107-329, title III, §301, Dec. 6, 2002, 116 Stat. 2819.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this Act” and was translated as reading “this title”, meaning title I of Pub. L. 102-247, known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992, to reflect the probable intent of Congress.

AMENDMENTS

2002—Subsec. (b). Pub. L. 107-329 amended first sentence generally. Prior to amendment, first sentence read as follows: “The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled ‘Salt River Study Area—Alternative ‘C’ in the ‘Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands’, prepared by the National Park Service and dated June 1990.”

§ 410tt-2. Acquisition of land

(a) General authority

The Secretary of the Interior (hereafter in this subchapter referred to as the “Secretary”) may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) Limitations on authority

Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

(Pub. L. 102-247, title I, §104, Feb. 24, 1992, 106 Stat. 34.)

§ 410tt-3. Administration

(a) In general

The park shall be administered in accordance with this subchapter and with the provisions of law generally applicable to units of the national park system, including, but not limited to, sections 1, 2, 3, and 4 of this title and sections 461 to 467 of this title. In the case of any conflict be-

tween the provisions of this subchapter and such generally applicable provisions of law, the provisions of this subchapter shall govern.

(b) Cooperative agreements

The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this subchapter referred to as the “Commission”) established by section 410tt-4 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) General management plan

(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to 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 a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this subchapter.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological¹ Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e)² of this section.

(d) Training assistance

During the 10-year period beginning on February 24, 1992, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: *Pro-*

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

² So in original. Probably should be subsection “(d)”.

vided, however, That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

(Pub. L. 102-247, title I, §105, Feb. 24, 1992, 106 Stat. 34; Pub. L. 103-437, §6(d)(13), Nov. 2, 1994, 108 Stat. 4584.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a) after “the provisions of” in two places and in subsec. (b), was in the original “this Act” and was translated as reading “this title”, meaning title I of Pub. L. 102-247, known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992, to reflect the probable intent of Congress.

The Archaeological Resources Protection Act of 1979, referred to in subsec. (c)(2)(C), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, as amended, which is classified generally to chapter 1B (§470aa et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of this title and Tables.

The National Historic Preservation Act, referred to in subsec. (c)(2)(C), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. For complete classification of this Act to the Code, see section 470(a) of this title and Tables.

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

§ 410tt-4. Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission

(a) Establishment

There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) Duties

The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the United States Virgin Islands and the United States in accordance with this subchapter;

(2) consult with the Secretary on the development of the general management plan required by section 410tt-3 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) Membership

The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of

the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after February 24, 1992, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) Terms

The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) Chair

The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) Meetings

The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) Expenses

Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) Federal Advisory Committee Act

Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this subchapter, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) Termination

The Commission shall terminate 10 years after February 24, 1992, unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this subchapter.

(Pub. L. 102-247, title I, §106, Feb. 24, 1992, 106 Stat. 35.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 410tt-5. Authorization of appropriations

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

(Pub. L. 102-247, title I, §107, Feb. 24, 1992, 106 Stat. 37.)

SUBCHAPTER LIX-S—HOPEWELL CULTURE NATIONAL HISTORICAL PARK

§ 410uu. Renaming

The Mound City Group National Monument established by proclamation of the President (Proclamation No. 1653, 42 Stat. 2298) and expanded by section 701 of Public Law 96-607 (94 Stat. 3540), shall, on and after May 27, 1992, be known as the “Hopewell Culture National Historical Park”. Any reference to the Mound City Group National Monument in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Hopewell Culture National Historical Park.

(Pub. L. 102-294, §1, May 27, 1992, 106 Stat. 185.)

REFERENCES IN TEXT

Proclamation No. 1653, 42 Stat. 2298 and section 701 of Public Law 96-607, referred to in text, appear in a table under the heading “National Monuments Established Under Presidential Proclamation”, set out as a note under section 431 of this title.

§ 410uu-1. Expansion of boundaries**(a) In general**

The boundaries of the Hopewell Culture National Historical Park (referred to as the “park”) are revised to include the lands within the areas marked for inclusion in the monument as generally depicted on—

- (1) the map entitled “Hopeton Earthworks” numbered 353-80025 and dated July 1987;
- (2) the map entitled “High Banks Works” numbered 353-80027 and dated July 1987;
- (3) the map entitled “Hopewell Mound Group” numbered 353-80029 and dated July 1987;
- (4) the map entitled “Seip Earthworks” numbered 353-80033 and dated July 1987; and
- (5) the map entitled “Hopewell Culture National Historical Park, Ohio Proposed Boundary Adjustment” numbered 353/80,049 and dated June, 2006.

(b) Public inspection of maps

Each map described in subsection (a) of this section shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior.

(c) Adjustment of boundaries

The Secretary of the Interior (referred to as the “Secretary”) may, by notice in the Federal Register after receipt of public comment, make

minor adjustments in the boundaries of areas added to the park by subsection (a) of this section and other areas of the park: *Provided*, That any such minor boundary adjustments cumulatively shall not cause the total acreage of the park to increase more than 10 per centum above the existing acreage of Mound City Group National Monument, plus the acreage of the inclusions authorized under subsection (a) of this section.

(d) Acquisition of lands

(1) Subject to paragraph (2), the Secretary may acquire lands and interests in land within the areas added to the park by subsection (a) of this section by donation, purchase with donated or appropriated funds, or exchange.

(2)(A) Lands and interests in land owned by the State of Ohio or a political subdivision thereof may be acquired only by donation or exchange.

(B) Lands and interests in land may be acquired by purchase at a price based on the fair market value thereof as determined by independent appraisal, consistent with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(3) The Secretary may acquire lands added by subsection (a)(5) only from willing sellers.

(Pub. L. 102-294, §2, May 27, 1992, 106 Stat. 185; Pub. L. 111-11, title VII, §7104, Mar. 30, 2009, 123 Stat. 1191.)

REFERENCES IN TEXT

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, referred to in subsec. (d)(2)(B), is Pub. L. 91-646, Jan. 2, 1971, 84 Stat. 1894, which is classified principally to chapter 61 (§4601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4601 of Title 42 and Tables.

AMENDMENTS

2009—Subsec. (a)(5). Pub. L. 111-11, §7104(1)-(3), added par. (5).

Subsec. (d)(3). Pub. L. 111-11, §7104(4), added par. (3).

§ 410uu-2. Cooperative agreements

The Secretary may enter into a cooperative agreement with the Ohio Historical Society, the Archeological¹ Conservancy, and other public and private entities for consultation and assistance in the interpretation and management of the park.

(Pub. L. 102-294, §3, May 27, 1992, 106 Stat. 186.)

§ 410uu-3. Studies**(a) Areas added by this subchapter**

The Secretary shall conduct archeological studies of the areas added to the park by section 410uu-1(a) of this title and adjacent areas to ensure that the boundaries of those areas encompass the lands that are needed to provide adequate protection of the significant archeological resources of those areas.

(b) Other areas

The Secretary shall conduct archeological studies of the areas described as the “Spruce

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