

National Park, which are excluded therefrom and are included within the boundaries of the Snoqualmie National Forest pursuant to this Act are, subject to valid existing rights, hereby transferred to the administrative jurisdiction of the Secretary of Agriculture for administration as part of the Forest, and shall be subject to all the laws and regulations applicable to the National Forest System.

(2) For the purposes of section 4607-9 of this title, the boundaries of the Snoqualmie National Forest and the Gifford Pinchot National Forest, as modified pursuant to this Act, shall be treated as if they were the boundaries of those national forests on January 1, 1965.

(3) Effective upon acceptance thereof by the State of Washington, the jurisdiction which the United States acquired over those lands excluded from the boundaries of the Mount Rainier National Park by this Act is hereby retroceded to the State.

(Pub. L. 100-668, title III, §302, Nov. 16, 1988, 102 Stat. 3965.)

#### REFERENCES IN TEXT

Act of March 2, 1899 (30 Stat. 993), as amended, referred to in subsec. (a), is act Mar. 2, 1899, ch. 377, 30 Stat. 993, which enacted sections 91, 92, and 93 of this title. For complete classification of this Act to the Code, see Tables.

This Act, referred to in subsections. (c) and (d), is Pub. L. 100-668, Nov. 16, 1988, 102 Stat. 3961, which enacted section 110c of this title, amended sections 90b, 90c-1, 90d-4, 251n, 256b, 256c, and 1274 of this title, and enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title and provisions set out as a note under sections 90 and 251n of this title. For complete classification of this Act to the Code, see Short Title of 1988 Amendment note set out under section 90 of this title and Tables.

### § 110d. Mount Rainier National Park Boundary Adjustment

#### (a) Boundary adjustment

The boundary of Mount Rainier National Park is modified to include the area within the boundary generally depicted on the map entitled "Mount Rainier National Park, Carbon River Boundary Adjustment", numbered 105/92.002B, and dated June 2003. The Secretary of the Interior shall keep the map on file in the appropriate offices of the National Park Service.

#### (b) Land acquisition

The Secretary of the Interior may acquire, only with the consent of the owner, by donation, purchase with donated or appropriated funds, or exchange—

(1) land or interests in land, totaling not more than 800 acres, and improvements thereon within the boundary generally depicted on the map referred to in subsection (a) of this section for development of camping and other recreational facilities; and

(2) land or interests in land, totaling not more than one acre, and improvements thereon in the vicinity of Wilkeson, Washington, for a facility to serve visitors to public lands along the Carbon and Mowich Corridors.

#### (c) Administration of acquired lands

Lands acquired under this section shall be administered by the Secretary of the Interior as

part of Mount Rainier National Park in accordance with applicable laws and regulations.

(Pub. L. 108-312, §3, Oct. 5, 2004, 118 Stat. 1194.)

#### SHORT TITLE

For short title of Pub. L. 108-312, which enacted this section, as the Mount Rainier National Park Boundary Adjustment Act of 2004, see section 1 of Pub. L. 108-312, set out as a note under section 91 of this title.

#### FINDINGS

Pub. L. 108-312, §2, Oct. 5, 2004, 118 Stat. 1194, provided that: "The Congress finds the following:

"(1) The Carbon River watershed within Pierce County in the State of Washington has unique qualities of ecological, economic, and educational importance, including clean water, productive salmon streams, important wildlife habitat, active geologic processes, outdoor recreational opportunities, scenic beauty, educational opportunities, and diverse economic opportunities.

"(2) Mount Rainier National Park is one of the premier attractions in the State of Washington, providing recreational, educational, and economic opportunities that will be enhanced by the construction of new campgrounds and visitor contact facilities in the Carbon River valley outside old-growth forest habitats and above the flood plain.

"(3) Coordination of management across national forest and national park lands in this corridor will enhance the conservation of the forest ecosystem and public enjoyment of these public lands.

"(4) Protection and development of historic and recreational facilities in the Carbon River valley, such as trails and visitor centers, can be facilitated by the National Park Service."

