

shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535),<sup>1</sup> as amended, and pursuant to sections 450y-1 to 450y-3 of this title.

(Pub. L. 86-689, §2, Sept. 2, 1960, 74 Stat. 737.)

#### REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 86-689 which enacted sections 450y-5 to 450y-7 of this title, and amended section 17j-2 of this title. For complete classification of this Act to the Code, see Tables.

The Act of August 25, 1916 (39 Stat. 535), referred to in text, 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 and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and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 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.

#### § 450y-7. Authorization of appropriations

There is authorized to be appropriated the sum of not to exceed \$3,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act.

(Pub. L. 86-689, §4, Sept. 2, 1960, 74 Stat. 737.)

#### REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 86-689, which enacted sections 450y-5 to 450y-7 of this title, and amended section 17j-2 of this title. For complete classification of this Act to the Code, see Tables.

#### § 450z. Repealed. Pub. L. 94-429, §3(g), Sept. 28, 1976, 90 Stat. 1343

Section, act Oct. 27, 1941, ch. 459, 55 Stat. 745, provided for the prospecting and mining of surface lands within the monument area under the supervision of the Secretary of the Interior.

#### MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

#### § 450aa. George Washington Carver National Monument; acquisition of land

The Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift or purchase, the site of the birthplace of George Washington Carver, distinguished Negro scientist, located near Diamond, Missouri, together with such additional land or interests in land and any improvements thereon as the Secretary may deem necessary to carry out the purposes of sections 450aa to 450aa-2 of this title. In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized and directed to condemn such property, or any part thereof, in the manner provided by law.

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

(July 14, 1943, ch. 238, §1, 57 Stat. 563.)

#### AUTHORIZATION OF APPROPRIATIONS

Section 4 of act July 14, 1943, as amended Sept. 9, 1950, ch. 940, 64 Stat. 829, provided that: "There are authorized to be appropriated such sums not to exceed \$150,000 as may be necessary to carry out the provisions of this Act [sections 450aa to 450aa-2 of this title]."

#### § 450aa-1. Establishment and supervision

The property acquired under the provisions of section 450aa of this title shall constitute the George Washington Carver National Monument and shall be a public national memorial to George Washington Carver. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States.

(July 14, 1943, ch. 238, §2, 57 Stat. 563.)

#### 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.

#### § 450aa-2. Maintenance of museum; construction of roads and use of markers

The Secretary of<sup>1</sup> Interior is authorized to—

(1) Maintain, either in an existing structure acquired under the provisions of section 450aa of this title or in a building constructed by him for the purpose, a museum for relics and records pertaining to George Washington Carver, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

(2) Construct roads and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the George Washington Carver National Monument.

(July 14, 1943, ch. 238, §3, 57 Stat. 564.)

#### § 450bb. Harpers Ferry National Historical Park (a) In general

To carry out the purposes of sections 450bb to 450bb-2 of this title, the Secretary of the Interior (referred to in sections 450bb to 450bb-2 of this title as the "Secretary") is authorized to acquire, by purchase from a willing seller with donated or appropriated funds, by donation, or by exchange, land or an interest in land within the boundaries as generally depicted on the map entitled "Boundary Map, Harpers Ferry National Historical Park", numbered 385-80,021A, and dated April 1979.

#### (b) Bradley and Ruth Nash Addition

The Secretary is authorized to acquire, by donation only, approximately 27 acres of land or

<sup>1</sup> So in original. Probably should be "of the".

interests in land that are outside the boundary of the Harpers Ferry National Historical Park and generally depicted on the map entitled "Proposed Bradley and Ruth Nash Addition—Harpers Ferry National Historical Park", numbered 385-80056, and dated April 1, 1989.

**(c) Boundary expansion**

**(1) In general**

The Secretary is authorized to acquire, by purchase from a willing seller with donated or appropriated funds, by donation, or by exchange, land or an interest in land within the area depicted as "Private Lands" on the map entitled "Harpers Ferry National Historical Park Proposed Boundary Expansion", numbered 385/80,126, and dated July 14, 2003.

**(2) Administration**

The Secretary shall—

(A) transfer to the National Park Service for inclusion in the Harpers Ferry National Historical Park (referred to in sections 450bb to 450bb-2 of this title as the "Park") the land depicted on the map referred to in paragraph (1) as "U.S. Fish and Wildlife Service Lands" and revise the boundary of the Park accordingly; and

(B) revise the boundary of the Park to include the land depicted on the map referred to in paragraph (1) as "Appalachian NST" and exclude that land from the boundary of the Appalachian National Scenic Trail.

