

(11) the term “Secretary” means the Secretary of the Interior;

(12) the term “United States” means the fifty States, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the territories and possessions of the United States; and

(13) the term “worked ivory” means any African elephant tusk, and any piece thereof, which is not raw ivory.

(Pub. L. 100-478, title II, §2305, Oct. 7, 1988, 102 Stat. 2322.)

REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in par. (5), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

§ 4245. Authorization of appropriations

There are authorized to be appropriated to the Fund and to the Secretary a total of not to exceed \$5,000,000 for each of fiscal years 1992, 1993, 1994, 1995, 1996, 1997, and 1998 to carry out this chapter, to remain available until expended.

(Pub. L. 100-478, title II, §2306, Oct. 7, 1988, 102 Stat. 2323; Pub. L. 102-440, title III, §302, Oct. 23, 1992, 106 Stat. 2234.)

AMENDMENTS

1992—Pub. L. 102-440 substituted “fiscal years 1992, 1993, 1994, 1995, 1996, 1997, and 1998” for “fiscal years 1989, 1990, 1991, 1992, and 1993”.

CHAPTER 63—FEDERAL CAVE RESOURCES PROTECTION

- Sec.
4301. Findings, purposes, and policy.
- (a) Findings.
- (b) Purposes.
- (c) Policy.
4302. Definitions.
4303. Management actions.
- (a) Regulations.
- (b) In general.
- (c) Planning and public participation.
4304. Confidentiality of information concerning nature and location of significant caves.
- (a) In general.
- (b) Exceptions.
4305. Collection and removal from Federal caves.
- (a) Permit.
- (b) Revocation of permit.
- (c) Transferability of permits.
- (d) Cave resources located on Indian lands.
- (e) Effect of permit.
4306. Prohibited acts and criminal penalties.
- (a) Prohibited acts.
- (b) Punishment.
4307. Civil penalties.
- (a) Assessment.
- (b) Judicial review.
- (c) Collection.
- (d) Subpoenas.
4308. Miscellaneous provisions.
- (a) Authorization of appropriations.
- (b) Effect on land management plans.
- (c) Fund.
- (d) Existing rights.
4309. Savings provision.

- Sec.
- (a) Water.
- (b) Fish and wildlife.
4310. Establishment of Cave Research Program.
- (a) Establishment.
- (b) Functions.
- (c) Emphasis.

§ 4301. Findings, purposes, and policy

(a) Findings

The Congress finds and declares that—

(1) significant caves on Federal lands are an invaluable and irreplaceable part of the Nation’s natural heritage; and

(2) in some instances, these significant caves are threatened due to improper use, increased recreational demand, urban spread, and a lack of specific statutory protection.

(b) Purposes

The purposes of this chapter are—

(1) to secure, protect, and preserve significant caves on Federal lands for the perpetual use, enjoyment, and benefit of all people; and

(2) to foster increased cooperation and exchange of information between governmental authorities and those who utilize caves located on Federal lands for scientific, education, or recreational purposes.

(c) Policy

It is the policy of the United States that Federal lands be managed in a manner which protects and maintains, to the extent practical, significant caves.

(Pub. L. 100-691, §2, Nov. 18, 1988, 102 Stat. 4546.)

SHORT TITLE

Section 1 of Pub. L. 100-691 provided that: “This Act [enacting this chapter] may be referred to as the ‘Federal Cave Resources Protection Act of 1988’.”

LECHUGUILLA CAVE PROTECTION

Pub. L. 103-169, Dec. 2, 1993, 107 Stat. 1983, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Lechuguilla Cave Protection Act of 1993’.

“SEC. 2. FINDING.

“Congress finds that Lechuguilla Cave and adjacent public lands have internationally significant scientific, environmental, and other values, and should be retained in public ownership and protected against adverse effects of mineral exploration and development and other activities presenting threats to the areas.

“SEC. 3. LAND WITHDRAWAL.

“(a) WITHDRAWAL.—Subject to valid existing rights, all Federal lands within the boundaries of the cave protection area described in subsection (b) are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

“(b) LAND DESCRIPTION.—The cave protection area referred to in subsection (a) shall consist of approximately 6,280 acres of lands in New Mexico as generally depicted on the map entitled ‘Lechuguilla Cave Protection Area’ numbered 130/80,055 and dated April 1993.

“(c) PUBLICATION, FILING, CORRECTION, AND INSPECTION.—(1) As soon as practicable after the date of enactment of this Act [Dec. 2, 1993], the Secretary of the In-