### SUBCHAPTER XII—MESA VERDE NATIONAL PARK

#### § 111. Establishment; boundaries

There is reserved from settlement, entry, sale, or other disposal and set apart as a public reservation, all those certain tracts, pieces and parcels of land lying and being situated in the State of Colorado, within the boundaries described as follows:

Beginning at a point on the north boundary of the Southern Ute Indian Reservation in southwestern Colorado where the north quarter corner of unsurveyed fractional section 2, township 34 north, range 15 west, "south of the Ute boundary", intersects the same; thence south to the south quarter corner of unsurveyed section 26, said township; thence west to the southwest corner of unsurveyed section 25, township 34 north, range 16 west; thence north to the northwest corner of unsurveyed fractional section 1 said township and range; thence west to the southeast corner of fractional section 12, township 34 north, range 16 west, "north of the Ute boundary"; thence north to the northwest corner of section 19, township 35 north, range 15 west; thence east to the southwest corner of the southeast quarter of section 16, said township; thence north to the northwest corner of the southeast quarter of said section; thence east to the southwest corner of the northeast quarter of section 13, said township; thence north to the northwest corner of the northeast quarter of said section; thence east to the southwest corner of section 7, township 35 north, range 14 west; thence north to the northwest corner of said section; thence east to the southwest corner of sec-

tion 5, said township; thence north to the northwest corner of said section; thence east to the northeast corner of said section; thence south to the southeast corner of the northeast quarter of said section; thence east to the northeast corner of the southwest quarter of section 4, said township; thence south to the northwest corner of the southeast quarter of section 16, said township; thence east to the northeast corner of the southeast quarter of said section; thence south to the northwest corner of section 22, said township; thence east to the northeast corner of said section; thence south to the northwest corner of section 26, said township; thence east along the north section line of section 26 to the east bank of the Rio Mancos; thence in a southeasterly direction along the east bank of the Rio Mancos to its intersection with the northern boundary line of the Southern Ute Indian Reservation, thence west along said Indian reservation boundary to its intersection with the range line between ranges 14 and 15 west, the place of beginning.

Said park shall be known as Mesa Verde National Park.

(June 29, 1906, ch. 3607, §§1, 2, 34 Stat. 616, 617; June 30, 1913, ch. 4, §1, 38 Stat. 83.)

#### CODIFICATION

Section is based on sections 1 and 2 of act June 29, 1906, and a portion of section 1 of act June 30, 1913.

The first sentence to the colon is from a part of section 1 of act June 29, 1906.

The second paragraph is from section 1 of act June 30, 1913. It extended the park on the south and described the boundaries as thus changed, thereby superseding the description contained in section 1 of act June 29, 1906. Section 1 of act June 30, 1913, also recited that the lands added to the park by its provisions were lands relinquished by Indians pursuant to an agreement incorporated and ratified therein. The agreement was one dated May 10, 1911, with the Wiminuche Band of Southern Ute Indians.

The last sentence of this section is taken from section 2 of act June 29, 1906, which is also the source of section 112 of this title.

#### MESA VERDE NATIONAL PARK BOUNDARY CHANGE

Pub. L. 110-161, div. F, title I, §133, Dec. 26, 2007, 121 Stat. 2123, provided that:

##### “(a) ACQUISITION OF LAND.—

“(1) IN GENERAL.—The Secretary may acquire the land or an interest in the land described in subsection (b) for addition to the Mesa Verde National Park.

“(2) MEANS.—An acquisition of land under paragraph (1) may be made by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

“(b) DESCRIPTION OF LAND.—The land referred to in subsection (a)(1) is the approximately 360 acres of land adjacent to the Park, as generally depicted on the map, entitled ‘Mesa Verde National Park Proposed Boundary Adjustment’, numbered 307/80,180, and dated March 1, 2007.

“(c) AVAILABILITY OF MAP.—The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

“(d) BOUNDARY MODIFICATION.—The boundary of the Park shall be revised to reflect the acquisition of the land under subsection (a).

“(e) ADMINISTRATION.—The Secretary shall administer any land or interest in land acquired under subsection (a)(1) as part of the Park in accordance with the laws (including regulations) applicable to the Park.”

#### § 111a. Authorization for acquisition of additional lands

For the purpose of protecting the scenery along the Point Lookout Road between the north boundary of the Mesa Verde National Park and this road's juncture with the Cortez-Mancos Road, the President of the United States is authorized, upon the recommendation of the Secretary of the Interior, to add to the said Mesa Verde National Park, Colorado, by executive proclamation, a strip of land two hundred and sixty feet wide along and including said Point Lookout Road, and the triangle formed by the fork in said road and such other public land along or adjacent to said road and right-of-way and lands as may be acquired by gift or by exchanges as hereinafter provided, which lands shall thereupon become and be a part of said park subject to all laws and regulations applicable thereto.

(Feb. 26, 1931, ch. 308, §1, 46 Stat. 1422.)