**(d) Maximum number of acres**

The number of acres of the Park shall not exceed 3,745.

**(e) Maps**

The maps referred to in this section shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**(f) Acquired land**

Land or an interest in land acquired under this section shall become a part of the Park, subject to the laws (including regulations) applicable to the Park.

**(g) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section.

(June 30, 1944, ch. 328, §1, 58 Stat. 645; Pub. L. 93-466, §1(1), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 96-199, title I, §108(1), Mar. 5, 1980, 94 Stat. 69; Pub. L. 101-109, §1(a), Oct. 6, 1989, 103 Stat. 681; Pub. L. 103-437, §6(h)(2), Nov. 2, 1994, 108 Stat. 4585; Pub. L. 108-307, §2, Sept. 24, 2004, 118 Stat. 1133.)

AMENDMENTS

2004—Pub. L. 108-307 inserted section catchline and amended text generally. Prior to amendment, section authorized the Secretary of the Interior to acquire certain lands for the Harpers Ferry National Historical Park.

1994—Pub. L. 103-437 substituted "Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives" for "Committees on Interior and Insular Affairs of the Congress of the United States".

1989—Pub. L. 101-109 substituted "two thousand five hundred and five acres" for "two thousand four hundred and seventy-five acres" in first sentence and in-

serted after first sentence "The Secretary is authorized to acquire, by donation only, approximately twenty-seven acres of land or interests therein which are outside the boundary of the Harpers Ferry National Historical Park and generally depicted on a map entitled 'Proposed Bradley and Ruth Nash Addition—Harpers Ferry National Historical Park,' dated April 1, 1989 and numbered 385-80056. Such map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia. When acquired, such lands or interests therein shall become a part of the park, subject to the laws and regulations applicable thereto."

1980—Pub. L. 96-199 substituted "Boundary Map, Harpers Ferry National Historical Park", numbered 385-80,021A and dated April 1979" for "Boundary Map, Harpers Ferry National Historical Park", numbered 385-40,000D and dated April 1974" and "two thousand four hundred and seventy-five acres" for "two thousand acres".

1974—Pub. L. 93-466 inserted reference to updated map, prohibited the Secretary from exercising any power of condemnation on lands in which a less than fee interest has been previously acquired, authorized the acquisition of land with appropriated funds and by exchange, authorized an increase in total area from 1500 to 2000 acres, and authorized the Secretary to make minor boundary changes by publication of a revised description in the Federal Register, after advising the Committees on Interior and Insular Affairs.

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-307, §1, Sept. 24, 2004, 118 Stat. 1133, provided that: "This Act [amending this section and sections 450bb-1 and 450bb-2 of this title] may be cited as the 'Harpers Ferry National Historical Park Boundary Revision Act of 2004'."

ACQUISITION OF CLEAR AND MARKETABLE TITLE TO ADDITIONAL PARK LANDS

Pub. L. 101-109, §1(b), Oct. 6, 1989, 103 Stat. 681, provided that: "Nothing in this Act [amending this section] shall be deemed to prohibit the Secretary from using such measures as may be necessary to acquire a clear and marketable title, free of any and all encumbrances, to the lands identified for acquisition in paragraph (a)(2) of this Act."

AUTHORIZATION OF APPROPRIATIONS

Act June 30, 1944, ch. 328, §4, 58 Stat. 646, as amended by Pub. L. 93-466, §1(3), Oct. 24, 1974, 88 Stat. 1420; Pub. L. 95-625, title I, §101(14), Nov. 10, 1978, 92 Stat. 3471; Pub. L. 96-199, title I, §108(2), Mar. 5, 1980, 94 Stat. 69, provided that: "In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act [sections 450bb to 450bb-2 of this title], but not more than \$1,600,000 for the acquisition of lands and interests in lands, and not more than \$12,385,000 for development."

**§ 450bb-1. Administration**

The property acquired under the provisions of section 450bb of this title shall constitute the Harpers Ferry National Historical Park and shall be a public national memorial commemorating historical events at or near Harpers Ferry. The Director of the National Park Service under the direction of the Secretary, shall have the supervision, management, and control of such national historical park, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a Na-