

described as follows: Commencing at the southwest corner of said section 15, township 23 north, range 23 east, Tallapoosa County, Alabama; thence south 89 degrees 00 minutes east 2605 feet to a point on the west bank of said island, which is the point of beginning; thence north 5 degrees 00 minutes east 220 feet to a point; thence north 8 degrees 00 minutes west 510 feet to a point; thence north 82 degrees 00 minutes east 350 feet to a point; thence north 55 degrees 30 minutes east 75 feet to a point; thence north 82 degrees 00 minutes east 115 feet to a point; thence south 17 degrees 00 minutes east 330 feet to a point; thence south 8 degrees 00 minutes east 270 feet to a point; thence south 77 degrees 45 minutes west 270 feet to a point; thence south 59 degrees 35 minutes west 160 feet to a point; thence south 36 degrees 06 minutes west 650 feet to a point; thence north 5 degrees 00 minutes east 530 feet to the point of beginning, containing 14.11 acres, more or less, and being situated in sections 15 and 22, township 23 north, range 23 east, Tallapoosa County, Alabama. Less and except 5.1 acres in said section 15 township 23 north, range 23 east, previously conveyed by Nora E. Miller to Horseshoe Bend Battle Park Commission, described as follows: Beginning at a point which is 13 chains and 51 links south 75 degrees 30 minutes west of a point on the west line of section 14, township 23 north, range 23 east, which is 69 chains south of the northwest corner of said section 14; thence west 8 chains and 50 links, thence south 6 chains, thence east 8 chains and 50 links, thence north 6 chains to the point of beginning, the said land lying and being in section 15, township 23 north, range 23 east.

The above described lands contain 560.66 acres, more or less.

Section 14, township 23 north, range 23 east; west half of northwest quarter and northeast quarter of northwest quarter of section 23, township 23 north, range 23 east; section 15 and section 22, township 23 north, range 23 east, less and except the following described parts of said sections 15 and 22, township 23 north, range 23 east, known as Alabama Power Company lands, described as follows: Northeast quarter (NE $\frac{1}{4}$), northeast quarter of northwest quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), northeast quarter of southeast quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$), fractions A, B, C and E of section 15; fractions B, D, and E of section 22; all in township 23 north, range 23 east; also one-half acre known as the Ferry Landing on the south side of the Tallapoosa River in section 15, more particularly described as follows: Commence at the southwest corner of section 15, township 23 north, range 23 east, Tallapoosa County, Alabama; thence south 89 degrees 00 minutes east 1968 feet to a point; thence north 1 degree 00 minutes west 1267 feet to a point on the southerly bank of the Tallapoosa River and the point of beginning of the parcel herein intended to be described; thence south 52 degrees 00 minutes west 147.6 feet to a point; thence north 38 degrees 00 minutes west 147.6 feet to a point; thence north 52 degrees 00 minutes east 147.6 feet to a point on the southerly bank of said river; thence upstream along the southerly bank of the river south 38 degrees 00 minutes east 147.6 feet to the point of beginning, and being situated in the east half of the southwest quarter of section 15, township 23 north, range 23 east, Tallapoosa County, Alabama; also a parcel of land known as Miller's Island in the Tallapoosa River just south of the river bridge more particularly described as follows: Commencing at the southwest corner of said section 15, township 23 north, range 23 east, Tallapoosa County, Alabama; thence south 89 degrees 00 minutes east 2605 feet to a point on the west bank of said island, which is the point of beginning; thence north 5 degrees 00 minutes east 220 feet to a point; thence north 8 degrees 00 minutes west 510 feet to a point; thence north 82 degrees 00 minutes east 350 feet to a point; thence north 55 degrees 30 minutes east 75 feet to a point; thence north 82 degrees 00 minutes east 115 feet to a point; thence south 17 degrees 00 minutes east 330 feet to a point; thence south 8 degrees 00 minutes east 270 feet to a point; thence south 77 degrees 45 minutes west 270 feet to a point; thence south 59 degrees 35 minutes west 160 feet to a point; thence south 36 degrees 06 minutes west 650 feet to a point; thence

north 5 degrees 00 minutes east 530 feet to the point of beginning, containing 14.11 acres, more or less, and being situated in sections 15 and 22, township 23 north, range 23 east, Tallapoosa County, Alabama. Less and except 5.1 acres in said section 15, township 23 north, range 23 east, previously conveyed by Nora E. Miller to Horseshoe Bend Battle Park Commission, described as follows: Beginning at a point which is 13 chains and 51 links south 75 degrees 30 minutes west of a point on the west line of section 14, township 23 north, range 23 east, which is 69 chains south of the northwest corner of said section 14; thence west 8 chains and 50 links, thence south 6 chains, thence east 8 chains and 50 links, thence north 6 chains to the point of beginning. Said 5.1-acre exception in said section 15 has heretofore been conveyed to the United States of America by patent from the State of Alabama.

The above-described lands contain 1,474.24 acres, more or less.

Beginning at a point which is 13 chains and 51 links south 75 degrees 30 minutes west of a point on the west line of section 14 which is 69 chains south of the northwest corner of section 14, thence west 8 chains and 50 links, thence south 6 chains, thence east 8 chains and 50 links, thence north 6 chains to the point of beginning, the said land lying and being in section 15, township 23 north, range 23 east.

