

ered most excepted positions into the classified (competitive) civil service. The Order is set out as a note under section 3301 of Title 5, Government Organization and Employees.

As to the compensation of such personnel, sections 1202 and 1204 of the Classification Act of 1949, 63 Stat. 972, 973, repealed the Classification Act of 1923 and all other laws or parts of laws inconsistent with the 1949 Act. The Classification Act of 1949 was repealed Pub. L. 89-554, Sept. 6, 1966, §8(a), 80 Stat. 632, and reenacted as chapter 51 and subchapter III of chapter 53 of Title 5. Section 5102 of Title 5 contains the applicability provisions of the 1949 Act, and section 5103 of Title 5 authorizes the Office of Personnel Management to determine the applicability to specific positions and employees.

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.

§ 430z-2. Memorials within park; erection authorized

The Secretary of the Interior is further authorized, by and with the advice of the National Commission of Fine Arts, to authorize and permit the erection in said memorial park of suitable memorials in harmony with the monument and/or memorial herein authorized that may be desired to be constructed by Spanish War organizations, States, and/or foreign governments: *Provided*, That the design and location of such memorials must be approved by the Secretary of the Interior, by and with the advice of the National Commission of Fine Arts, before construction is undertaken.

(Aug. 20, 1935, ch. 575, §4, 49 Stat. 662.)

§ 430z-3. Administration, protection, and development

The administration, protection, and development of the aforesaid Spanish War Memorial Park, including any and all memorials that may be erected thereon, shall be exercised under the direction of the Secretary of the Interior by the National Park Service.

(Aug. 20, 1935, ch. 575, §5, 49 Stat. 662.)

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.

§ 430aa. Pea Ridge National Military Park; establishment

When not less than one thousand two hundred acres of the non-Federal lands hereinafter described (together with improvements thereon) and known as the Pea Ridge Battlefield, near Bentonville, Arkansas, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such areas shall be, and are hereby, dedicated and set apart as a unit

of the National Park System for the benefit and enjoyment of the people of the United States, under the name of the Pea Ridge National Military Park.

(July 20, 1956, ch. 653, §1, 70 Stat. 592.)

§ 430bb. Determination of desirable areas

The Secretary of the Interior is authorized and directed to make an examination of the Pea Ridge Battlefield with a view to determining the area or areas thereof deemed desirable for inclusion in the Pea Ridge National Military Park and which—except for not more than twenty acres of any other lands adjacent to such battlefield found by the Secretary to be necessary to carry out the provisions of sections 430aa to 430ee of this title—lie within the lands particularly described as follows: sections 17, 18, 19, 20, 29, 30, 31, 32, and 33, all township 21 north, range 28 west, Fifth principal meridian; sections 4, 5, 6, 7, and 8, all township 20 north, range 28 west, Fifth principal meridian; sections 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, and 36, all township 21 north, range 29 west, Fifth principal meridian; and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, all township 20 north, range 29 west, Fifth principal meridian.

(July 20, 1956, ch. 653, §2, 70 Stat. 592.)

§ 430cc. Administration, protection, and development; improvements

(a) The National Park Service under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(b) 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.

(July 20, 1956, ch. 653, §3, 70 Stat. 593.)

§ 430dd. Dedication

Sections 430aa to 430ee of this title shall become effective if and when the requirements of sections 430aa and 430bb of this title shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a notice declaring that the requirements herein have been met, and said notice shall formally dedicate and set aside the areas transferred to the United States in accordance with the provisions of section 430aa of this title.

(July 20, 1956, ch. 653, §4, 70 Stat. 593.)

§ 430ee. Authorization of appropriations

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

(July 20, 1956, ch. 653, §5, 70 Stat. 593.)

§ 430ff. Horseshoe Bend National Military Park; establishment

When not less than five hundred acres of the non-Federal lands hereinafter described (to-

gether with improvements thereon) and known as the Horseshoe Bend Battle Ground on the Tallapoosa River, in the State of Alabama, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such areas shall be, and are hereby, dedicated and set apart as a unit of the National Park System for the benefit and enjoyment of the people of the United States, under the name of the Horseshoe Bend National Military Park.

(July 25, 1956, ch. 729, § 1, 70 Stat. 651.)

§ 430gg. Determination of desirable areas

The Secretary of the Interior is authorized and directed to make an examination of the Horseshoe Bend Battle Ground with a view to determining the area or areas thereof deemed desirable for inclusion in the Horseshoe Bend National Military Park and which, except for not more than twenty acres of any other lands adjacent to such battleground found by the Secretary to be necessary to carry out the provisions of sections 430ff to 430jj of this title, lie within the lands particularly described as follows: Sections 13, 14, 15, 22, and 23, all township 23 north, range 23 east, Saint Stephens meridian.

(July 25, 1956, ch. 729, § 2, 70 Stat. 651.)

§ 430hh. Administration, protection, and development; improvements

(a) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(b) 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.

(July 25, 1956, ch. 729, § 3, 70 Stat. 651.)

§ 430ii. Dedication

Sections 430ff to 430jj of this title shall become effective if and when the requirements of sections 430ff and 430gg of this title shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a notice declaring that the requirements herein have been met, and said notice shall formally dedicate and set aside the areas transferred to the United States in accordance with the provisions of section 430ff of this title.

(July 25, 1956, ch. 729, § 4, 70 Stat. 651.)

PROC. NO. 3308. ESTABLISHMENT OF PARK

Proc. No. 3308, Aug. 11, 1959, 24 F.R. 6607, provided:

WHEREAS the battle of Horseshoe Bend, fought on March 27, 1814, on the Tallapoosa River in Alabama, resulted in a decisive victory for the forces of General Andrew Jackson over a strong body of Creek Indians and broke the power of the Creek Confederacy; and

WHEREAS this significant historic event on the Indian border opened the way for settlement in Alabama and other parts of the old Southwest; and

WHEREAS section 1 of an act approved July 25, 1956 (70 Stat. 651) [section 430ff of this title], provides that

when not less than five hundred acres of non-Federal lands (together with improvements thereon), known as the Horseshoe Bend Battle Ground, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such area shall be dedicated and set apart as the Horseshoe Bend National Military Park; and

WHEREAS section 2 of that act [section 430gg of this title] authorizes and directs the Secretary of the Interior to make an examination of the Horseshoe Bend Battle Ground with a view to determining the area or areas thereof deemed desirable for inclusion in the Horseshoe Bend National Military Park; and

WHEREAS the Secretary of the Interior on June 11, 1957, approved a map showing an area of 2,040 acres on the Horseshoe Bend Battle Ground as being desirable for inclusion in the Horseshoe Bend National Military Park, and such land was donated to, and accepted on behalf of, the United States of America on April 24, 1959; and

WHEREAS the requirements of sections 1 and 2 of the act of July 25, 1956 (70 Stat. 651) [sections 430ff and 430gg of this title], have been fully complied with:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, by virtue of the authority vested in me by section 4 of the above-mentioned act of July 25, 1956 [this section], do hereby dedicate and set aside the following-described lands in Tallapoosa County, Alabama, as the Horseshoe Bend National Military Park:

Northeast quarter (NE¹/₄), northeast quarter of northwest quarter (NE¹/₄ of NW¹/₄), northeast quarter of southeast quarter (NE¹/₄ of SE¹/₄), 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 said 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 the 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