

tion for the National Park Service to provide interpretive services related to the Memorial and such other assistance as may be agreed upon between the Secretary and the Foundation. The costs of the services and other agreed assistance shall be paid by the Secretary.

(e) General Services Administration authority

The Administrator of General Services shall provide, on a non-reimbursable basis, services necessary for the facilitation of the transfer of the Memorial to the Foundation.

(f) Limitation

Nothing in sections 450ss to 450ss-7 of this title shall prohibit the use of State and local law enforcement for the purposes of security related to the Memorial.

(Pub. L. 105-58, § 5, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, § 544(d), Jan. 23, 2004, 118 Stat. 347.)

AMENDMENTS

2004—Pub. L. 108-199 amended section generally. Prior to amendment, section provided for establishment of the Oklahoma City National Memorial Trust, its Board of Directors, staff, powers, and tax exempt status.

AUTHORIZATION OF SECRETARY TO REIMBURSE
PREVIOUS COSTS PAID BY FOUNDATION OR TRUST

Pub. L. 108-199, div. F, title V, § 544(g), Jan. 23, 2004, 118 Stat. 348, provided that: “To the extent that funds are made available for the Trust, the Secretary of the Interior shall reimburse the Oklahoma City National Memorial Foundation for funds obligated or expended by the Oklahoma City National Memorial Foundation or the Oklahoma City National Memorial Trust to the Secretary of the Interior for interpretive services, security, and other costs and services related to the Oklahoma City National Memorial before the date of the enactment of this Act [Jan. 23, 2004]. The Oklahoma City National Memorial Foundation may use such reimbursed funds for the operation, maintenance, and permanent endowment of the Oklahoma City National Memorial.”

§ 450ss-4. Repealed. Pub. L. 108-199, div. F, title V, § 544(e)(1), Jan. 23, 2004, 118 Stat. 348

Section, Pub. L. 105-58, § 6, Oct. 9, 1997, 111 Stat. 1264, provided for duties and authorities of Oklahoma City National Memorial Trust.

EFFECTIVE DATE OF REPEAL

Pub. L. 108-199, div. F, title V, § 544(e)(2), Jan. 23, 2004, 118 Stat. 348, provided that: “The repeal under this subsection [repealing this section] shall take effect upon the transfer of the Memorial property, rights, authorities, and duties pursuant to the amendments made by subsection (d) [amending section 450ss-3 of this title].”

§ 450ss-5. Limitations on funding

Authorization of Appropriations:¹

(1) In general

In furtherance of the purposes of sections 450ss to 450ss-7 of this title, there is hereby authorized the sum of \$5,000,000 for an endowment fund subject to paragraph (2), to remain available until expended.

(2) Matching requirement

Amounts appropriated in any fiscal year to carry out the provisions of sections 450ss to

450ss-7 may only be expended on a matching basis in a ratio of at least one non-Federal dollar to every Federal dollar. For the purposes of this provision, each non-Federal dollar donated to the Foundation for the creation, maintenance, operation, or endowment of the Memorial shall satisfy the matching dollar requirement without regard to the fiscal year in which such donation is made.

(Pub. L. 105-58, § 7, Oct. 9, 1997, 111 Stat. 1266; Pub. L. 108-199, div. F, title V, § 544(f), Jan. 23, 2004, 118 Stat. 348.)

AMENDMENTS

2004—Par. (1). Pub. L. 108-199, § 544(f)(1), inserted “for an endowment fund subject to paragraph (2)” after “the sum of \$5,000,000”.

Par. (2). Pub. L. 108-199, § 544(f)(2), struck out “Trust or to the Oklahoma City Memorial” after “each non-Federal dollar donated to the” and substituted “operation, or endowment” for “or operation”.

§§ 450ss-6, 450ss-7. Repealed. Pub. L. 108-199, div. F, title V, § 544(h), (i), Jan. 23, 2004, 118 Stat. 349

Section 450ss-6, Pub. L. 105-58, § 8, Oct. 9, 1997, 111 Stat. 1266, provided for disposal of site of Alfred P. Murrah Federal Building to the Trust.

