

use guidelines which are consistent with conserving the historic character of the historic district. Reimbursements may only be provided under this subsection to the extent or in such amounts as are provided in appropriation Acts.

(e) Acceptance of easement donations

The Secretary, upon recommendation from the Director of the National Park Service, in consultation with the Advisory Commission established under section 430g-8 of this title, is authorized to accept donations of conservation easements on land located within the historic district.

(f) Federal consistency

(1) Any Federal or federally assisted activity or undertaking in the historic district, shall be consistent to the maximum extent possible with the purposes of the preservation of the historic district, including its rural, agricultural, and town elements, and shall also comply with the National Historic Preservation Act [16 U.S.C. 470 et seq.] and other applicable laws.

(2) The head of any Federal agency (hereafter in this subsection referred to as the "agency") having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the historic district, and the head of any Federal agency having authority to license or permit any undertaking in such area, shall at the earliest feasible date prepare a detailed analysis of any proposed action and submit it to the Secretary.

(3) The Secretary shall review the analysis and consult with the agency. If after such review and consultation, the Secretary finds that the proposed action is not consistent with the purposes identified in this subsection, the agency shall not proceed with the action until after a justification for the action has been submitted to the appropriate committees of Congress with adequate time allowed for Congressional comment. Such justification shall include the following elements: the anticipated effects on the historic and commemorative character of the historic district, the social and economic necessity for the proposed action, all possible alternatives to the proposed action, the comparative benefits of proposed alternative actions, and the mitigation measures outlined in the proposed action.

(Pub. L. 101-377, §4, Aug. 17, 1990, 104 Stat. 465.)

REFERENCES IN TEXT

Subsections (d) and (h) of section 101 of the National Historic Preservation Act, referred to in subsec. (b), were redesignated as subsecs. (e) and (i), respectively, of that section by Pub. L. 102-575, title XL, §4006(a)(1), Oct. 30, 1992, 106 Stat. 4755, and are classified to subsecs. (e) and (i), respectively, of section 470a of this title.

The National Historic Preservation Act, referred to in subsec. (f)(1), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. For complete classification of this Act to the Code, see section 470(a) of this title and Tables.

§ 430g-8. Advisory Commission

(a) Establishment

There is hereby established the Gettysburg National Military Park Advisory Commission

(hereafter in sections 430g-8 to 430g-10 of this title referred to as the "Advisory Commission"). The Advisory Commission shall be composed of eleven members, as follows:

(1) One member representing each of the local governments from the four townships surrounding the park and the Borough of Gettysburg, appointed by the Secretary.

(2) One member representing the Adams County, Pennsylvania government, appointed by the Secretary.

(3) One member representing the State Historic Preservation Office of the State of Pennsylvania, appointed by the Secretary.

(4) Two members who are residents of Adams County and who are knowledgeable about the park and its resources, appointed by the Secretary, one of whom shall own land or interests in land within the park boundary.

(5) One member with expertise in local historic preservation, appointed by the Secretary.

(6) The Director of the National Park Service or his designee, ex officio.

Members shall be appointed for staggered terms of three years, as designated by the Secretary at the time of the initial appointments. Any member of the Advisory Commission appointed for a definite term may serve after the expiration of his term until his successor is appointed. The Advisory Commission shall designate one of its members as Chairperson. Six members of the Advisory Commission shall constitute a quorum.

(b) Management and development issues

The Secretary, or his designee, shall from time to time, but at least semiannually, meet and consult with the Advisory Commission to coordinate the management of the park and the historic district with local jurisdictions.

(c) Meetings

The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park. Advisory Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(d) Expenses

Members of the Advisory Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under sections 430g-4 to 430g-10 of this title on vouchers signed by the Chairperson.

(e) Charter

The provisions of section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) are hereby waived with respect to this Advisory Commission.

(Pub. L. 101-377, §5, Aug. 17, 1990, 104 Stat. 466.)

REFERENCES IN TEXT

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (e), is section 14 of Pub. L. 92-463, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 430g-9. Interpretation

In administering the park, the Secretary shall take such action as is necessary and appropriate to interpret, for the benefit of visitors to the park and the general public, the Battle of Gettysburg in the larger context of the Civil War and American history, including the causes and consequences of the Civil War and including the effects of the war on all the American people.

(Pub. L. 101-377, §6, Aug. 17, 1990, 104 Stat. 467.)

§ 430g-10. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of sections 430g-4 to 430g-10 of this title.

(Pub. L. 101-377, §7, Aug. 17, 1990, 104 Stat. 467.)

§ 430h. Vicksburg National Military Park

In order to commemorate the campaign, siege, and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and carried on, the battlefield of Vicksburg, in the State of Mississippi, insofar as title to the same has been acquired by the United States and as the usual jurisdiction over the lands and roads of the same has heretofore been granted to the United States by the State of Mississippi, shall be a National Military Park. The Secretary of the Interior is authorized to enter into agreements of leasing upon such terms as he may prescribe with such persons, who were on February 21, 1899, occupants or tenants of the lands, as may desire to remain upon them to occupy and cultivate their holdings, upon condition that they will preserve the then buildings and roads and the then outlines of field and forest, and that they will only cut trees and underbrush under such regulations as the Secretary of the Interior may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other historical works as may from time to time be erected by proper authority: *Provided*, That the United States shall at all times have and retain their right, power, and authority to take possession of any and all parts and portions of said premises, and to remove and expel therefrom any such occupant, tenant, or other person or persons found thereon whenever the Secretary of the Interior shall deem it proper or necessary; and such right, power, and authority shall be reserved in express terms in all leases and agreements giving or granting such occupant or tenant the right to remain in possession as herein contemplated; and thereupon said occupant or tenant or other persons who may be required to vacate said premises shall each and all of them at once surrender and deliver up the possession thereof. It shall be the duty of the Secretary of the Interior to cause to be restored the forts and lines of fortification, the parallels and the approaches of the two armies, or so much thereof as may be necessary to the purposes of this Park; to open and construct and repair such roads as may be necessary to said purposes, and to ascertain and to mark with historical tablets, or otherwise, the lines of battle of the troops engaged in the assaults, and the lines held by the

troops during the siege and defense of Vicksburg, the headquarters of General Grant and of General Pemberton, and other historical points of interest pertaining to the siege and defense of Vicksburg within the Park or its vicinity; and the Secretary of the Interior shall have authority to do all things necessary to the purposes of the park, and he shall make and enforce all needful regulations for the care of the Park. It shall be lawful for any State that had troops engaged in the siege and defense of Vicksburg to enter upon the lands of the Vicksburg National Military Park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of the Interior, and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of the Interior; and no monument, tablet, or other designating indication shall be erected or placed within said park or vicinity without such written authority of the Secretary of the Interior: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of the Interior may be used by any other State. The provisions of this section shall also apply to organizations and persons; and as the Vicksburg National Cemetery is on ground partly occupied by Federal lines during the siege of Vicksburg, the provisions of this section, as far as may be practicable, shall apply to monuments or tablets designating such lines within the limits of that cemetery. If any person shall, except by permission of the Secretary of the Interior, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, tablet, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work intended 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, bush, or shrub that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles, on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States magistrate judge or court, justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine in the discretion of the said magistrate judge or court of the United States or justice of the peace, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informant, to be enforced and recovered before such United States magistrate judge or court or justice of the peace