

Feb. 26, 1934; Ex. Ord. No. 6690, Apr. 25, 1934, set out as a note to section 901 of Title 5, Government Organization and Employees, transferred all functions of administrator of certain historical national cemeteries located within the continental limits of the United States, including certain cemeteries administered by the War Department to the Director of National Parks, Buildings, and Reservations in the Department of the Interior.

By Ex. Ord. No. 6228, July 28, 1933, also set out as a note to section 901 of Title 5, the operation of Executive Order No. 6166 as to the transfer of the specified national cemeteries was postponed until further order, except with regard to the following cemeteries located within the continental limits of the United States:

#### NATIONAL MILITARY PARKS

Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.  
 Fort Donelson National Military Park, Tennessee.  
 Fredericksburg and Spotsylvania County Battle Fields, Memorial, Virginia.  
 Gettysburg National Military Park, Pennsylvania.  
 Guilford Courthouse National Military Park, North Carolina.  
 Kings Mountain National Military Park, South Carolina.  
 Moores Creek National Military Park, North Carolina.  
 Petersburg National Military Park, Virginia.  
 Shiloh National Military Park, Tennessee.  
 Stones River National Military Park, Tennessee.  
 Vicksburg National Military Park, Mississippi.

#### NATIONAL PARKS

Abraham Lincoln National Park (now Abraham Lincoln Birthplace National Historical Park), Kentucky.  
 Fort McHenry National Park, Maryland.

#### BATTLEFIELD SITES

Antietam Battlefield, Maryland.  
 Appomattox, Virginia.  
 Brices Cross Roads, Mississippi.  
 Chalmette Monument and Grounds, Louisiana.  
 Cowpens, South Carolina.  
 Fort Necessity, Wharton County, Pennsylvania.  
 Kenesaw Mountain, Georgia.  
 Monocacy, Maryland.  
 Tupelo, Mississippi.  
 White Plains, New York.

#### NATIONAL MONUMENTS

Big Hole Battlefield, Beaverhead County, Montana.  
 Cabrillo Monument, Ft. Rosecrans, California.  
 Castle Pinckney, Charleston, South Carolina.  
 Father Millet Cross, Fort Niagara, New York.  
 Fort Marion, St. Augustine, Florida.  
 Fort Matanzas, Florida.  
 Fort Pulaski, Georgia.  
 Meriwether Lewis, Hardin County, Tennessee.  
 Mound City Group, Chillicothe, Ohio.  
 Statue of Liberty, Fort Wood, New York.

#### MISCELLANEOUS MEMORIALS

Camp Blount Tablets, Lincoln County, Tennessee.  
 Kill Devil Hill Monument, Kitty Hawk, North Carolina.  
 New Echota Marker, Georgia.  
 Lee Mansion, Arlington National Cemetery, Virginia.

#### NATIONAL CEMETERIES

Battleground, District of Columbia.  
 Antietam, (Sharpsburg) Maryland.  
 Vicksburg, Mississippi.  
 Gettysburg, Pennsylvania.  
 Chattanooga, Tennessee.  
 Fort Donelson, (Dover) Tennessee.  
 Shiloh, (Pittsburg Landing) Tennessee.  
 Stones River, (Murfreesboro) Tennessee.  
 Fredericksburg, Virginia.

Poplar Grove, (Petersburg) Virginia.  
 Yorktown, Virginia.

#### CHANGE OF NAME

Director of National Parks, Buildings and Reservations renamed Director of National Park Service by act Mar. 2, 1934, ch. 38, 48 Stat. 362.

#### NATIONAL CEMETERIES IN FOREIGN COUNTRIES

The functions of administration pertaining to national cemeteries located in foreign countries, which were transferred to the Department of State, were revoked and the functions of administration pertaining to national cemeteries and memorials located in Europe, together with personnel, records, etc. were transferred to the American Battle Monuments Commission by Ex. Ord. No. 6614, Apr. 25, 1934, set out as a note under section 901 of Title 5, Government Organization and Employees.

### §§ 271 to 276. Repealed. Pub. L. 93-43, § 7(a)(1)-(3), (61), June 18, 1973, 87 Stat. 82, 88

Section 271, R.S. § 4870, provided for manner of acquisition of lands.

Section 271a, act June 29, 1938, ch. 808, 52 Stat. 1233, related to State donations of land.

Section 272, R.S. § 4871; act Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167, provided for appraisement of real estate.

Section 273, R.S. § 4872, provided for payment of appraised value.

Section 274, R.S. § 4873, provided for superintendents of cemeteries.

Section 275, acts Mar. 24, 1948, ch. 143, § 1, 62 Stat. 84; Aug. 30, 1961, Pub. L. 87-178, 75 Stat. 411, provided for selection of superintendents.

