

§ 423f. Protection of monuments, etc.

If any person shall, except by permission of the Secretary of the Interior, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the battlefield by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said battlefield, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said battlefield, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said battlefield, or hunt within the limits of the battlefield, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the battlefield, any person so offending and found guilty thereof, before any United States magistrate judge or court, justice of the peace of the county in which the offense may be committed, or any other court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine, in the discretion of the said United States magistrate judge or court, justice of the peace or other court, according to the aggravation of the offense, of not less than \$5 nor more than \$500, one-half for the use of the battlefield and the other half to the informant, to be enforced and recovered before such United States magistrate judge or court, justice of the peace or other court, in like manner as debts of like nature were, on July 3, 1926, by law recoverable in the several counties where the offense may be committed.

(July 3, 1926, ch. 746, § 7, 44 Stat. 823; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933; Pub. L. 87-603, § 1, Aug. 24, 1962, 76 Stat. 403; Pub. L. 90-578, title IV, § 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

CHANGE OF NAME

“Battlefield” substituted for “park” wherever appearing in text, in view of redesignation of Petersburg National Military Park as Petersburg National Battlefield by Pub. L. 87-603. See section 423h-1 of this title.

“United States magistrate judge” substituted for “United States magistrate” wherever appearing in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, “United States magistrate” substituted for “United States commissioner” pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 423 of this title.

§ 423g. Rules and regulations

The Secretary of the Interior, subject to the approval of the President, shall have the power to make and shall make all needful rules and regulations for the care of the battlefield, and for the establishment and marking of lines of battle and other historical features of the battlefield.

(July 3, 1926, ch. 746, § 8, 44 Stat. 823; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933; Pub. L. 87-603, § 1, Aug. 24, 1962, 76 Stat. 403.)

CHANGE OF NAME

“Battlefield” substituted in text for “park” in view of redesignation of Petersburg National Military Park as Petersburg National Military Battlefield by Pub. L. 87-603. See section 423h-1 of this title.

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 423 of this title.

§ 423h. Report of completion; superintendent of battlefield

Upon completion of the acquisition of the land and the work of the commission, the Secretary of the Interior shall render a report thereon to Congress, and thereafter the battlefield shall be placed in charge of a superintendent at a salary to be fixed by the Secretary of the Interior and paid out of the appropriation available for the maintenance of the battlefield.

(July 3, 1926, ch. 746, § 9, 44 Stat. 823; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933; Pub. L. 87-603, § 1, Aug. 24, 1962, 76 Stat. 403.)

CHANGE OF NAME

“Battlefield” substituted in text for “park” in view of redesignation of Petersburg National Military Park as Petersburg National Military Battlefield by Pub. L. 87-603. See section 423h-1 of this title.

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 423 of this title.

§ 423h-1. Redesignation of park

The Petersburg National Military Park, established under authority of sections 423, 423a, and 423b to 423h of this title, and enlarged pursuant to sections 423a-1 and 423a-2 of this title, is redesignated the Petersburg National Battlefield.

(Pub. L. 87-603, § 1, Aug. 24, 1962, 76 Stat. 403.)

§ 423h-2. Acquisition of lands; publication in Federal Register; administration

The Secretary of the Interior, in furtherance of the purposes of sections 423, 423a, and 423b to 423h of this title referred to in section 423h-1 of this title, may acquire by purchase with donated or appropriated funds, exchange, transfer, or by such other means as he deems to be in the public interest, not to exceed twelve hundred acres of land or interests in land at the site of the Battle of Five Forks for addition to the Petersburg National Battlefield. Lands and interests in lands acquired by the Secretary pursuant to this section shall, upon publication of a description thereof in the Federal Register, become a part of the Petersburg National Battlefield, and thereafter shall be administered by the Secretary of the Interior in accordance with the provisions of the Act entitled “An Act to establish a National Park Service, and for other purposes,” approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3),¹ as amended and supplemented.

¹ See References in Text note below.

(Pub. L. 87-603, § 2, Aug. 24, 1962, 76 Stat. 403.)

REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes,” approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3), 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.

§ 423h-3. Authorization of appropriation

There are authorized to be appropriated such sums, but not more than \$90,000, as are necessary to acquire land pursuant to section 423h-2 of this title.

(Pub. L. 87-603, § 3, Aug. 24, 1962, 76 Stat. 403.)

§ 423i. Omitted

CODIFICATION

Section, act July 3, 1926, ch. 746, § 10, 44 Stat. 823, appropriated \$15,000 for carrying out provisions of sections 423, 423a, 423b to 423h of this title to be available until expended.

§§ 423j to 423l. Repealed. Pub. L. 106-511, title V, § 507, Nov. 13, 2000, 114 Stat. 2376

Section 423j, act Mar. 2, 1936, ch. 113, § 1, 49 Stat. 1155, related to establishment of Richmond National Battlefield Park.

Section 423k, act Mar. 2, 1936, ch. 113, § 2, 49 Stat. 1156, related to acceptance of donations of lands and funds and acquisitions of lands for Richmond National Battlefield Park.

Section 423l, act Mar. 2, 1936, ch. 113, § 3, 49 Stat. 1156, related to administration, protection, and development of Richmond National Battlefield Park.

See sections 423l-1 to 423l-6 of this title.

§ 423l-1. Short title; definitions

(a) Short title

Sections 423l-1 to 423l-6 of this title may be cited as the “Richmond National Battlefield Park Act of 2000”.

(b) Definitions

In sections 423l-1 to 423l-6 of this title:

(1) Battlefield park

The term “battlefield park” means the Richmond National Battlefield Park.

(2) Secretary

The term “Secretary” means the Secretary of the Interior.

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

REFERENCES IN TEXT

Sections 423l-1 to 423l-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 423l-1 to 423l-6 of this title and repealed sections 423j to 423l of this title. For complete classification of title V to the Code, see Tables.

§ 423l-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 423l-1 to 423l-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