#### § 111b. Donations or exchanges of lands

For the purpose of carrying out the provisions of this section and section 111a of this title the Secretary of the Interior is authorized to accept donations of land or right-of-way, or to acquire title to any land along or adjacent to the said Point Lookout Road as may be deemed desirable by him for the protection of said road, by exchange for any unappropriated public lands within sections 29 and 32, township 36 north, range 14 west, New Mexico principal meridian, of equal value; the value of the lands offered for exchange hereunder and the value of the lands of the United States to be selected therefor shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of lands offered to the United States pursuant hereto shall, before the exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the lands offered in exchange.

(Feb. 26, 1931, ch. 308, §2, 46 Stat. 1423.)

#### § 111c. Revision of boundaries; vested rights; administration

The boundaries of Mesa Verde National Park are hereby revised to include the following described lands, which, subject to valid existing rights, shall be administered as a part of the park in accordance with sections 1, 2, 3, and 4 of this title, as amended and supplemented:

##### NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

##### Township 36 North, Range 14 West

Section 29: All portions of the south half and the southeast quarter northwest quarter lying south and west of the right-of-way of United States Highway 160.

Section 32: Those portions of the section lying south and west of the right-of-way of United States Highway 160, except the north entrance road to the park, the southeast quarter southwest quarter, and the southeast quarter northeast quarter southwest quarter.

Section 33: That portion of the northwest quarter northwest quarter, more particularly

described as follows: Beginning at a point on the west line of section 33 which is 456.5 feet south of the northwest corner of section 33, thence running south along the west line of section 33 for a distance of 373.0 feet, thence running east for a distance of 516.8 feet, thence running north for a distance of 132.7 feet, thence running north 65 degrees 06 minutes west for a distance of 570.0 feet along the southwesterly right-of-way of Highway 160 to the point of beginning.

(Pub. L. 88-235, §1, Dec. 23, 1963, 77 Stat. 473.)

**§ 111d. Acquisition of lands within boundaries of park**

The Secretary of the Interior may acquire by purchase, with donated or appropriated funds, lands and interests in lands within the boundaries of Mesa Verde National Park as revised by section 111c of this title.

(Pub. L. 88-235, §2, Dec. 23, 1963, 77 Stat. 474.)

**§ 111e. Authorization of appropriations**

There are hereby authorized to be appropriated such sums, but not more than \$193,233 as may be necessary to carry out the provisions of sections 111c to 111e of this title.

(Pub. L. 88-235, §3, Dec. 23, 1963, 77 Stat. 474; Pub. L. 94-578, title I, §101(8), Oct. 21, 1976, 90 Stat. 2732.)

AMENDMENTS

1976—Pub. L. 94-578 substituted “\$193,233” for “\$125,000”.

**§ 112. Control; regulations; prehistoric ruins**

Mesa Verde National Park shall be under the exclusive control of the Secretary of the Interior. In addition to the duties and powers enumerated in section 3 of this title not inconsistent with this section, he shall establish such service as he may deem necessary for the care and management of the same. Such regulations shall provide specifically for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man within said park.

(June 29, 1906, ch. 3607, §2, 34 Stat. 617; June 30, 1913, ch. 4, §1, 38 Stat. 84.)

CODIFICATION

As enacted by act June 29, 1906, this section began with a clause naming the park which was stricken out and inserted as the last sentence of section 111 of this title.

A provision for the making of necessary rules and regulations by the Secretary of the Interior has been omitted by reason of the reference to section 3 of this title, derived from act Aug. 25, 1916, ch. 408, §3, 39 Stat. 535, authorizing the Secretary of the Interior to make and publish rules and regulations applicable to National Parks.

**§ 113. Examinations, excavations, and gathering objects of interest**

The Secretary of the Interior is authorized to permit examinations, excavations, and other gathering of objects of interest within said park by any person or persons whom he may deem properly qualified to conduct such examina-

tions, excavations, or gatherings, subject to such rules and regulations as he may prescribe: *Provided always*, That the examinations, excavations, and gatherings shall be undertaken only for the benefit of some reputable museum, university, college, or other recognized scientific or educational institution, with a view to increasing the knowledge of such objects and aiding the general advancement of archaeological science.

(June 29, 1906, ch. 3607, §3, 34 Stat. 617.)

**§ 114. Removal, disturbance, destruction, or molestation of ruins**

Any person or persons who may otherwise in any manner willfully remove, disturb, destroy, or molest any of the ruins, mounds, buildings, graves, relics, or other evidences of an ancient civilization or other property from said park shall be deemed guilty of a misdemeanor, and upon conviction before any court having jurisdiction of such offenses shall be fined not more than \$1,000 or imprisoned not more than twelve months, or such person or persons may be fined and imprisoned, at the discretion of the judge, and shall be required to restore the property disturbed, if possible.

(June 29, 1906, ch. 3607, §4, 34 Stat. 617.)