Section 450ss-7, Pub. L. 105-58, § 9, Oct. 9, 1997, 111 Stat. 1266, provided for General Accounting Office study.

SUBCHAPTER LXII—MISCELLANEOUS

§ 451. Repealed. Pub. L. 104-333, div. I, title VIII, § 801, Nov. 12, 1996, 110 Stat. 4186

Section, acts Aug. 24, 1912, ch. 355, § 1, 37 Stat. 460; July 1, 1918, ch. 113, § 1, 40 Stat. 677; Feb. 13, 1940, ch. 30, 54 Stat. 36, related to limit on cost of buildings erected in national parks.

§ 451a. Limitation on further extension or establishment of national parks in Wyoming

No further extension or establishment of national parks in Wyoming may be undertaken except by express authorization of Congress.

(Sept. 14, 1950, ch. 950, § 1, 64 Stat. 849.)

CODIFICATION

Section comprises only part of the last sentence of section 1 of act Sept. 14, 1950. The remainder of section, except that part of the last sentence which repealed sections 406 to 406d of this title, is set out as sections 406d-1 and 431a of this title.

REPEAL OF INCONSISTENT LAWS

Repeal of laws inconsistent with act Sept. 14, 1950, see note set out under section 406d-1 of this title.

§ 452. Revenues of national parks covered into Treasury; estimates for care of parks

All revenues of the national parks shall be covered into the Treasury to the credit of miscellaneous receipts, except in case of Hot Springs National Park such as may be necessary to pay obligations outstanding on June 30, 1922.

(June 12, 1917, ch. 27, § 1, 40 Stat. 153; May 24, 1922, ch. 199, 42 Stat. 590; Sept. 12, 1950, ch. 946, title III, § 301(95), 64 Stat. 844.)

CODIFICATION

The words referring to Hot Springs National Park are taken from a part of the Interior Appropriation Act,

¹ So in original. “Appropriations” probably should not be capitalized.

1923, May 24, 1922. In the original the provisions read as follows: "From and after July 1, 1922, all revenues of the Hot Springs National Park shall be covered into the Treasury to the credit of miscellaneous receipts, except as may be necessary to pay obligations outstanding on June 30, 1922."

AMENDMENTS

1950—Act Sept. 12, 1950, repealed requirement that Secretary of the Interior submit, annually, estimates of the amounts required for care, maintenance, and development of national parks.

REPEALS

Act Sept. 12, 1950, ch. 946, title III, §301(95), 64 Stat. 844, cited as a credit to this section, was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1077.

§ 452a. Acquisition of non-Federal land within existing boundaries of any National Park; donations; authorization of appropriations

In order to consolidate Federal land ownership within the existing boundaries of any National Park and to encourage the donation of funds for that purpose, the Secretary of the Interior is authorized to accept and to use in his discretion funds which may be donated subject to the condition that such donated funds are to be expended for purposes of this section by the Secretary only if Federal funds in an amount equal to the amount of such donated funds are appropriated for the purposes of this section. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for such purposes: *Provided*, That the amount which may be appropriated annually for purposes of this section shall be limited to \$500,000.

(Aug. 31, 1954, ch. 1163, 68 Stat. 1037.)

CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA

Authority of the Secretary under this section extended to authorize acquisition of non-Federal land within boundaries of Cape Hatteras National Seashore Recreational Area, see sections 459a-6 to 459a-8 of this title.

§ 453. Donations of land for park purposes near or adjacent to National Forest Reserve in North Carolina

The Secretary of the Interior is authorized to accept for park purposes any lands and rights-of-way, including the Grandfather Mountain, near or adjacent to the Government national forest in western North Carolina.

(June 12, 1917, ch. 27, §1, 40 Stat. 152.)

CODIFICATION

"Government national forest" substituted in text for "Government forest reserve" on authority of act Mar. 4, 1907, ch. 2907, 34 Stat. 1269, which provided that forest reserves shall hereafter be known as national forests.

