

tions 450bb-1 and 450bb-2 of this title] may be cited as the ‘Harpers Ferry National Historical Park Boundary Revision Act of 2004.’”

#### ACQUISITION OF CLEAR AND MARKETABLE TITLE TO ADDITIONAL PARK LANDS

Section 1(b) of Pub. L. 101-109 provided that: “Nothing in this Act [amending this section] shall be deemed to prohibit the Secretary from using such measures as may be necessary to acquire a clear and marketable title, free of any and all encumbrances, to the lands identified for acquisition in paragraph (a)(2) of this Act.”

#### AUTHORIZATION OF APPROPRIATIONS

Section 4 of act June 30, 1944, as amended by Pub. L. 93-466, §1(3), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 95-625, title I, §101(14), Nov. 10, 1978, 92 Stat. 3471; Pub. L. 96-199, title I, §108(2), Mar. 5, 1980, 94 Stat. 69, provided that: “In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act [sections 450bb to 450bb-2 of this title], but not more than \$1,600,000 for the acquisition of lands and interests in lands, and not more than \$12,385,000 for development.”

#### § 450bb-1. Administration

The property acquired under the provisions of section 450bb of this title shall constitute the Harpers Ferry National Historical Park and shall be a public national memorial commemorating historical events at or near Harpers Ferry. The Director of the National Park Service under the direction of the Secretary, shall have the supervision, management, and control of such national historical park, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(June 30, 1944, ch. 328, §2, 58 Stat. 646; Pub. L. 88-33, May 29, 1963, 77 Stat. 52; Pub. L. 108-307, §3, Sept. 24, 2004, 118 Stat. 1134.)

#### AMENDMENTS

2004—Pub. L. 108-307 substituted “Secretary” for “Secretary of the Interior” in second sentence.

#### CHANGE OF NAME

Words “national historical park” substituted in text for “national monument” in view of redesignation of Harpers Ferry National Monument as Harpers Ferry National Historical Park by Pub. L. 88-33, classified to section 450bb-6 of this title.

#### 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.

#### § 450bb-2. Maintenance of museum; acceptance of museum articles; construction of roads, etc.

The Secretary is authorized to—

(1) Maintain, either in an existing structure acquired under the provisions of section 450bb of this title or in a building constructed by him for the purpose, a museum for relics and records pertaining to historic events that took

place at Harpers Ferry, and for other relics of national and patriotic interest, and to accept on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum;

(2) Construct roads and facilities and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the Harpers Ferry National Historical Park; and

(3) Provide, directly or by contract, subject to the provisions of the Act of June 7, 1974, an interpretive shuttle transportation service within, between, and among lands acquired for the purpose of sections 450bb to 450bb-2 of this title for such times and upon such terms as in his judgment will best accomplish the purposes of sections 450bb to 450bb-2 of this title.

(June 30, 1944, ch. 328, §3, 58 Stat. 646; Pub. L. 88-33, May 29, 1963, 77 Stat. 52; Pub. L. 93-466, §1(2), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 108-307, §3, Sept. 24, 2004, 118 Stat. 1134.)

#### REFERENCES IN TEXT

Act of June 7, 1974, referred to in par. (3), is Pub. L. 93-303, June 7, 1974, 88 Stat. 192, which amended sections 4607-6a, 4607-8, and 4607-10a of this title. For complete classification of this Act to the Code, see Tables.

#### AMENDMENTS

2004—Pub. L. 108-307 substituted “Secretary” for “Secretary of the Interior” in introductory provisions. 1974—Par. (3). Pub. L. 93-466 added par. (3).

#### CHANGE OF NAME

“Harpers Ferry National Historical Park” substituted in text for “Harpers Ferry National Monument” in view of redesignation of Harpers Ferry National Monument as Harpers Ferry National Historical Park by Pub. L. 88-33, classified to section 450bb-6 of this title.

#### § 450bb-3. Acquisition of additional lands

To further the commemorative purposes of sections 450bb to 450bb-2 of this title, by providing historic properties and administrative facilities, the Secretary of the Interior is authorized to acquire, in the manner hereafter stated, the Storer College site, the original site of John Brown’s “Fort” and the old Federal armory, comprising altogether approximately thirty acres, for addition to Harpers Ferry National Historical Park.

(Pub. L. 86-655, §1, July 14, 1960, 74 Stat. 520; Pub. L. 88-33, May 29, 1963, 77 Stat. 52.)

#### CHANGE OF NAME

“Harpers Ferry National Historical Park” substituted in text for “Harpers Ferry National Monument” in view of redesignation of Harpers Ferry National Monument as Harpers Ferry National Historical Park by Pub. L. 88-33, classified to section 450bb-6 of this title.