**§ 115. Leases and permits; prehistoric ruins not included**

The Secretary of the Interior may, upon terms and conditions to be fixed by him, grant leases and permits for the use of the land or development of the resources thereof, in the Mesa Verde National Park, and the funds derived therefrom shall be covered into the Treasury of the United States. Such leases or grants shall not include any of the prehistoric ruins in said park or exclude the public from free or convenient access thereto.

(June 25, 1910, ch. 385, §1, 36 Stat. 796.)

**§ 115a. Mineral resources; exploitation**

After January 26, 1931, no permit, license, lease, or other authorization for the prospecting, development, or utilization of the mineral resources within the Mesa Verde National Park, Colorado, shall be granted or made.

(Jan. 26, 1931, ch. 47, §1, 46 Stat. 1043.)

**§ 116. Repealed. Dec. 16, 1930, ch. 14, §1, 46 Stat. 1028**

Section, act June 12, 1917, ch. 27, §1, 40 Stat. 152, related to donations of lands or rights-of-way. See section 6 of this title.

**§ 117. Exclusive jurisdiction ceded to United States by Colorado; saving provisions; fugitives from justice**

Sole and exclusive jurisdiction is assumed by the United States over the territory embraced and included within the Mesa Verde National Park, saving, however, to the State of Colorado the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes commit-

ted outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said tracts: and saving also to the persons residing in said park now or after April 25, 1928, the right to vote at all elections held within the county or counties in which said tracts are situated. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Colorado.

(Apr. 25, 1928, ch. 434, §1, 45 Stat. 458.)

#### CODIFICATION

A provision accepting the act of the Colorado Legislature which ceded to the United States exclusive jurisdiction over the territory referred to in this section has been omitted as executed.

#### §§ 117a, 117b. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 117a, act Apr. 25, 1928, ch. 434, §2, 45 Stat. 459, related to inclusion of park in a judicial district. See section 85 of Title 28, Judiciary and Judicial Procedure.

Section 117b, act Apr. 25, 1928, ch. 434, §3, 45 Stat. 459, related to applicability of Colorado laws to offenses. See section 13 of Title 18, Crimes and Criminal Procedure.

#### § 117c. Hunting and fishing; general rules and regulations; protection of property; violation of statutes and rules; penalties

All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man, all timber, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the park. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the provisions of this Act or any rule

or regulation that may be promulgated by the Secretary of the Interior with reference to the management and care of the park or for the protection of the property therein, for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man, and timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, natural curiosities, or other matter or thing growing or being thereon or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings: *Provided, however*, That any person or persons who may, without permission from the Secretary of the Interior, in any manner willfully remove, disturb, destroy, or molest any of the ruins, mounds, buildings, graves, relics, or other evidences of an ancient civilization from said park shall upon conviction before any court having jurisdiction of such offenses be fined not more than \$1,000 or imprisoned not more than twelve months, or such person or persons may be fined and imprisoned, at the discretion of the judge, and shall be required to restore the property disturbed, if possible.

(Apr. 25, 1928, ch. 434, §4, 45 Stat. 459.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 25, 1928, which is classified to sections 117 to 117j of this title. For complete classification of this Act to the Code, see Tables.

#### § 117d. Forfeiture of property used for unlawful purpose

All guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

(Apr. 25, 1928, ch. 434, §5, 45 Stat. 460.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 25, 1928, which is classified to sections 117 to 117j of this title. For complete classification of this Act to the Code, see Tables.

#### §§ 117e to 117j. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 117e, acts Apr. 25, 1928, ch. 434, §6, 45 Stat. 460; June 28, 1938, ch. 778, §1, 52 Stat. 1213, related to ap-

pointment and jurisdiction of commissioner. See provisions covering United States magistrate judges in section 631 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 117f, act Apr. 25, 1928, ch. 434, § 7, 45 Stat. 460, related to criminal offenses. See sections 3041 and 3141 of Title 18, Crimes and Criminal Procedure, and rules 4, 5(c), and 9 of Federal Rules of Criminal Procedure, Title 18, Appendix.

Section 117g, act Apr. 25, 1928, ch. 434, § 8, 45 Stat. 460, related to issuance of process.

Section 117h, acts Apr. 25, 1928, ch. 434, § 9, 45 Stat. 461; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to salary of commissioner [now magistrate judge].

Section 117i, act Apr. 25, 1928, ch. 434, § 10, 45 Stat. 461, related to fees, costs, and expenses against the United States.

Section 117j, act Apr. 25, 1928, ch. 434, § 11, 45 Stat. 461, related to disposition of fines and costs.

