

## SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-238, §1, Oct. 11, 2002, 116 Stat. 1486, provided that: "This Act [enacting sections 430h-10 to 430h-13 of this title] may be cited as the 'Vicksburg National Military Park Boundary Modification Act of 2002'."

## TRANSFER OF FUNCTIONS

Administrative functions of Vicksburg National Military Park transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out as notes under section 901 of Title 5, Government Organization and Employees.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

**§ 430h-1. Donations of land and property**

The Secretary of the Interior is authorized, in his discretion, to accept, in behalf of the United States, donations of lands, buildings, structures, and other property, or interests therein, within a distance of one mile of the present boundaries of the Vicksburg National Military Park, which he may determine to be of historical interest in connection with said park, the title to such property or interests therein to be satisfactory to the Secretary of the Interior.

All such property or interests therein, upon acceptance thereof, shall become a part of the Vicksburg National Military Park and shall be subject to all laws and regulations applicable thereto.

(Oct. 9, 1940, ch. 790, 54 Stat. 1061.)

**§ 430h-2. Exchange of certain lands authorized**

In order to further the consolidation of land comprising Vicksburg National Military Park, the Secretary of the Interior is authorized, upon such terms and conditions as he may deem necessary, to transfer to the city of Vicksburg, Mississippi, for school purposes, a tract of park land containing three and one-tenth acres, more or less, now under revocable permit to said city, acting through its board of education, and to transfer to the Mississippi State Highway Commission a tract of park land containing one and thirty-two hundredths acres, more or less, now under revocable permit to said commission for use as a site for a weighing station: *Provided*, That, from among the land designated as tracts 199, 201, 202, 203, 204, 205, 206, and 216 on map Numbered NMP-VIC-7007, said city and highway commission shall transfer in exchange to the United States, for addition to Vicksburg National Military Park, such land or interests therein as may be mutually agreed upon and which are approximately equal in value to the properties being acquired in each case.

(Pub. L. 85-667, Aug. 14, 1958, 72 Stat. 617.)

**§ 430h-3. Consolidation of lands and installation of park tour road**

In order to preserve and protect the essential historical features of Vicksburg National Military Park in the State of Mississippi and to enhance visitor enjoyment and safety by means of a park tour road and through the consolidation of park lands, the Secretary of the Interior is

authorized, in his discretion, and under such terms and conditions as he determines are in the public interest—

**(a) Disposition of lands and roads; incorporation into municipal road system; reversion on failure of conditions; reservation of title to monuments and easements**

to quitclaim to the city of Vicksburg, Mississippi, approximately one hundred and fifty-four acres of land, including the roads thereon and the park land abutting said roads, in exchange for the city's agreeing to place the roads in its road system and thereby assume jurisdiction and maintenance thereof, and upon the further agreement of the city to maintain the parklike character of so much of the parkland conveyed to it and abutting the road as the Secretary may prescribe, said land being generally that part of Vicksburg National Military Park lying south of Fort Garrott with the exception of Navy Circle, South Fort, and Louisiana Circle: *Provided*, That title to so much of said abutting park land prescribed by the Secretary and covered by said agreement of the city to maintain the parklike character thereof shall revert to the United States if its parklike character is not maintained; to quitclaim to Warren County, Mississippi, upon like terms and conditions approximately twenty-four acres of land, including the road and abutting park land, being known as Sherman Avenue and the Sherman Avenue spur; to release or quitclaim to Warren County or any other appropriate political subdivision of the State all interest which the United States of America has, if any, in those portions of any public road located on park land which are no longer required for park purposes: *Provided*, That the United States shall reserve from the conveyance or conveyances made pursuant to this subsection title to all historical monuments, means of access thereto, and such other easements as the Secretary determines are required for the continued administration of said monuments as a part of Vicksburg National Military Park; and

**(b) Acquisition of lands: purchases, condemnations and donations**

to acquire not in excess of five hundred and forty-four acres of land, or interests in land, for addition to Vicksburg National Military Park, such authority to include purchase and condemnation with appropriated funds but not to constitute a limitation upon existing authority to accept donations; and

