

deceased inmates of National Home for Disabled Volunteer Soldiers.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85-857, set out as a note preceding Part I of Title 38, Veterans' Benefits.

SUBCHAPTER V—BATTLE MOUNTAIN  
SANITARIUM RESERVE

**§ 151. Battle Mountain Sanitarium Reserve; establishment; rights to lands, not affected**

There are reserved from settlement, entry, sale, or other disposal all those certain tracts, pieces, or parcels of land lying and being situated in the State of South Dakota and within the boundaries particularly described as follows: Beginning at the southwest corner of section 18, township 7 south, range 6 east, Black Hills meridian; thence east to the southeast corner of said section 18; thence south to the southwest corner of the northwest quarter of section 20; thence east to the southeast corner of the northeast quarter of section 21; thence north to the northeast corner of the southeast quarter of section 9; thence west to the center of section 7; thence south to the southwest corner of the southeast quarter of section 7; thence west to the northwest corner of section 18; thence south to the place of beginning, all in township 7 south, range 6 east, Black Hills meridian, in Fall River County, South Dakota: *Provided*, That nothing herein contained shall be construed to affect any valid rights acquired in connection with any of the lands embraced within the limits of said reserve.

(Mar. 22, 1906, ch. 1127, § 1, 34 Stat. 83.)

**§ 152. Name; control, rules and regulations**

Said reserve shall be known as the Battle Mountain Sanitarium Reserve, and shall be under the exclusive control of the Secretary of Veterans Affairs in connection with the Battle Mountain Sanitarium at Hot Springs, South Dakota, whose duty it shall be to prescribe such rules and regulations and establish such service as the Secretary may consider necessary for the care and management of the same.

(Mar. 22, 1906, ch. 1127, § 2, 34 Stat. 83; Pub. L. 102-54, § 13(i)(2), June 13, 1991, 105 Stat. 276.)

AMENDMENTS

1991—Pub. L. 102-54 substituted "Secretary of Veterans Affairs" for "Board of Managers of the National Home for Disabled Volunteer Soldiers" and "as the Secretary may consider necessary" for "as they may deem necessary".

**§ 153. Perfecting bona fide claims to lands; exchange of private lands**

In all cases of unperfected bona fide claims lying within the said boundaries of said reserve, which claims have been properly initiated prior to September 2, 1902, said claims may be perfected upon compliance with the requirements of the laws respecting settlement, residence, improvements, and so forth, in the same manner in all respects as claims are perfected to other Government lands: *Provided*, That to the extent

that the lands within said reserve are held in private ownership the Secretary of the Interior is authorized in his discretion to exchange therefor public lands of like area and value, which are surveyed, vacant, unappropriated, not mineral, not timbered, and not required for reservoir sites or other public uses or purposes. The private owners must, at their expense and by appropriate instruments of conveyance, surrender to the Government a full and unencumbered right and title to the private lands included in any exchange before patents are issued for or any rights attached to the public lands included therein, and no charge of any kind shall be made for issuing such patents. Upon completion of any exchange the lands surrendered to the Government shall become a part of said reserve in a like manner as if they had been public lands at the time of the establishment of said reserve. Nothing contained in this section shall be construed to authorize the issuance of any land scrip, and the State of South Dakota is granted the privilege of selecting from the public lands in said State an equal quantity of land in lieu of such portions of section sixteen included within said reserve as have not been sold or disposed of by said State and are not covered by an unperfected bona fide claim as above mentioned.

(Mar. 22, 1906, ch. 1127, § 3, 34 Stat. 83.)

**§ 154. Unlawful intrusion, or violation of rules and regulations**

All persons who shall unlawfully intrude upon said reserve, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall, upon conviction, be fined in a sum not more than \$1,000, or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court.

(Mar. 22, 1906, ch. 1127, § 4, 34 Stat. 83.)

**CHAPTER 4—SAINT ELIZABETHS HOSPITAL**

SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT; PENSIONS, MONEYS, AND APPROPRIATIONS

Sec.

161 to 168a. Repealed or Omitted.

168b. Computation of maximum amount available from Federal sources.

169 to 170. Repealed.

170a. Maximum amount available from Federal sources.

171 to 185. Repealed.

SUBCHAPTER II—INMATES; BURDEN OF EXPENSES THEREOF; DETENTION OF INSANE

191 to 222. Repealed or Omitted.

SUBCHAPTER III—MENTAL HEALTH SERVICE FOR DISTRICT OF COLUMBIA

225. Findings and purposes.

225a. Definitions.

225b. Development of plan for mental health system for the District.

225c. Congressional review of system implementation plan.

225d. Transition provisions for employees of Hospital.

