

(Pub. L. 106-511, title V, §501, Nov. 13, 2000, 114 Stat. 2373.)

REFERENCES IN TEXT

Sections 4231-1 to 4231-6 of this title, referred to in text, was in the original "this title", meaning title V of Pub. L. 106-511, Nov. 13, 2000, 114 Stat. 2373, which enacted sections 4231-1 to 4231-6 of this title and repealed sections 423j to 423l of this title. For complete classification of title V to the Code, see Tables.

§ 4231-2. Findings and purpose

(a) Findings

The Congress finds the following:

(1) In the Act of March 2, 1936 (Chapter 113; 49 Stat. 1155; 16 U.S.C. 423j), Congress authorized the establishment of the Richmond National Battlefield Park, and the boundaries of the battlefield park were established to permit the inclusion of all military battlefield areas related to the battles fought during the Civil War in the vicinity of the City of Richmond, Virginia. The battlefield park originally included the area then known as the Richmond Battlefield State Park.

(2) The total acreage identified in 1936 for consideration for inclusion in the battlefield park consisted of approximately 225,000 acres in and around the City of Richmond. A study undertaken by the congressionally authorized Civil War Sites Advisory Committee determined that of these 225,000 acres, the historically significant areas relating to the campaigns against and in defense of Richmond encompass approximately 38,000 acres.

(3) In a 1996 general management plan, the National Park Service identified approximately 7,121 acres in and around the City of Richmond that satisfy the National Park Service criteria of significance, integrity, feasibility, and suitability for inclusion in the battlefield park. The National Park Service later identified an additional 186 acres for inclusion in the battlefield park.

(4) There is a national interest in protecting and preserving sites of historical significance associated with the Civil War and the City of Richmond.

(5) The Commonwealth of Virginia and its local units of government have authority to prevent or minimize adverse uses of these historic resources and can play a significant role in the protection of the historic resources related to the campaigns against and in defense of Richmond.

(6) The preservation of the New Market Heights Battlefield in the vicinity of the City of Richmond is an important aspect of American history that can be interpreted to the public. The Battle of New Market Heights represents a premier landmark in black military history as 14 black Union soldiers were awarded the Medal of Honor in recognition of their valor during the battle. According to National Park Service historians, the sacrifices of the United States Colored Troops in this battle helped to ensure the passage of the Thirteenth Amendment to the United States Constitution to abolish slavery.

(b) Purpose

It is the purpose of sections 4231-1 to 4231-6 of this title—

(1) to revise the boundaries for the Richmond National Battlefield Park based on the findings of the Civil War Sites Advisory Committee and the National Park Service; and

(2) to direct the Secretary of the Interior to work in cooperation with the Commonwealth of Virginia, the City of Richmond, other political subdivisions of the Commonwealth, other public entities, and the private sector in the management, protection, and interpretation of the resources associated with the Civil War and the Civil War battles in and around the City of Richmond, Virginia.

(Pub. L. 106-511, title V, §502, Nov. 13, 2000, 114 Stat. 2373.)

REFERENCES IN TEXT

The Act of March 2, 1936, referred to in subsec. (a)(1), is act Mar. 2, 1936, ch. 113, 49 Stat. 1155, which was classified generally to sections 423j to 423l of this title prior to repeal by Pub. L. 106-511, title V, §507, Nov. 13, 2000, 114 Stat. 2376.

Sections 4231-1 to 4231-6 of this title, referred to in subsec. (b), was in the original "this title", meaning title V of Pub. L. 106-511, Nov. 13, 2000, 114 Stat. 2373, which enacted sections 4231-1 to 4231-6 of this title and repealed sections 423j to 423l of this title. For complete classification of title V to the Code, see Tables.

§ 4231-3. Richmond National Battlefield Park; boundaries

(a) Establishment and purpose

For the purpose of protecting, managing, and interpreting the resources associated with the Civil War battles in and around the City of Richmond, Virginia, there is established the Richmond National Battlefield Park consisting of approximately 7,307 acres of land, as generally depicted on the map entitled "Richmond National Battlefield Park Boundary Revision", numbered 367N.E.F.A.80026A, and dated September 2000. The map shall be on file in the appropriate offices of the National Park Service.

(b) Boundary adjustments

The Secretary may make minor adjustments in the boundaries of the battlefield park consistent with section 100506(c) of title 54.

(Pub. L. 106-511, title V, §503, Nov. 13, 2000, 114 Stat. 2374.)