**(c) Municipal agreements of park tour road's effect upon local road systems; Federal obligations for local roads directly attributable to installation of park tour road**

to enter into agreements with duly authorized officials of the City of Vicksburg and Warren County relative to the effect which the installation of a one-way park tour road with controlled access will have upon the existing local road systems; subject to the availability of funds, to obligate the United States to make provisions for such alterations, relocations and construction of local roads, including procurement of rights-of-way therefor and

the subsequent transfer thereof to the State or its appropriate political subdivisions which shall thereupon assume jurisdiction and maintenance, as the Secretary and said officials agree are directly attributable to the installation of the park tour road; and to transfer to the city or county jurisdiction and maintenance of service roads which the Secretary constructs on park lands to properties that otherwise would be denied access because of the installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the consent of the city and county officials referred to in subsection (c), convert the portion of the existing road known as Confederate Avenue lying between Graveyard Road and Fort Garrott into a one-way park tour road with controlled access, or otherwise limit the use of such portion by local traffic, until the United States has provided for such alterations, relocations, and construction of local roads (including procurement of rights-of-way) as the Secretary and said officials agree are directly attributable to the installation of such park tour road.

(Pub. L. 88-37, §1, June 4, 1963, 77 Stat. 55.)

#### § 430h-4. Jurisdiction over lands and roads

Upon the delivery and acceptance of the conveyances herein authorized, any jurisdiction heretofore ceded to the United States by the State of Mississippi over the lands and roads transferred shall thereby cease and thereafter rest in the State of Mississippi.

(Pub. L. 88-37, §2, June 4, 1963, 77 Stat. 56.)

#### § 430h-5. Authorization of appropriations

There are hereby authorized to be appropriated such sums, but not more than \$3,850,000, as are required for acquisition of lands and interests in lands and for construction and relocation of roads pursuant to sections 430h-3 to 430h-5 of this title.

(Pub. L. 88-37, §3, June 4, 1963, 77 Stat. 56; Pub. L. 94-578, title II, §201(8), Oct. 21, 1976, 90 Stat. 2733.)

#### AMENDMENTS

1976—Pub. L. 94-578 substituted “\$3,850,000” for “\$2,050,000”.

#### § 430h-6. Addition of lands to Vicksburg National Military Park

##### (a) Grant’s Canal, Louisiana

The Secretary of the Interior (hereinafter in sections 430h-6 to 430h-9 of this title referred to as the “Secretary”) is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds, approximately two and five-tenths acres of land in Madison Parish, Louisiana, known generally as the Grant’s Canal property.

##### (b) Warren County, Mississippi

(1) The Secretary is authorized to acquire by donation approximately two and eighty-two one-hundredths acres of land adjacent to the entrance of Vicksburg National Military Park owned by Warren County, Mississippi.

(2) The Secretary may contribute, in cash or services, to the relocation and construction of a maintenance facility to replace the facility located on the land to be donated, all in accordance with an agreement between the Secretary and the Board of Supervisors.

(3) The Secretary is authorized to restore and landscape the property acquired pursuant to this subsection.

##### (c) Boundary revision

Upon acquisition of the properties referred to in subsections (a) and (b) of this section, the Secretary shall, after the publication of notice in the Federal Register, revise the boundary of Vicksburg National Military Park (hereinafter in sections 430h-6 to 430h-9 of this title referred to as the “park”) to reflect the inclusion of such properties within the park.

(Pub. L. 101-442, title I, §101, Oct. 18, 1990, 104 Stat. 1019.)

#### § 430h-7. Exclusion of lands from park

##### (a) Exclusion of certain lands

The park boundary is hereby revised to exclude those lands depicted as “Proposed Deletions” on the map entitled “Vicksburg National Military Park” numbered 306-80,007 and dated May 1990, which map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. Exclusive jurisdiction over the lands excluded from the park is hereby retroceded to the State of Mississippi.

##### (b) Transfer to adjacent owners

(1) For a period ending four years after October 18, 1990, and subject to the provisions of paragraph (2), the Secretary is authorized to convey title to all or part of the lands referred to in subsection (a) of this section to an owner of property adjacent to such lands, upon the application of such owner.

(2) No property shall be conveyed unless the application referred to in paragraph (1) is accompanied by a payment in an amount equal to—

(A) the fair market value of the land to be conveyed; and

(B) the administrative costs of such transfer incurred by the Secretary, including the costs of surveys, appraisals, and filing and recording fees.

##### (c) Excess property

Any lands not conveyed pursuant to subsection (b) of this section shall be reported to the Administrator of General Services as excess to the needs of the Department of the Interior and shall be subject to transfer or disposition in accordance with chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.

(Pub. L. 101-442, title I, §102, Oct. 18, 1990, 104 Stat. 1019.)

#### CODIFICATION

In subsec. (c), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of