Section 276, R.S. § 4875; act July 30, 1912, ch. 258, 37 Stat. 240, provided for fuel and quarters for superintendents.

Subject matter is generally covered by section 2400 et seq. of Title 38, Veterans' Benefits. See sections 2404 and 2406 of Title 38.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1973, or such earlier date as the President may prescribe and publish in the Federal Register, see section 10(c) of Pub. L. 93-43, set out as a note under section 2306 of Title 38, Veterans' Benefits.

#### SUPERINTENDENTS OF NATIONAL CEMETERIES UNDER THE JURISDICTION OF THE SECRETARY OF THE ARMY

Pub. L. 97-306, title IV, § 405, Oct. 14, 1982, 96 Stat. 1443, provided that: "Notwithstanding section 7(b)(2) of the National Cemeteries Act of 1973 (87 Stat. 88) [section 7 of Pub. L. 93-43 set out below], the provisions of the Act entitled "An Act to provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the Armed Forces who have been disabled in the line of duty for active field service", approved March 24, 1948 [Act Mar. 24, 1948, ch. 143, 62 Stat. 84, which enacted former section 275 of this title], as in effect on the day before the effective date of section 7 of the National Cemeteries Act of 1973 [see section 10(c) of Pub. L. 93-43 set out as a note under section 2306 of Title 38, Veterans' Benefits], shall not apply with respect to the appointment of the superintendent of a national cemetery under the jurisdiction of the Secretary of the Army."

#### MATURED RIGHTS AND DUTIES, INCURRED PENALTIES, LIABILITIES, AND FORFEITURES, AND COMMENCED PROCEEDINGS EXCEPTED IN REPEAL OF NATIONAL CEMETERIES PROVISIONS

Pub. L. 93-43, § 7(a), June 18, 1973, 87 Stat. 82, provided in part that sections 271 to 276, 278 to 279d, 281 to 282, 286 to 290, and 296 of this title are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun before effective date of such section 7.

Section 7 of Pub. L. 93-43 effective Sept. 1, 1973, or such earlier date as the President may prescribe and publish in the Federal Register, see section 10(c) of Pub. L. 93-43, set out as a note under section 2306 of Title 38, Veterans' Benefits.

FUNCTIONS, POWERS, AND DUTIES OF SECRETARIES  
UNAFFECTED

Pub. L. 93-43, §7(b), June 18, 1973, 87 Stat. 88, provided that: "Nothing in this section [repealing sections 271 to 276, 278 to 279d, 281 to 282, 286 to 290, and 296 of this title and enacting provisions set out as a note under sections 271 to 276] shall be deemed to affect in any manner the functions, powers, and duties of—

"(1) the Secretary of the Interior with respect to those cemeteries, memorials, or monuments under his jurisdiction on the effective date of this section [see note above], or

"(2) the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to those cemeteries, memorials, or monuments under his jurisdiction to which the transfer provisions of section 6(a) of this Act [set out as a note under section 2404 of Title 38, Veterans' Benefits] do not apply."

**§ 277. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 646**

Section, acts Feb. 12, 1925, ch. 225, title II, 43 Stat. 926; Apr. 15, 1926, ch. 146, title II, 44 Stat. 288, provided for appointment and pay of a superintendent of Antietam Battlefield.

**§§ 278 to 279d. Repealed. Pub. L. 93-43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82**

Section 278, acts July 24, 1876, ch. 226, §1, 19 Stat. 99; June 10, 1921, ch. 18, §§206, 215, 42 Stat. 21, 23; Sept. 12, 1950, ch. 946, title III, §301(96), 64 Stat. 844, provided for care and maintenance of cemeteries. See section 2404(a), (e) of Title 38, Veterans' Benefits.

Section 279, R.S. §4877, related to inclosure, headstones, and registers. See section 2404(a), (c), (d) of Title 38.

Section 279a, acts July 1, 1948, ch. 791, §1, 62 Stat. 1215; Aug. 14, 1958, Pub. L. 85-644, §1(1), 72 Stat. 601; Aug. 28, 1958, Pub. L. 85-811, 72 Stat. 978; Sept. 1, 1970, Pub. L. 91-369, 84 Stat. 836, provided for headstones for unmarked graves of Civil War soldiers, members of armed forces, reserve components, National Guard, Air National Guard, and Reserve Officers Training Corps; compilation of list; and inscription of names on Memorial. See sections 2306 and 2403 of Title 38.

Section 279b, acts July 1, 1948, ch. 791, §2, 62 Stat. 1216; Aug. 14, 1958, Pub. L. 85-644, §1(2), 72 Stat. 602, authorized rules and regulations for the headstones, list, and inscription of names.