CODIFICATION

In subsec. (b), "section 100506(c) of title 54" substituted for "section 7(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9(c))" on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

§ 4231-4. Land acquisition

(a) Acquisition authority

(1) In general

The Secretary may acquire lands, waters, and interests in lands within the boundaries of the battlefield park from willing landowners by donation, purchase with donated or appropriated funds, or exchange. In acquiring lands and interests in lands under sections 4231-1 to 4231-6 of this title, the Secretary shall acquire the minimum interest necessary to achieve the purposes for which the battlefield is established.

(2) Special rule for private lands

Privately owned lands or interests in lands may be acquired under sections 423I-1 to 423I-6 of this title only with the consent of the owner.

(b) Easements**(1) Outside boundaries**

The Secretary may acquire an easement on property outside the boundaries of the battlefield park and around the City of Richmond, with the consent of the owner, if the Secretary determines that the easement is necessary to protect core Civil War resources as identified by the Civil War Sites Advisory Committee. Upon acquisition of the easement, the Secretary shall revise the boundaries of the battlefield park to include the property subject to the easement.

(2) Inside boundaries

To the extent practicable, and if preferred by a willing landowner, the Secretary shall use permanent conservation easements to acquire interests in land in lieu of acquiring land in fee simple and thereby removing land from non-Federal ownership.

(c) Visitor center

The Secretary may acquire the Tredegar Iron Works buildings and associated land in the City of Richmond for use as a visitor center for the battlefield park.

(Pub. L. 106-511, title V, §504, Nov. 13, 2000, 114 Stat. 2374.)

REFERENCES IN TEXT

Sections 423I-1 to 423I-6 of this title, referred to in subsec. (a), was in the original “this title”, meaning title V of Pub. L. 106-511, Nov. 13, 2000, 114 Stat. 2373, which enacted sections 423I-1 to 423I-6 of this title and repealed sections 423j to 423l of this title. For complete classification of title V to the Code, see Tables.

§ 423I-5. Park administration**(a) Applicable laws**

The Secretary, acting through the Director of the National Park Service, shall administer the battlefield park in accordance with sections 423I-1 to 423I-6 of this title and laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.)¹ and the Act of August 21, 1935 (16 U.S.C. 461 et seq.)¹

(b) New Market Heights Battlefield

The Secretary shall provide for the establishment of a monument or memorial suitable to honor the 14 Medal of Honor recipients from the United States Colored Troops who fought in the Battle of New Market Heights. The Secretary shall include the Battle of New Market Heights and the role of black Union soldiers in the battle in historical interpretations provided to the public at the battlefield park.

(c) Cooperative agreements

The Secretary may enter into cooperative agreements with the Commonwealth of Virginia,

its political subdivisions (including the City of Richmond), private property owners, and other members of the private sector to develop mechanisms to protect and interpret the historical resources within the battlefield park in a manner that would allow for continued private ownership and use where compatible with the purposes for which the battlefield is established.

(d) Technical assistance

The Secretary may provide technical assistance to the Commonwealth of Virginia, its political subdivisions, nonprofit entities, and private property owners for the development of comprehensive plans, land use guidelines, special studies, and other activities that are consistent with the identification, protection, interpretation, and commemoration of historically significant Civil War resources located inside and outside of the boundaries of the battlefield park. The technical assistance does not authorize the Secretary to own or manage any of the resources outside the battlefield park boundaries.

(Pub. L. 106-511, title V, §505, Nov. 13, 2000, 114 Stat. 2375.)

REFERENCES IN TEXT

Sections 423I-1 to 423I-6 of this title, referred to in subsec. (a), was in the original “this title”, meaning title V of Pub. L. 106-511, Nov. 13, 2000, 114 Stat. 2373, which enacted sections 423I-1 to 423I-6 of this title and repealed sections 423j to 423l of this title. For complete classification of title V to the Code, see Tables.

The Act of August 25, 1916 (16 U.S.C. 1 et seq.), referred to in subsec. (a), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title, amended sections 22 and 43 of this title and section 1457 of Title 43, Public Lands, and enacted provisions set out as a note under section 1 of this title. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Act of August 21, 1935 (16 U.S.C. 461 et seq.), referred to in subsec. (a), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 423I-6. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out sections 423I-1 to 423I-6 of this title.

(Pub. L. 106-511, title V, §506, Nov. 13, 2000, 114 Stat. 2375.)

REFERENCES IN TEXT

Sections 423I-1 to 423I-6 of this title, referred to in text, was in the original “this title”, meaning title V

¹ See References in Text note below.