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| 225e. | Conditions of employment for former employees of Hospital. |
| 225f. | Property transfer.   |
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SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT; PENSIONS, MONEYS, AND APPROPRIATIONS

**§ 161. Repealed. Pub. L. 98-621, § 10(a), Nov. 8, 1984, 98 Stat. 3379**

Section, R.S. §4838; July 1, 1916, ch. 209, 39 Stat. 309; 1946 Reorg. Plan No. 3, §201, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1098, related to establishment of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.

**§§ 162, 163. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632**

Section 162, R.S. §4840; July 1, 1916, ch. 209, §1, 39 Stat. 309, related to appointment of Board of Visitors for St. Elizabeths Hospital.

Section 163, R.S. §4841, related to selection of president of Board of Visitors for St. Elizabeths Hospital.

**§§ 164, 165. Repealed. Pub. L. 98-621, § 10(a), Nov. 8, 1984, 98 Stat. 3379**

Section 164, R.S. §4842; July 1, 1916, ch. 209, 39 Stat. 309; Reorg. Plan No. IV of 1940, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236, along with sections 162 and 163 of this title, provided for the appointment, powers and duties of Board of Visitors of Saint Elizabeths Hospital.

Section 165, R.S. §4839; Feb. 2, 1909, ch. 58, §1, 35 Stat. 592; Mar. 4, 1911, ch. 285, 36 Stat. 1422; Aug. 17, 1912, ch. 301, 37 Stat. 312; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1946 Reorg. Plan No. 2, §9, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1096; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; June 6, 1972, Pub. L. 92-310, title II, §228(b), 86 Stat. 207; Dec. 19, 1977, Pub. L. 95-215, §9, 91 Stat. 1508; Oct. 17, 1979, Pub. L. 96-88, title V, §509(b), 93 Stat. 695, related to superintendent, disbursing agent, and pension money of inmates of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.

**§ 165a. Omitted**

CODIFICATION

Section, Pub. L. 98-139, title II, Oct. 31, 1983, 97 Stat. 881, which provided that during fiscal year 1984 and thereafter the superintendent of Saint Elizabeths Hospital could reside off the premises of the hospital, notwithstanding former section 165 of this title, was omitted in light of the transfer of Saint Elizabeths Hospital to the District of Columbia on Oct. 1, 1987, by Pub. L. 98-621, Nov. 8, 1984, 98 Stat. 3369, which is classified principally to subchapter III (§225 et seq.) of this chapter.

**§ 166. Repealed. Pub. L. 98-621, § 10(b), Nov. 8, 1984, 98 Stat. 3379**

Section, acts June 5, 1920, ch. 235, 41 Stat. 920; June 6, 1972, Pub. L. 92-310, title II, §228(c), 86 Stat. 207, related to appointment and powers of deputy disbursing agent.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.

**§ 167. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 644**

Section, act July 19, 1919, ch. 24, 41 Stat. 205, authorized Secretary of the Interior to adjust compensation of officers and employees of Saint Elizabeths Hospital.

**§ 168. Repealed. Pub. L. 98-621, § 10(c), Nov. 8, 1984, 98 Stat. 3379**

Section, acts Mar. 6, 1920, ch. 94, 41 Stat. 513; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96-88, title V, §509(b), 93 Stat. 695, related to readjustment of salaries and credit to accounts of disbursing agent of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.

**§ 168a. Repealed. Pub. L. 98-621, § 10(d)(1), Nov. 8, 1984, 98 Stat. 3379**

Section, act Aug. 4, 1947, ch. 478, §2, 61 Stat. 751; 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, related to payment by executive departments for care of patients of Saint Elizabeths Hospital for whom they were responsible.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.

**§ 168b. Computation of maximum amount available from Federal sources**

Amounts chargeable to and available from Federal sources for inpatient and outpatient services provided through Saint Elizabeths Hospital as authorized by 24 U.S.C. 191, 196, 211, 212, 222, 253,<sup>1</sup> and 324; 31 U.S.C. 1535; and 42 U.S.C. 249 and 251 shall not exceed the estimated total cost of such services as computed using only the proportionate amount of the direct Federal subsidy appropriated under this heading.

(Pub. L. 100-436, title II, Sept. 20, 1988, 102 Stat. 1693.)

REFERENCES IN TEXT

Sections 191, 196, 211, 212, and 222 of this title, referred to in text, were repealed by Pub. L. 98-621, §10(a), (f)(2), (m), Nov. 8, 1984, 98 Stat. 3379, 3380.

Section 253 of this title, referred to in text, does not exist.

This heading, referred to in text, refers to the headings "ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION" and "FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL" of title II, "Department of Health and Human Services", of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1989, Pub. L. 100-436.

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

<sup>1</sup> See References in Text note below.