Section 279c, act July 1, 1948, ch. 791, §3, 62 Stat. 1216, related to preservation of records respecting the headstones, list, and inscription of names. See section 2404(d) of Title 38.

Section 279d, acts Aug. 27, 1954, ch. 1013, 68 Stat. 880; July 3, 1956, ch. 509, 70 Stat. 489, provided for markers to honor memory of certain Armed Forces personnel. See section 2403(a), (b) of Title 38.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1973, or such earlier date as the President may prescribe and publish in the Federal Register, see section 10(c) of Pub. L. 93-43, set out as a note under section 2306 of Title 38, Veterans' Benefits.

MATURED RIGHTS AND DUTIES, INCURRED PENALTIES,  
LIABILITIES, AND FORFEITURES, AND COMMENCED PRO-  
CEEDINGS EXCEPTED IN REPEAL OF NATIONAL CEME-  
TERIES PROVISIONS

Provisions repealed except with respect to rights and duties matured, penalties, liabilities, and forfeitures

that were incurred, and proceedings that were begun before effective date of section 7 of Pub. L. 93-43, see section 7(a) of Pub. L. 93-43, set out as a note under sections 271 to 276 of this title.

**§§ 280 to 280b. Repealed. July 1, 1948, ch. 791, §4, 62 Stat. 1216**

Section 280, act Feb. 3, 1879, ch. 44, 20 Stat. 281, related to headstones in private cemeteries. See sections 2306 and 2400 et seq. of Title 38, Veterans' Benefits.

Section 280a, act Feb. 26, 1929, ch. 324, 45 Stat. 1307, related to headstones for Confederate soldiers. See sections 2306 and 2400 et seq. of Title 38.

Section 280b, act Apr. 18, 1940, ch. 109, 54 Stat. 142, related to standard headstones. See sections 2306 and 2400 et seq. of Title 38.

**§§ 281 to 282. Repealed. Pub. L. 93-43, §7(a)(6), (8), (10)-(12), (60), June 18, 1973, 87 Stat. 82, 88**

Section 281, acts May 14, 1948, ch. 289, §1, 62 Stat. 234; Sept. 14, 1959, Pub. L. 86-260, 73 Stat. 547, enumerated classes of persons eligible for burial in national cemeteries and provided for removal of remains. See section 2402 of Title 38, Veterans' Benefits.

Section 281a, act Aug. 4, 1947, ch. 467, §1, 61 Stat. 742, provided for utilization of surplus military real property for cemeteries.

Section 281b, act Aug. 4, 1947, ch. 467, §2, 61 Stat. 742, related to utilization of surplus military real property for expansion of existing cemeteries and limited the expanded national cemetery area to six hundred and forty acres.

Section 281c, act Aug. 4, 1947, ch. 467, §3, 61 Stat. 742, authorized regulations respecting utilization of surplus military real property for cemeteries.

Section 281d, act Mar. 10, 1950, ch. 52, §1, 64 Stat. 12, related to utilization of surplus military real property for cemeteries at Fort Logan, Colo.

Section 281e, act Mar. 10, 1950, ch. 52, §2, 64 Stat. 12, provided for selection of lands, care and maintenance, and limitation of area of national cemetery at Fort Logan, Colo.

Section 281f, act Mar. 10, 1950, ch. 52, §3, 64 Stat. 12, authorized Secretary of the Army to prescribe rules and regulations for administration of national cemetery at Fort Logan, Colo.

Section 281g, act Aug. 10, 1950, ch. 672, §§1, 2, 64 Stat. 434, provided for expansion of existing cemeteries at Rock Island National Cemetery, Rock Island, Illinois, Fort Leavenworth, National Cemetery, Fort Leavenworth, Kansas, and Barrancas National Cemetery, near Pensacola, Florida.

Section 282, act Aug. 24, 1912, ch. 355, §1, 37 Stat. 440, provided for burial of Confederate veterans.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1973, or such earlier date as the President may prescribe and publish in the Federal Register, see section 10(c) of Pub. L. 93-43, set out as a note under section 2306 of Title 38, Veterans' Benefits.

MATURED RIGHTS AND DUTIES, INCURRED PENALTIES,  
LIABILITIES, AND FORFEITURES, AND COMMENCED PRO-  
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TERIES PROVISIONS

Provisions repealed except with respect to rights and duties matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun before effective date of section 7 of Pub. L. 93-43, see section 7(a) of Pub. L. 93-43, set out as a note under sections 271 to 276 of this title.

**§§ 283 to 285. Omitted**

CODIFICATION

Section 283, R.S. §4879, related to the military cemetery near Mexico City. See section 2111 of Title 36, Pa-