injure, or remove any monument, column, statues, memorial structures, or work of art, which shall be placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other mark for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, brush, or shrubbery that may be growing upon said park, or shall cut down or remove or fell any timber, battle relic, tree, or tree growing upon said park, or hunt within the limits of the park, any person so offending and found guilty thereof before any justice of the peace of the county of Pender, State of North Carolina, shall, for each and every offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than $5 nor more than $50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as fines of like nature were, on June 2, 1926, by law recoverable in the said county of Pender, State of North Carolina.

(June 2, 1926, ch. 448, §5, 44 Stat. 686; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

Executive Documents

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 422a of this title.

§ 423. Petersburg National Battlefield; establishment

In order to commemorate the campaign and siege and defense of Petersburg, Virginia, in 1864 and 1865 and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein, the battle fields at Petersburg, in the State of Virginia, are declared a national battlefield whenever the title to the same shall have been acquired by the United States by donation and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Virginia—that is to say, one hundred and eighty-five acres or so much thereof as the Secretary of the Interior may deem necessary in and about the city of Petersburg, State of Virginia.

(July 3, 1926, ch. 746, §1, 44 Stat. 822; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 87–603, §1, Aug. 24, 1962, 76 Stat. 403.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

''National battlefield'' substituted in text for ''national military park'' in view of redesignation of Petersburg National Military Park as Petersburg National Battlefield by Pub. L. 87–603. See section 423h–1 of this title.

TRANSFER OF PORTION OF LANDS TO SECRETARY OF THE ARMY

Act June 5, 1942, ch. 345, 56 Stat. 322, provided: ''That the Secretary of the Interior shall transfer to the Secretary of War [Army] jurisdiction over all lands owned by the United States lying south and east of the Hickory Hill Road within the Petersburg National Military Park in the Commonwealth of Virginia. Upon the date of the transfer, the lands shall cease to be a part of the Petersburg National Military Park and the Secretary of War [Army] shall thereafter administer the lands for military purposes.''

Executive Documents

TRANSFER OF FUNCTIONS

Administrative functions of Petersburg National Military Park transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out as notes 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, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

§ 423a. Acceptance of donations of lands

The Secretary of the Interior is authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the Petersburg National Battlefield.

(July 3, 1926, ch. 746, §2, 44 Stat. 822; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 87–603, §1, Aug. 24, 1962, 76 Stat. 403.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

''Petersburg National Battlefield'' substituted in text for ''Petersburg National Military Park'' pursuant to Pub. L. 87–603. See section 423h–1 of this title.

Executive Documents

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 423 of this title.

§ 423a–1. Addition of lands

The Department of the Army is authorized and directed to transfer to the Department of the Interior, without reimbursement, two tracts of land, comprising two hundred six acres, more or less, situated on either side of Siege Road adjacent to Petersburg National Battlefield, Virginia. Upon completion of such transfer, all lands, interest in lands, and other property in Federal ownership and under the administration of the National Park Service as a part of or in conjunction with Petersburg National Battlefield, in and about the city of Petersburg, Virginia, and comprising one thousand five hundred thirty-one acres, more or less, upon publication of the description thereof in the Federal Register by the Secretary of the Interior, shall constitute the Petersburg National Battlefield.

(Sept. 7, 1949, ch. 543, §1, 63 Stat. 691; Pub. L. 87–603, §1, Aug. 24, 1962, 76 Stat. 403.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

''Petersburg National Battlefield'' substituted in text for ''Petersburg National Military Park'' pursuant to Pub. L. 87–603. See section 423h–1 of this title.

Executive Documents

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.

§ 423a–2. Adjustment of boundary

The Secretary of the Interior is further authorized to adjust the boundary of the Petersburg National Battlefield through purchase, exchange, or transfer: *Provided*, That in doing so the total area of the battlefield will not be increased and that such changes will become effective upon publication of the description thereof in the Federal Register by the Secretary of the Interior.

(Sept. 7, 1949, ch. 543, §2, 63 Stat. 692; Pub. L. 87–603, §1, Aug. 24, 1962, 76 Stat. 403.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

''Petersburg National Battlefield'' and ''battlefield'' substituted in text for ''Petersburg National Military Park'' and ''park'', respectively, in view of redesignation of Petersburg National Military Park as Petersburg National Battlefield by Pub. L. 87–603. See section 423h–1 of this title.

§ 423a–3. Petersburg National Battlefield boundary modification

(a) In general

The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled ''Petersburg National Battlefield Proposed Boundary Expansion'', numbered 325/80,080, and dated June 2007/March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) Acquisition of properties

(1) Authority

The Secretary of the Interior (referred to in this section as the ''Secretary'') is authorized to acquire the land and interests in land described in subsection (a) from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(2) Omitted

(c) Administration

The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) Administrative jurisdiction transfer

(1) In general

There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2).

(2) Map

The parcels of land described in paragraph (1) are depicted on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, dated May 2011/March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) Conditions of transfer

The transfer of administrative jurisdiction under paragraph (1) is subject to the following conditions:

(A) No reimbursement or consideration

The transfer shall be without reimbursement or consideration.

(B) Management

####### (i) Land transferred to the Secretary of the Army

The land transferred to the Secretary of the Army under paragraph (1)(A) shall be excluded from the boundary of the Petersburg National Battlefield.

####### (ii) Land transferred to the Secretary

The land transferred to the Secretary under paragraph (1)(B)—

(I) shall be included within the boundary of the Petersburg National Battlefield; and

(II) shall be administered as part of Petersburg National Battlefield in accordance with applicable laws and regulations.

(Pub. L. 114–328, div. B, title XXVIII, §2834, Dec. 23, 2016, 130 Stat. 2740.)

Editorial Notes

CODIFICATION

Section is comprised of section 2834 of Pub. L. 114–328. Subsec. (b)(2) of section 2834 of Pub. L. 114–328 amended section 313(a) of Pub. L. 95–625, 92 Stat. 3479, which is not classified to the Code.

§ 423b. Commission; organization

The affairs of the Petersburg National Battlefield shall, subject to the supervision and direction of the Secretary of the Interior, be in charge of three commissioners, consisting of Army officers, civilians, or both, to be appointed by the Secretary of the Interior, one of whom shall be designated as chairman and another as secretary of the commission.

(July 3, 1926, ch. 746, §3, 44 Stat. 822; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 87–603, §1, Aug. 24, 1962, 76 Stat. 403.)