

(2) lands, and interests in lands, within the 1991 additions which are used for noncommercial residential purposes as of July 1, 1991, may be acquired only with the consent of the owner thereof unless the property is being developed, or is proposed to be developed, in a manner which the Secretary determines to be detrimental to the scenic, historical, cultural, and other values of the park.

Nothing in paragraph (2) shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances for any lands within the 1991 additions. Not later than 6 months after October 24, 1992, and after notice and opportunity for public comment, the Secretary of the Interior shall publish specific guidelines for making determinations under paragraph (2). Such guidelines shall provide for (A) written notice to the Secretary prior to commencement of any proposed development on the lands referred to in paragraph (2), (B) written notice by the Secretary to the owner of such lands of any determination proposed to be made under paragraph (2), and (C) a reasonable opportunity for the owner to comment on such proposed determination.

(d) Private owner's retention of right of use and occupancy

(1) Any individual who owns private property acquired by the Secretary under subsection (c) may, on the date of such acquisition and as a condition of such acquisition, retain for himself and his successors or assigns, a right of use and occupancy of the property for a definite term of not more than 25 years from the date of acquisition by the Secretary or a term ending at the death of the owner or the owner's spouse, whichever is later. The owner shall elect the term to be reserved.

(2) Unless the property is wholly or partially donated, the Secretary shall pay to the owner reserving a right of use and occupancy under this subsection the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner.

(3) For purposes of applying this subsection, ownership shall be determined as of July 1, 1991.

(Pub. L. 86-321, §2, Sept. 21, 1959, 73 Stat. 591; Pub. L. 102-488, §2(3)[(2)], Oct. 24, 1992, 106 Stat. 3135.)

Editorial Notes

REFERENCES IN TEXT

The Minute Man National Historical Park Amendments of 1991, referred to in subsec. (c), is Pub. L. 102-488, Oct. 24, 1992, 106 Stat. 3135, which enacted sections 410x-1 and 410x-2 of this title, amended this section and sections 410s and 410x of this title, and enacted provisions set out as a note under section 410s of this title. For complete classification of this Act to the Code, see Short Title of 1992 Amendment note set out under section 410s of this title and Tables.

AMENDMENTS

1992—Pub. L. 102-488 designated existing provisions as subsec. (a) and added subsecs. (b) to (d).

Statutory Notes and Related Subsidiaries

BOUNDARY ADJUSTMENT

Pub. L. 111-11, title VII, §7106, Mar. 30, 2009, 123 Stat. 1193, provided that:

“(a) DEFINITIONS.—In this section:

“(1) MAP.—The term ‘map’ means the map entitled ‘Minute Man National Historical Park Proposed Boundary’, numbered 406/81001, and dated July 2007.

“(2) PARK.—The term ‘Park’ means the Minute Man National Historical Park in the State of Massachusetts.

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

“(b) MINUTE MAN NATIONAL HISTORICAL PARK.—

“(1) BOUNDARY ADJUSTMENT.—

“(A) IN GENERAL.—The boundary of the Park is modified to include the area generally depicted on the map.

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

“(2) ACQUISITION OF LAND.—The Secretary may acquire the land or an interest in the land described in paragraph (1)(A) by—

“(A) purchase from willing sellers with donated or appropriated funds;

“(B) donation; or

“(C) exchange.

“(3) ADMINISTRATION OF LAND.—The Secretary shall administer the land added to the Park under paragraph (1)(A) in accordance with applicable laws (including regulations).

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

§ 410u. Preservation of historic sites

To provide further for the preservation and interpretation of historic sites, structures, and properties lying along the entire route or routes where significant events occurred on the 18th and 19th of April 1775, in the cities of Boston, Cambridge, Medford, and Somerville, and the towns of Arlington, Brookline, Concord, Lexington, and Lincoln, including the area generally described in section 410s of this title as lying between Fiske Hill and the North Bridge, the Secretary of the Interior is authorized, in accordance with the purposes of this subchapter, to enter into cooperative agreements with the Commonwealth of Massachusetts, political subdivisions thereof, corporations, associations, or individuals, and to erect and maintain tablets or markers, in accordance with provisions contained in the Act approved August 21, 1935, entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes” (49 Stat. 666).¹

(Pub. L. 86-321, §3, Sept. 21, 1959, 73 Stat. 591.)

Editorial Notes

REFERENCES IN TEXT

The Act approved August 21, 1935, entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes” (49 Stat. 666), referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed

¹ See References in Text note below.

and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 410v. Appointment and composition of advisory commission

The Secretary of the Interior is authorized to appoint an advisory commission of five members to advise him on the development of Minute Man National Historical Park, to consist of one member to be recommended by the selectmen of each of the towns of Concord, Lexington, and Lincoln, Massachusetts; one member to be recommended by the Governor of the Commonwealth of Massachusetts; and one member to be designated by the Secretary.

(Pub. L. 86–321, §4, Sept. 21, 1959, 73 Stat. 591.)

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by the Congress, its duration is otherwise provided for by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

§ 410w. Administration, protection, and development

When established pursuant to this subchapter, the park shall be administered, protected, and developed by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4),¹ as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; U.S.C.² 461–467).¹

(Pub. L. 86–321, §5, Sept. 21, 1959, 73 Stat. 592.)

Editorial Notes

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113–287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Historic Sites Act of August 21, 1935 (49 Stat. 666; U.S.C. 461–467), referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, also known as the Historic Sites

Act of 1935 and as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 410x. Authorization of appropriations

There are authorized to be appropriated such sums, but not more than \$13,900,000, as may be needed for the acquisition of lands and interests in lands and for development of the Minute Man National Historical Park, of which not more than \$10,900,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance. For fiscal years after fiscal year 1991, there is authorized to be appropriated an additional \$15,000,000 for development and an additional \$7,300,000 for acquisition of lands and interests in lands.

(Pub. L. 86–321, §6, Sept. 21, 1959, 73 Stat. 592; Pub. L. 91–548, §2, Dec. 14, 1970, 84 Stat. 1437; Pub. L. 102–488, §2(4)(3), Oct. 24, 1992, 106 Stat. 3136.)

Editorial Notes

AMENDMENTS

1992—Pub. L. 102–488 inserted at end “For fiscal years after fiscal year 1991, there is authorized to be appropriated an additional \$15,000,000 for development and an additional \$7,300,000 for acquisition of lands and interests in lands.”

1970—Pub. L. 91–548 substituted “\$13,900,000” for “\$8,000,000” and “\$10,900,000” for “\$5,000,000”.

§ 410x–1. Residential occupancy

(a) Offer

In the case of each individual who—

(1) sold residential property between 1966 and 1968 to the United States for purposes of the park, and

(2) continues to occupy such residential property pursuant to a residential special use permit as of October 24, 1992,

the Secretary of the Interior shall offer to extend such residential special use permit for a term ending on the death of such individual or such individual’s spouse, whichever is later.

(b) Terms and conditions

Any residential special use permit extended pursuant to subsection (a) shall—

(1) permit the reasonable residential use and occupancy of the property by the individual to whom such permit is granted and such individual’s spouse; and

(2) be subject to such terms and conditions as the Secretary may prescribe (including termination) to ensure that the permit does not unreasonably diminish the values of the park.

The extension of any such residential special use permit shall be conditional upon the payment by the individual holding such permit of an annual fee in the same amount as required as of July 1, 1991.

¹ See References in Text note below.

² So in original.