#### § 450bb-4. Acceptance and purchase of lands and improvements; payment; exchange of lands

(a) The Secretary of the Interior may accept the conveyance of all right, title, and interest of the trustees of Storer College in and to the lands and improvements in Harpers Ferry, West Virginia, granted to their predecessors for educational purposes pursuant to section 2 of the Act of December 15, 1868 (15 Stat. 266), upon pay-

ment to said trustees of not more than the current fair market value of the improvements located upon such lands. The Secretary may also purchase lands, interests therein, and improvements thereon, which lands were granted to the trustees of Storer College pursuant to such Act of 1868 and subsequently were alienated by the trustees: *Provided*, That he may pay not in excess of the amount paid therefor by the then owners plus the cost of existing improvements placed thereon by them, and, in no event may he pay more than the current fair market value. The Secretary may also purchase from the trustees of Storer College, at not more than their fair market value, other lands and interests in lands acquired by them or their predecessors as a part of the college site, together with any improvements thereon. In addition, up to seven acres of privately owned lands, interests therein, and improvements thereon, which are interspersed with the aforesaid college lands may be purchased by the Secretary. Lands and interests purchased under this subsection may be exchanged for other lands, and interests therein, of approximately equal value, which comprise the college and interspersed lands otherwise authorized herein for purchase.

(b) To facilitate the acquisition of the original site of the engine house known as John Brown's "Fort" and the old Federal arsenal, the Secretary of the Interior is authorized to exchange therefor federally owned park lands or interests in lands of approximately equal value in the vicinity of Cumberland, Maryland, which he finds are no longer required for park purposes.

(Pub. L. 86-655, § 2, July 14, 1960, 74 Stat. 520.)

#### REFERENCES IN TEXT

Section 2 of the Act of December 15, 1868, referred to in subsec. (a), means act Dec. 15, 1868, ch. 2, § 2, 15 Stat. 266, which was not classified to the Code.

#### § 450bb-5. Authorization of appropriations

There are authorized to be appropriated such sums, not to exceed \$300,000, as may be necessary for the purchase of lands, interests therein, and improvements thereon pursuant to sections 450bb-3 to 450bb-5 of this title.

(Pub. L. 86-655, § 3, July 14, 1960, 74 Stat. 521.)

#### § 450bb-6. Change in name of Harpers Ferry National Monument

The Harpers Ferry National Monument established pursuant to sections 450bb to 450bb-2 of this title, shall on and after May 29, 1963, be known as Harpers Ferry National Historical Park, and any law, regulation, document, or record of the United States in which such monument is designated or referred to under the name of Harpers Ferry National Monument shall be held to refer to such monument under and by the name of Harpers Ferry National Historical Park.

(Pub. L. 88-33, May 29, 1963, 77 Stat. 52.)

#### § 450cc. Castle Clinton National Monument; establishment

The Secretary of the Interior is authorized to accept, on behalf of the United States, title to

the site, comprising approximately one acre and situated in Battery Park, New York City, of the historic structure known as Castle Clinton, together with such structure and any other improvement on or appurtenant to such site. When title to such property is vested in the United States, it shall constitute the Castle Clinton National Monument.

(Aug. 12, 1946, ch. 954, § 1, 60 Stat. 997.)

#### PRESERVATION AND ADMINISTRATION OF CASTLE CLINTON NATIONAL MONUMENT

Study by New York City National Shrines Advisory Board concerning preservation and administration of Castle Clinton National Monument, see act Aug. 11, 1955, ch. 779, 69 Stat. 632, set out in a note under section 463 of this title.

#### § 450cc-1. Administration, protection, and development

The administration, protection, and development of the Castle Clinton National Monument shall be under the supervision of the Secretary of the Interior, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Aug. 12, 1946, ch. 954, § 2, 60 Stat. 997.)

#### 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.

#### § 450dd. De Soto National Memorial; establishment

For the purpose of establishing an appropriate memorial to Hernando De Soto, the Secretary of the Interior is authorized, in his discretion, to acquire on behalf of the United States, by donation, by purchase with donated funds when purchaseable<sup>1</sup> at prices deemed by him reasonable, or by condemnation with donated funds, such lands and interests in land within an area of not to exceed thirty acres as he may select in the vicinity of Tampa Bay and Bradenton, Florida, and to construct thereon a suitable memorial structure, together with such connecting roads and public facilities as may be desirable.

(Mar. 11, 1948, ch. 109, § 1, 62 Stat. 78; Pub. L. 86-728, § 1A, Sept. 8, 1960, 74 Stat. 856.)

#### AMENDMENTS

1960—Pub. L. 86-728 increased limitation on acquisition of land from twenty-five to thirty acres.

#### AUTHORIZATION OF APPROPRIATIONS

Section 3 of act Mar. 11, 1948, as amended Aug. 21, 1950, ch. 768, 64 Stat. 469; Sept. 8, 1960, Pub. L. 86-728, § 1B, 74 Stat. 856; Nov. 10, 1978, Pub. L. 95-625, title I, § 101(8), 92 Stat. 3471; Oct. 12, 1979, Pub. L. 96-87, title IV, § 401(a), 93 Stat. 665, provided that: "There is hereby authorized to be appropriated such sums, not to exceed \$292,000, as may be necessary to carry out the provisions of this Act [sections 450dd and 450dd-1 of this title]."

<sup>1</sup> So in original. Probably should be "purchasable".