#### **§ 118. Appropriations; availability for operation of Aileen Nusbaum Hospital**

Appropriations made for Mesa Verde National Park shall be available for the operation of the Aileen Nusbaum Hospital and the furnishing of the necessary service in connection therewith at rates to be fixed by the Secretary of the Interior.

(May 14, 1930, ch. 273, § 1, 46 Stat. 315.)

#### SUBCHAPTER XIII—PETRIFIED FOREST NATIONAL PARK

#### **§ 119. Establishment; notice in Federal Register; administration; exchange and acquisition of lands; remaining funds**

In order to permit the establishment of the Petrified Forest National Monument, Arizona, and other lands as provided for herein, as the Petrified Forest National Park, such national park shall be established (a) after title to all of the lands described in section 119a of this title shall have been vested in the United States, with the exception of such easements and rights-of-way for railroad, public utilities, and highway purposes as may be acceptable to the Secretary of the Interior, and (b) when notification of the effective date of such establishment of the park, as determined by the said Secretary, is published in the Federal Register. Disestablishment of the Petrified Forest National Monument shall be effected concurrently with the establishment of the park.

The Petrified Forest National Park shall be preserved and administered in its natural condition by the Secretary of the Interior for the public benefit in accordance with the general laws governing areas of the National Park System and in accordance with the basic policies relating thereto as prescribed by sections 1, 2, 3, and 4 of this title.

The exchange authority prescribed for the Petrified Forest National Monument in sections 444 and 444a of this title, is hereby extended to all the lands within the Petrified Forest National Park as herein authorized.

For the purposes of this section and section 119a of this title, the Secretary is authorized to acquire, in such manner as he shall consider to be in the public interest, any non-Federal land or interests in land within the area hereby authorized to be established as the Petrified For-

est National Park. In acquiring any State-owned land or interests therein within the aforesaid area, such property may be procured by the United States without regard to any limitations heretofore prescribed by the Congress relating to the disposal of State-owned properties.

Upon establishment of the Petrified Forest National Park, as authorized by this section and section 119a of this title, any remaining balance of funds that may be available for purposes of the Petrified Forest National Monument shall thereafter be available for expenditure for purposes of the Petrified Forest National Park.

(Pub. L. 85-358, § 1, Mar. 28, 1958, 72 Stat. 69.)

#### PETRIFIED FOREST NATIONAL PARK EXPANSION

Pub. L. 108-430, Dec. 3, 2004, 118 Stat. 2606, as amended by Pub. L. 111-11, title VII, § 7116(d), Mar. 30, 2009, 123 Stat. 1203, provided that:

#### “SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Petrified Forest National Park Expansion Act of 2004’.

#### “SEC. 2. DEFINITIONS.

“In this Act:

“(1) MAP.—The term ‘map’ means the map entitled ‘Proposed Boundary Adjustments, Petrified Forest National Park’, numbered 110/80,045, and dated January 2005.

“(2) PARK.—The term ‘Park’ means the Petrified Forest National Park in the State.

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(4) STATE.—The term ‘State’ means the State of Arizona.

#### “SEC. 3. BOUNDARY REVISION.

“(a) IN GENERAL.—The Secretary is authorized to revise the boundary of the Park to include approximately 125,000 acres as depicted on the map.

“(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

#### “SEC. 4. ACQUISITION OF ADDITIONAL LAND.

“(a) PRIVATE LAND.—The Secretary may acquire from a willing seller, by donation, purchase with donated or appropriated funds, or exchange, any private land or interests in private land within the revised boundary of the Park. In acquiring private land and interests in private land within the revised boundary of the Park, the Secretary shall undertake to acquire such private land and interests in private land first by donation or exchange.

“(b) STATE LAND.—

“(1) IN GENERAL.—The Secretary may, with the consent of the State and in accordance with Federal and State law, acquire from the State any State land or interests in State land within the revised boundary of the Park.

“(2) PLAN.—Not later than 3 years after the date of the enactment of this Act [Dec. 3, 2004], the Secretary shall, in coordination with the State, develop a plan for acquisition for State land or interests in State land under paragraph (1).

“(3) MANAGEMENT AGREEMENT.—If the Secretary is unable to acquire the State land under paragraph (1) within the 3-year period required by paragraph (2), the Secretary may enter into an agreement that would allow the National Park Service to manage State land within the revised boundary of the Park.

#### “SEC. 5. ADMINISTRATION.

“(a) IN GENERAL.—Subject to applicable laws, all land and interests in land acquired under this Act shall be administered by the Secretary as part of the Park.

“(b) TRANSFER OF JURISDICTION.—The Secretary shall transfer to the National Park Service administrative