

Donelson and associated land that has been acquired by the Secretary of the Interior for administration by the National Park Service, including Fort Donelson National Cemetery, in Stewart County, Tennessee and the site of Fort Heiman and associated land in Calloway County, Kentucky, as generally depicted on the map entitled “Fort Donelson National Battlefield Boundary Adjustment” numbered 328/80024, and dated September 2003. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) Expansion of boundaries

The Fort Donelson National Battlefield shall also include any land acquired pursuant to section 428p-1 of this title.

(Pub. L. 108-367, § 2, Oct. 25, 2004, 118 Stat. 1743.)

§ 428p-1. Land acquisition related to Fort Donelson National Battlefield

(a) Acquisition authority

Subject to subsections (b) and (c) of this section, the Secretary of the Interior may acquire land, interests in land, and improvements thereon for inclusion in the Fort Donelson National Battlefield. Such land, interests in land, and improvements may be acquired by the Secretary only by purchase from willing sellers with appropriated or donated funds, by donation, or by exchange with willing owners.

(b) Land eligible for acquisition

The Secretary of the Interior may acquire land, interests in land, and improvements thereon under subsection (a) of this section—

(1) within the boundaries of the Fort Donelson National Battlefield described in section 428p(b) of this title; and

(2) outside such boundaries if the land has been identified by the American Battlefield Protection Program as part of the battlefield associated with Fort Donelson or if the Secretary otherwise determines that acquisition under subsection (a) of this section will protect critical resources associated with the Battle of Fort Donelson in 1862 and the Union campaign that resulted in the capture of Fort Donelson.

(c) Boundary revision

Upon acquisition of land or interests in land described in subsection (b)(2) of this section, the Secretary of the Interior shall revise the boundaries of the Fort Donelson National Battlefield to include the acquired property.

(d) Limitation on total acreage of park

The total area encompassed by the Fort Donelson National Battlefield may not exceed 2,000 acres.

(Pub. L. 108-367, § 3, Oct. 25, 2004, 118 Stat. 1743.)

§ 428p-2. Administration of Fort Donelson National Battlefield

The Secretary of the Interior shall administer the Fort Donelson National Battlefield in accordance with sections 428p to 428p-2 of this title and the laws generally applicable to units of the National Park System, including sections 1, 2, 3,

and 4 of this title and sections 461 to 467 of this title.

(Pub. L. 108-367, § 4, Oct. 25, 2004, 118 Stat. 1744.)

REFERENCES IN TEXT

Sections 428p to 428p-2 of this title, referred to in text, was in the original “this Act”, meaning Pub. L. 108-367, Oct. 25, 2004, 118 Stat. 1743, which enacted this section and sections 428p and 428p-1 of this title, amended section 428k of this title, and enacted provisions set out as a note under section 428 of this title. For complete classification of this Act to the Code, see Short Title of 2004 Amendment note set out under section 428 of this title and Tables.

§ 429. Brices Cross Roads and Tupelo battlefields in Mississippi; establishment

For the purpose of commemorating the battles of Brices Cross Roads, Mississippi, and Tupelo, Mississippi, the Secretary of the Interior is authorized and directed to (1) acquire not to exceed one acre of land, free of cost to the United States, at each of the above-named battle fields, (2) fence each parcel of land so acquired, (3) build an approach to each such parcel of land, and (4) erect a suitable marker on each such parcel of land.

(Feb. 21, 1929, ch. 289, § 1, 45 Stat. 1254; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

TRANSFER OF FUNCTIONS

“Secretary of the Interior” substituted in text for “Secretary of War” pursuant to Reorg. Plan No. 3 of 1950, §§ 1, 2; Ex. Ord. No. 6166, § 2; and Ex. Ord. No. 6228, § 1. See below.

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, transferred the functions of other officers, employees, and agencies of the Department of the Interior, with certain exceptions, to the Secretary of the Interior, with power to delegate.

Ex. Ord. No. 6166, § 2, and Ex. Ord. No. 6228, § 1, set out as a note under section 901 of Title 5, transferred the administrative functions of Brices Cross Roads and Tupelo battlefield sites to the Department of the Interior.

§ 429a. Jurisdiction and control; authorization of annual appropriation

Each parcel of land acquired under section 429 of this title shall be under the jurisdiction and control of the Secretary of the Interior, and there is authorized to be appropriated for the maintenance of each such parcel of land, fence, approach, and marker a sum not to exceed \$250 per annum.

(Feb. 21, 1929, ch. 289, § 3, 45 Stat. 1254; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

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