The above-described lands contain 5.1 acres, more or less.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eleventh day of August in the year of our Lord nineteen hundred and fifty-nine, and of the independence of the United States of America the one hundred and eighty-fourth.

[SEAL]

DWIGHT D. EISENHOWER.

§ 430jj. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 430ff to 430jj of this title.

(July 25, 1956, ch. 729, § 5, 70 Stat. 651.)

§ 430kk. Wilson's Creek National Battlefield: establishment and acquisition of lands

(a) Establishment, initial boundaries

The Secretary of the Interior shall acquire, by gift, purchase, condemnation, or otherwise, the lands (together with any improvements thereon) comprising the Wilson's Creek Battlefield site near Springfield, Missouri, and any other lands adjacent to such site which in his opinion are necessary or desirable to carry out the purposes of sections 430kk to 430mm of this title.

(b) Expansion of boundaries

(1) The boundaries of the Wilson's Creek National Battlefield are revised to include lands and interests therein consisting of six parcels totaling 615 acres and identified as parcels "1, 2, 3, 4, 5, and 6" on the map entitled "Wilson's Creek National Battlefield Proposed Boundary", numbered 410/80,037 and dated January 27, 2004. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) The Secretary is authorized to acquire the lands referred to in paragraph (1) by donation, by purchase from willing sellers with donated or appropriated funds, or by exchange. The Secretary may acquire by the same methods per-

sonal property associated with, and appropriate for, interpretation of the park.

(c) Access to private property

Nothing in sections 430kk to 430mm of this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(d) Liability

The revision of the boundaries of the Wilson's Creek National Battlefield by subsection (b) of this section shall not be considered to create any liability for, or to have any effect on any liability under any other law of, any owner of private property with respect to any person injured on that private property.

(e) Recognition of authority to control land use

Nothing in sections 430kk to 430mm of this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(f) Participation of private property owners

Nothing in sections 430kk to 430mm of this title shall be construed to require the owner of any private property located within the boundaries of the Wilson's Creek National Battlefield to participate in, or be associated with, the National Battlefield.

(g) Effect of expansion

The boundaries of the Wilson's Creek National Battlefield, as revised by subsection (b) of this section, represent the area within which Federal funds appropriated for the purpose of sections 430kk to 430mm of this title may be expended. The boundary revision shall not be construed to provide any nonexisting regulatory authority on land use within the National Battlefield or its viewshed by the Secretary or the National Park Service.

(Pub. L. 86-434, §1, Apr. 22, 1960, 74 Stat. 76; Pub. L. 108-394, §2(a), Oct. 30, 2004, 118 Stat. 2247.)

AMENDMENTS

2004—Pub. L. 108-394 inserted section catchline, designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) to (g).

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-394, §1, Oct. 30, 2004, 118 Stat. 2247, provided that: "This Act [amending this section and section 430mm of this title] may be cited as the 'Wilson's Creek National Battlefield Boundary Adjustment Act of 2004'."

§ 430ll. Designation

(a) Administration, protection, and development

The lands acquired under section 430kk of this title shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Wilson's Creek National Battlefield. The National Park Service, under the direction of the Secretary of the Interior, shall administer, pro-

tect, and develop the park, subject to the provisions of sections 1, 2, 3, and 4 of this title.

(b) Improvements

In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

(Pub. L. 86-434, §2, Apr. 22, 1960, 74 Stat. 76; Pub. L. 91-554, §1(a), Dec. 16, 1970, 84 Stat. 1441.)

AMENDMENTS

1970—Pub. L. 91-554 substituted "Wilson's Creek National Battlefield" for "Wilson's Creek Battlefield National Park".

§ 430mm. Authorization of appropriations

For development of the Wilson's Creek National Battlefield, there are authorized to be appropriated not more than \$5,640,000. There are authorized to be appropriated such sums as may be necessary to carry out section 430kk(b) of this title.

(Pub. L. 86-434, §3, Apr. 22, 1960, 74 Stat. 76; Pub. L. 91-554, §1(b), Dec. 16, 1970, 84 Stat. 1441; Pub. L. 95-625, title I, §101(29), Nov. 10, 1978, 92 Stat. 3472; Pub. L. 108-394, §2(b), Oct. 30, 2004, 118 Stat. 2248.)

AMENDMENTS

2004—Pub. L. 108-394 inserted last sentence.
1978—Pub. L. 95-625 substituted "\$5,640,000." for "\$2,285,000 (March 1969 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction cost indices applicable to the types of construction involved herein."

1970—Pub. L. 91-554 increased authorization of appropriations from not more than \$120,000 to not more than \$2,285,000 (March 1969 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices.

§ 430nn. Antietam Battlefield site; acquisition of lands, buildings, structures, and other property

The Secretary of the Interior is authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable or by condemnation in accordance with section 3113 of title 40, lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Antietam Battlefield site, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That payment for such property or interests shall be made solely from donated funds. All such property and interests shall be a part of the Antietam Battlefield site and shall be subject to all laws and regulations applicable thereto.

(May 14, 1940, ch. 191, 54 Stat. 212.)

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888 (25 Stat. 357)" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first