§ 454. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 642, 650

Section, acts Aug. 24, 1912, ch. 355, §8, 37 Stat. 487; June 6, 1939, ch. 185, 53 Stat. 810, authorized the superintendent, the acting superintendent, custodian, and principal clerks of the various national parks and other Government reservations to administer oaths to expense accounts.

§ 455. Study of battlefields for commemorative purposes

The Secretary of the Army is authorized to have made studies and investigations and, where necessary, surveys of all battlefields within the continental limits of the United States whereon troops of the United States or of the original thirteen colonies have been engaged against a common enemy, with a view to preparing a general plan and such detailed projects as may be required for properly commemorating such battlefields or other adjacent points of historic and military interest.

(June 11, 1926, ch. 555, §1, 44 Stat. 726; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

§ 455a. Report to Congress

Annually after December 1, 1926, the Secretary of the Army shall submit through the President to Congress a detailed report of progress made under sections 455 to 455c of this title, together with his recommendations for further operations.

(June 11, 1926, ch. 555, §2, 44 Stat. 727; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

TRANSFER OF FUNCTIONS

Administrative functions of certain national military parks and national monuments transferred to Department of the Interior by Ex. Ord. No. 6166, §2, June 10, 1933, and Ex. Ord. No. 6228, §1, July 28, 1933, set out under section 901 of Title 5, Government Organization and Employees.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, §2, June 10, 1933, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

§ 455b. Inclusion of estimate of cost of projected surveys in appropriation estimates

The Secretary of the Army shall include annually in his Department of the Army appropriation estimates a list of the battlefields for which surveys or other field investigations are planned for the fiscal year in question, together with the estimated cost of making each survey or other field investigation.

(June 11, 1926, ch. 555, §3, 44 Stat. 727; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

TRANSFER OF FUNCTIONS

Administrative functions of certain national military parks and national monuments transferred to Department of the Interior by Ex. Ord. No. 6166, §2, June 10, 1933, and Ex. Ord. No. 6228, §1, July 28, 1933, set out under section 901 of Title 5, Government Organization and Employees.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, §2, June 10, 1933, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

§ 455c. Purchase of real estate for military park

No real estate shall be purchased for military park purposes by the Government unless report thereon shall have been made by the Secretary of the Army through the President to Congress under the provisions of section 455a of this title.

(June 11, 1926, ch. 555, §4, 44 Stat. 727; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

TRANSFER OF FUNCTIONS

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SECRETARY OF THE AIR FORCE

For transfer of certain functions relating to real property under jurisdiction of Department of the Air Force from Secretary of the Army to Secretary of the Air Force, see Secretary of Defense Transfer Order No. 14 [§2(4)], eff. July 1, 1948.

§ 456. Expense of depositing money payable from appropriations

Appropriations made for the administration, protection and maintenance of the national parks and national monuments under the jurisdiction of the Secretary of the Interior shall be available for expense of depositing public money.

(May 10, 1926, ch. 277, §1, 44 Stat. 491.)

§ 456a. Collections and pay-roll deductions for meals and quarters

Cash collections and pay-roll deductions made for meals and quarters furnished by the National Park Service to employees of the Government in the field and to cooperating agencies may be credited as a reimbursement to the current appropriation for the administration of the park or monument in which the accommodations are furnished.

(May 9, 1935, ch. 101, §1, 49 Stat. 209.)

CODIFICATION

Section is also set out as section 14b of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 457. Action for death or personal injury within national park or other place under jurisdiction of United States; application of State laws

In the case of the death of any person by the neglect or wrongful act of another within a national park or other place subject to the exclusive jurisdiction of the United States, within the exterior boundaries of any State, such right of action shall exist as though the place were under the jurisdiction of the State within whose exterior boundaries such place may be; and in any action brought to recover on account of injuries sustained in any such place the rights of the parties shall be governed by the laws of the State within the exterior boundaries of which it may be.

(Feb. 1, 1928, ch. 15, 45 Stat. 54.)

