

Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

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.

§ 430x. Authorization of appropriations; authorization to expand boundaries

The sum of \$100,000 is authorized to be appropriated out of any sums in the Treasury not otherwise appropriated for the purposes herein designated: *Provided*, That if, after the expenditure of the funds herein authorized, the Secretary of the Interior shall determine that the acquisition of additional lands is necessary in order to perfect the symmetry of the park area or to acquire locations of historic interest adjacent to the park area already acquired upon which fortifications or entrenchments are located which are likely to deteriorate or be destroyed under private ownership, he is authorized to acquire additional lands for such purposes.

(June 26, 1935, ch. 315, § 5, 49 Stat. 424; Aug. 9, 1939, ch. 614, § 1, 53 Stat. 1274.)

REFERENCES IN TEXT

Herein, referred to in text, means act June 26, 1935, ch. 315, 49 Stat. 423, which is classified to sections 430t to 430x of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1939—Act Aug. 9, 1939, inserted proviso.

APPROPRIATION

Additional \$55,000 was appropriated by section 2 of act Aug. 9, 1939.

§ 430y. Spanish War Memorial Park; establishment

When title to such lands located on Davis Island in the city of Tampa, Florida, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary and suitable for the purpose, shall have been vested in the United States, said area shall be set apart as the Spanish War Memorial Park, for the benefit and inspiration of the people: *Provided*, That said lands shall be donated without cost to the United States by the city of Tampa, Florida, and the Secretary of the Interior is authorized to accept such conveyance of lands.

(Aug. 20, 1935, ch. 575, § 1, 49 Stat. 661.)

§ 430z. Monument within park; construction authorized

There is authorized to be located and constructed within said memorial park a suitable monument or memorial to commemorate the patriotic services of the American forces in the War with Spain. The cost of establishing such monument or memorial, of constructing suit-

able sidewalks and approaches, and of landscaping such site, may be paid from any fund or moneys available for such purpose, except from the general fund of the Treasury; and the Secretary is for that purpose further authorized and empowered to determine upon a suitable location, plan, and design for said monument or memorial, by and with the advice of the National Commission of Fine Arts.

(Aug. 20, 1935, ch. 575, § 2, 49 Stat. 661.)

§ 430z-1. Landscaping park; employment of architects and engineers

In the discharge of his duties hereunder, the Secretary of the Interior, through the National Park Service, is authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions and that expenditures for such employment shall be construed to be included in any appropriations hereafter authorized for any work under the objectives of sections 430y to 430z-3 of this title.

(Aug. 20, 1935, ch. 575, § 3, 49 Stat. 662.)

CODIFICATION

Provisions which authorized employment of landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions "without reference to civil-service requirements or to the Classification Act of 1923, as amended" were omitted as obsolete. Such employment is subject to the civil service laws unless specifically excepted by those laws or by laws enacted subsequent to Executive Order 8743, Apr. 23, 1941, issued by the President pursuant to the Act of Nov. 26, 1940, ch. 919, title I, § 1, 54 Stat. 1211, which covered 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.

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§ 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: