

(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.)

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.

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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-1. Tupelo National Battlefield; acquisition of additional lands**

To further the purposes of sections 429 and 429a of this title, the Secretary of the Interior may acquire by donation or with donated funds not to exceed one-half acre of land and interests in land for addition to the adjoining Tupelo National Battlefield site.

(Pub. L. 87-133, § 1, Aug. 10, 1961, 75 Stat. 336.)

**§ 429a-2. Change in name to Tupelo National Battlefield; administration**

The Tupelo National Battlefield site is redesignated the Tupelo National Battlefield which

shall continue to be administered pursuant to sections 1, 2, 3, and 4 of this title, as amended and supplemented.

(Pub. L. 87-133, § 2, Aug. 10, 1961, 75 Stat. 336.)

#### § 429b. Manassas National Battlefield Park

##### (a) Establishment; boundaries

There is established as a unit of the national park system in the Commonwealth of Virginia the Manassas National Battlefield Park, which shall contain within its boundaries the important historical lands relating to the two battles of Manassas. The total area of the park shall not be greater than four thousand five hundred and twenty-five acres. The boundaries of the park shall be the boundaries depicted on the map entitled "Boundary Map, Manassas National Battlefield Park", dated October 1980, and numbered 379/80,009, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary shall publish in the Federal Register, as soon as practicable after the date of the enactment of this Act, but no later than one year from the effective date of this section, a detailed description and map of the boundaries. Notwithstanding section 4607-9(c) of this title, the Secretary may not make any changes in the boundaries of the park. The Secretary shall administer the park in accordance with laws, rules, and regulations applicable to the national park system.

##### (b) Addition to park

(1) In addition to subsection (a) of this section, the boundaries of the park shall include the area, comprising approximately 600 acres, which is south of U.S. Route 29, north of Interstate Route 66, east of Route 705, and west of Route 622. Such area shall hereafter in sections 429b to 429b-5 of this title be referred to as the "Addition".

(2)(A) Notwithstanding any other provision of law, effective on November 10, 1988, there is hereby vested in the United States all right, title, and interest in and to, and the right to immediate possession of, all the real property within the Addition.

(B) The United States shall pay just compensation to the owners of any property taken pursuant to this paragraph and the full faith and credit of the United States is hereby pledged to the payment of any judgment entered against the United States with respect to the taking of such property. Payment shall be in the amount of the agreed negotiated value of such property or the valuation of such property awarded by judgment and shall be made from the permanent judgment appropriation established pursuant to 31 U.S.C. 1304. Such payment shall include interest on the value of such property which shall be compounded quarterly and computed at the rate applicable for the period involved, as determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities from November 10, 1988, to the last day of the month preceding the date on which payment is made.

(C) In the absence of a negotiated settlement, or an action by the owner, within 1 year after

November 10, 1988, the Secretary may initiate a proceeding at anytime seeking in a court of competent jurisdiction a determination of just compensation with respect to the taking of such property.

(3) Not later than 6 months after November 10, 1988, the Secretary shall publish in the Federal Register a detailed description and map depicting the boundaries of the Addition. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

##### (c) Use of addition

The Secretary shall not allow any unauthorized use of the Addition after November 10, 1988, except that the Secretary may permit the orderly termination of all operations on the Addition and the removal of equipment, facilities, and personal property from the Addition.

(Apr. 17, 1954, ch. 153, § 1, 68 Stat. 56, as renumbered and amended Pub. L. 96-442, § 2, Oct. 13, 1980, 94 Stat. 1885; Pub. L. 100-647, title X, § 10002, Nov. 10, 1988, 102 Stat. 3810.)

#### REFERENCES IN TEXT

The date of the enactment of this Act and effective date of this Act, referred to in subsec. (a), probably means the date of the enactment of the Manassas National Battlefield Park Amendments of 1980, Pub. L. 96-442, which was approved Oct. 13, 1980.

#### AMENDMENTS

1988—Pub. L. 100-647 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

1980—Pub. L. 96-442 substituted a referenced map for specific boundaries, limited the expanded battlefield park to 4,525 acres, included the park in the National Park System, required the Secretary to publish more detailed map, prohibited the Secretary from making boundary adjustments and required him to administer the Park in accordance with the laws and regulations applicable to the National Park System.

#### SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-647, title X, § 10001, Nov. 10, 1988, 102 Stat. 3810, provided that: "This title [amending this section and section 429b-1 of this title and enacting provisions set out as a note below] may be cited as the 'Manassas National Battlefield Park Amendments of 1988'."

#### SHORT TITLE

Pub. L. 96-442, § 1, Oct. 13, 1980, 94 Stat. 1885, provided: "That this Act [enacting sections 429b-1 to 429b-5 of this title, amending this section, and enacting provisions set out as a note under section 460cc of this title] may be cited as the 'Manassas National Battlefield Park Amendments of 1980'."

#### HIGHWAY RELOCATION

Pub. L. 100-647, title X, § 10004, Nov. 10, 1988, 102 Stat. 3811, provided that:

"(a) STUDY.—The Secretary of the Interior (hereafter in this section referred to as the 'Secretary'), in consultation and consensus with the Commonwealth of Virginia, the Federal Highway Administration, and Prince William County, shall conduct a study regarding the relocation of highways (known as routes 29 and 234) in, and in the vicinity of, the Manassas National Battlefield Park (hereinafter in this section referred to as the 'park'). The study shall include an assessment of the available alternatives, together with cost estimates and recommendations regarding preferred options. The study shall specifically consider and develop plans for the closing of those public highways (known as routes