§ 458. Travel expenses incident to study of battlefields; payment

Mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection with the studies, surveys, and field investigations of battlefields shall be paid from the appropriations made from time to time to meet the expenses for these purposes.

(Mar. 8, 1928, ch. 152, 45 Stat. 249.)

§ 458a. Mats for reproduction in magazines and newspapers of photographs of scenery

The Secretary of the Interior is authorized and directed to have prepared mats which may be used for the reproduction in magazines and newspapers of photographs of such of the scenery in the national parks as, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. Any such mats may be furnished, without charge and under such regulations as the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications which may carry photographic reproductions.

(Aug. 27, 1940, ch. 690, §1, 54 Stat. 861.)

SUBCHAPTER LXIII—NATIONAL SEASHORE
RECREATIONAL AREAS

§ 459. Cape Hatteras National Seashore Recreational Area; conditional establishment; acquisition of lands

When title to all the lands, except those within the limits of established villages, within boundaries to be designated by the Secretary of the Interior within the area of approximately one hundred square miles on the islands of Chicamacomico, Ocracoke, Bodie, Roanoke, and Collington, and the waters and the lands beneath the waters adjacent thereto shall have been vested in the United States, said area shall be, and is, established, dedicated, and set apart as a national seashore recreational area for the benefit and enjoyment of the people and shall be known as the Cape Hatteras National Seashore Recreational Area: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

(Aug. 17, 1937, ch. 687, § 1, 50 Stat. 669; June 29, 1940, ch. 459, § 1, 54 Stat. 702.)

CHANGE OF NAME

Words "national seashore recreational area" substituted in text for "national seashore" pursuant to act June 29, 1940.

§ 459a. Acceptance of donations; acquisition of property by purchase and condemnation

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national seashore recreational area as determined and fixed hereunder and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national seashore recreational area as may be necessary for the completion thereof.

(Aug. 17, 1937, ch. 687, § 2, 50 Stat. 669; June 29, 1940, ch. 459, § 1, 54 Stat. 702.)

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888" on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

CHANGE OF NAME

Words "national seashore recreational area" substituted in text for "national seashore" pursuant to act June 29, 1940.

§ 459a-1. Administration, protection, and development; commercial fishing by residents; hunting

The administration, protection, and development of the aforesaid national seashore rec-

reational area shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended: *Provided*, That except as hereinafter provided nothing herein shall be construed to divest the jurisdiction of other agencies of the Government exercised on August 17, 1937, over Federal-owned lands within the area of the said Cape Hatteras National Seashore Recreational Area: *Provided further*, That the provisions of the Federal Power Act [16 U.S.C. 791a et seq.], shall not apply to this national seashore recreational area: *And provided further*, That the legal residents of villages referred to in section 459 of this title shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior, subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in sections 459 to 459a-3 of this title: *And provided further*, That hunting shall be permitted, under such rules and regulations as may be prescribed by the Secretary of the Interior in conformity with the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755) [16 U.S.C. 703 et seq.], as follows: (a) Upon the waters of the sounds included within the national seashore recreational area, (b) in the area north of the Currituck County line, (c) on Ocracoke Island, and (d) within not more than two thousand acres of land in the remaining portion of said national seashore recreational area, as shall be designated by the Secretary of the Interior; except on lands and waters included in any existing or future wildlife or migratory bird refuge and adjacent closed waters.

(Aug. 17, 1937, ch. 687, § 3, 50 Stat. 670; June 29, 1940, ch. 459, §§ 1, 2, 54 Stat. 702.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, known as the Federal Water Power Act," and was redesignated as the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§ 791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

The Migratory Bird Treaty Act of July 3, 1918, referred to in text, is act July 3, 1918, ch. 128, 40 Stat. 755, as amended, which is classified generally to subchapter II (§ 703 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 710 of this title and Tables.

CHANGE OF NAME

Words "national seashore recreational area" substituted in text for "national seashore" pursuant to act June 29, 1940.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.