

§ 19jj-3. Use of recovered amounts

Response costs and damages recovered by the Secretary under the provisions of this subchapter or amounts recovered by the Federal Government under any Federal, State, or local law or regulation or otherwise as a result of damage to any living or nonliving resource located within a unit of the National Park System, except for damage to resources owned by a non-Federal entity, shall be available to the Secretary and without further congressional action may be used only as follows:

(a) Response costs and damage assessments

To reimburse response costs and damage assessments by the Secretary or other Federal agencies as the Secretary deems appropriate.

(b) Restoration and replacement

To restore, replace, or acquire the equivalent of resources which were the subject of the action and to monitor and study such resources: *Provided*, That no such funds may be used to acquire any lands or waters or interests therein or rights thereto unless such acquisition is specifically approved in advance in appropriations Acts and any such acquisition shall be subject to any limitations contained in the organic legislation for such park unit.

(c) Excess funds

Any amounts remaining after expenditures pursuant to subsections (a) and (b) of this section shall be deposited into the General Fund of the United States Treasury.

(Pub. L. 101-337, § 4, July 27, 1990, 104 Stat. 380; Pub. L. 103-437, § 6(d)(3), Nov. 2, 1994, 108 Stat. 4583.)

CODIFICATION

Subsection (d), which required the Secretary to report annually to the Committee on Appropriations and the Committee on Energy and Natural Resources of the United States Senate and the Committee on Appropriations and the Committee on Natural Resources of the United States House of Representatives on funds expended pursuant to this subchapter, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 111 of House Document No. 103-7.

AMENDMENTS

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

§ 19jj-4. Donations

The Secretary may accept donations of money or services for expenditure or employment to meet expected, immediate, or ongoing response costs. Such donations may be expended or employed at any time after their acceptance, without further congressional action.

(Pub. L. 101-337, § 5, July 27, 1990, 104 Stat. 381.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 19jj-3 of this title.

SUBCHAPTER IV—CONCESSIONS FOR ACCOMMODATIONS, FACILITIES, AND SERVICES IN AREAS ADMINISTERED BY NATIONAL PARK SERVICE

§§ 20 to 20g. Repealed. Pub. L. 105-391, title IV, § 415(a), Nov. 13, 1998, 112 Stat. 3515

Section 20, Pub. L. 89-249, § 1, Oct. 9, 1965, 79 Stat. 969, related to congressional findings and statement of purpose.

Section 20a, Pub. L. 89-249, § 2, Oct. 9, 1965, 79 Stat. 969, related to authority of Secretary of the Interior to encourage concessioners.

Section 20b, Pub. L. 89-249, § 3, Oct. 9, 1965, 79 Stat. 969, related to protection of concessioner's investment.

Section 20c, Pub. L. 89-249, § 4, Oct. 9, 1965, 79 Stat. 970, related to new or additional services, preferential rights, and operations by a single concessioner.

Section 20d, Pub. L. 89-249, § 5, Oct. 9, 1965, 79 Stat. 970, related to renewal preference for satisfactory performance, extensions, new contracts, and public notice.

Section 20e, Pub. L. 89-249, § 6, Oct. 9, 1965, 79 Stat. 970, related to concessioner's possessory interest in concession property, limitations, compensation for taking, and determination of just compensation.

Section 20f, Pub. L. 89-249, § 7, Oct. 9, 1965, 79 Stat. 971, related to use of non-monetary consideration in leases of government property.

Section 20g, Pub. L. 89-249, § 9, Oct. 9, 1965, 79 Stat. 971, related to recordkeeping, audit and examination, and access to books and records.

Sections 20 to 20g were popularly known as the National Park System Concessions Policy Act. For similar provisions, see section 5951 et seq. of this title.

REPEAL OF NATIONAL PARK SERVICE CONCESSIONS POLICY ACT; SAVINGS PROVISION

Pub. L. 105-391, title IV, § 415(a), Nov. 13, 1998, 112 Stat. 3515, provided that: “Public Law 89-249 (commonly known as the National Park Service Concessions Policy Act; 16 U.S.C. 20 et seq.) is repealed. The repeal of such Act shall not affect the validity of any concessions contract or permit entered into under such Act, but the provisions of this title [see Short Title note set out under section 5901 of this title] shall apply to any such contract or permit except to the extent such provisions are inconsistent with the terms and conditions of any such contract or permit. References in this title to concessions contracts awarded under authority of such Act also apply to concessions permits awarded under such authority.”

SUBCHAPTER V—YELLOWSTONE NATIONAL PARK

§ 21. Establishment; boundaries; trespassers

The tract of land in the States of Montana and Wyoming, lying near the headwaters of the Yellowstone River and described as follows, to wit, commencing at the junction of Gardiner's River, with the Yellowstone River, and running east to the meridian passing ten miles to the eastward of the most eastern point of Yellowstone Lake; thence south along said meridian to the parallel of latitude passing ten miles south of the most southern point of Yellowstone Lake; thence west along said parallel to the meridian passing fifteen miles west of the most western point of Madison Lake; thence north along said meridian to the latitude of the junction of the Yellowstone and Gardiner's Rivers; thence east to the place of beginning, is reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a public park or pleasuring ground for