

AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL
LAND ACQUISITION

Pub. L. 102-202, §1, Dec. 10, 1991, 105 Stat. 1634, provided that: "There are authorized to be appropriated up to \$20,000,000 for acquisition [sic] of lands and interests in lands for purposes of the Monocacy National Battlefield, Maryland; such sums shall be in addition to other funds available for such purposes."

§ 430t. Kennesaw Mountain National Battlefield Park; establishment

When title to all the lands, structures, and other property within the military battlefield area and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such areas shall be, and they are, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Kennesaw Mountain National Battlefield Park."

(June 26, 1935, ch. 315, §1, 49 Stat. 423.)

§ 430t-1. Kennesaw Mountain National Battlefield Park boundary

(a) Definitions

In this section:

(1) Map

The term "map" means the map entitled "Kennesaw Mountain National Battlefield Park, Proposed Boundary Adjustment", numbered 325/80,020, and dated February 2010.

(2) Park

The term "Park" means the Kennesaw Mountain National Battlefield Park.

(b) Kennesaw Mountain National Battlefield Park boundary adjustment

(1) Boundary adjustment

The boundary of the Park is modified to include the approximately 8 acres of land or interests in land identified as "Wallis House and Harriston Hill", as generally depicted on the map.

(2) Map

The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(3) Land acquisition

The Secretary may acquire land or interests in land described in paragraph (1) by donation, purchase from willing sellers, or exchange.

(4) Administration of acquired land

The Secretary shall administer land and interests in land acquired under this section as part of the Park in accordance with applicable laws (including regulations).

(Pub. L. 116-9, title II, §2103, Mar. 12, 2019, 133 Stat. 725.)

Statutory Notes and Related Subsidiaries

DEFINITION OF "SECRETARY"

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 116-9, set out as a note under section 1 of this title.

§ 430u. Donations of land; purchase and condemnation

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national battlefield park as determined and fixed hereunder, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That under such funds available therefor he may acquire on behalf of the United States by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national battlefield park as may be necessary for the completion thereof.

(June 26, 1935, ch. 315, §2, 49 Stat. 423.)

Editorial Notes

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

§ 430v. Monuments and memorials; regulations; historical markers

Upon creation of the national battlefield park the Secretary of the Interior shall—

(a) Allow monuments and memorials to be erected in the park by and to the various organizations and individuals of either the Union or Confederate Armies, subject to the written approval of said Secretary as to the location and character of such monuments and memorials.

(b) Make such regulations as are necessary from time to time for the care and protection of the park. Any person violating such regulations shall be guilty of an offense punishable by a fine of not more than \$500, or imprisonment not exceeding six months, or both.

(c) Provide for the ascertainment and marking of the route of march of the Union and Confederate Armies from Chattanooga, Tennessee, through Georgia, and of principal battle lines, breastworks, fortifications, and other historical features along such route, and for the maintenance of such markers to such extent as deemed advisable and practicable.

(June 26, 1935, ch. 315, §3, 49 Stat. 423.)

§ 430w. Administration, protection, and development

The administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes",¹ as amended.

(June 26, 1935, ch. 315, §4, 49 Stat. 424.)

¹ See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

The Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", 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.

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.

§ 430x. Authorization of appropriations; authorization to expand boundaries

The sum of \$100,000 is authorized to be appropriated out of any sums in the Treasury not otherwise appropriated for the purposes herein designated: *Provided*, That if, after the expenditure of the funds herein authorized, the Secretary of the Interior shall determine that the acquisition of additional lands is necessary in order to perfect the symmetry of the park area or to acquire locations of historic interest adjacent to the park area already acquired upon which fortifications or entrenchments are located which are likely to deteriorate or be destroyed under private ownership, he is authorized to acquire additional lands for such purposes.

(June 26, 1935, ch. 315, § 5, 49 Stat. 424; Aug. 9, 1939, ch. 614, § 1, 53 Stat. 1274.)

Editorial Notes

REFERENCES IN TEXT

Herein, referred to in text, means act June 26, 1935, ch. 315, 49 Stat. 423, which is classified to sections 430t to 430x of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1939—Act Aug. 9, 1939, inserted proviso.

Statutory Notes and Related Subsidiaries

APPROPRIATION

Additional \$55,000 was appropriated by section 2 of act Aug. 9, 1939.

§ 430y. Spanish War Memorial Park; establishment

When title to such lands located on Davis Island in the city of Tampa, Florida, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as

necessary and suitable for the purpose, shall have been vested in the United States, said area shall be set apart as the Spanish War Memorial Park, for the benefit and inspiration of the people: *Provided*, That said lands shall be donated without cost to the United States by the city of Tampa, Florida, and the Secretary of the Interior is authorized to accept such conveyance of lands.

(Aug. 20, 1935, ch. 575, § 1, 49 Stat. 661.)

§ 430z. Monument within park; construction authorized

There is authorized to be located and constructed within said memorial park a suitable monument or memorial to commemorate the patriotic services of the American forces in the War with Spain. The cost of establishing such monument or memorial, of constructing suitable sidewalks and approaches, and of landscaping such site, may be paid from any fund or moneys available for such purpose, except from the general fund of the Treasury; and the Secretary is for that purpose further authorized and empowered to determine upon a suitable location, plan, and design for said monument or memorial, by and with the advice of the National Commission of Fine Arts.

(Aug. 20, 1935, ch. 575, § 2, 49 Stat. 661.)

§ 430z-1. Landscaping park; employment of architects and engineers

In the discharge of his duties hereunder, the Secretary of the Interior, through the National Park Service, is authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions and that expenditures for such employment shall be construed to be included in any appropriations hereafter authorized for any work under the objectives of sections 430y to 430z-3 of this title.

(Aug. 20, 1935, ch. 575, § 3, 49 Stat. 662.)

Editorial Notes

CODIFICATION

Provisions which authorized employment of landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions "without reference to civil-service requirements or to the Classification Act of 1923, as amended" were omitted as obsolete. Such employment is subject to the civil service laws unless specifically excepted by those laws or by laws enacted subsequent to Executive Order 8743, Apr. 23, 1941, issued by the President pursuant to the Act of Nov. 26, 1940, ch. 919, title I, § 1, 54 Stat. 1211, which covered most excepted positions into the classified (competitive) civil service. The Order is set out as a note under section 3301 of Title 5, Government Organization and Employees.

As to the compensation of such personnel, sections 1202 and 1204 of the Classification Act of 1949, 63 Stat. 972, 973, repealed the Classification Act of 1923 and all other laws or parts of laws inconsistent with the 1949 Act. The Classification Act of 1949 was repealed Pub. L. 89-554, Sept. 6, 1966, § 8(a), 80 Stat. 632, and reenacted as chapter 51 and subchapter III of chapter 53 of Title 5. Section 5102 of Title 5 contains the applicability provisions of the 1949 Act, and section 5103 of Title 5 author-