

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 425 of this title.

§ 425d. Duties of commission

It shall be the duty of the commissioners, under the direction of the Secretary of the Interior, to survey, locate, and preserve the lines of the opposing armies in said battles, to open, construct, and repair such roads, highways, paths, and other approaches as may be necessary to make the historical points accessible to the public and to students of said battles and for the purposes of the park, to ascertain and mark with historical monuments, markers, tablets, or otherwise, as the Secretary of the Interior may determine, all breastworks, earthworks, gun emplacements, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the park or in its vicinity, and to establish and construct such observation towers as the Secretary of the Interior may deem necessary for said park, and the said commission in establishing the park shall have authority, under the direction of the Secretary of the Interior to employ such labor and services at rates to be fixed by the Secretary of the Interior, and to obtain such supplies and materials as may be necessary to carry out the provisions of sections 425 to 425j of this title.

(Feb. 14, 1927, ch. 127, § 5, 44 Stat. 1093; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

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§ 425e. Acceptance and distribution of gifts

The commission, acting through the Secretary of the Interior, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the said Fredericksburg and Spotsylvania County Battle Fields Memorial: *Provided*, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Fredericksburg and Spotsylvania County Battle Fields Memorial fund", which fund shall be applied to and expended under the direction of the Secretary of the Interior for carrying out the provisions of sections 425 to 425j of this title.

(Feb. 14, 1927, ch. 127, § 6, 44 Stat. 1093; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

TRANSFER OF FUNCTIONS

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§ 425f. Ascertaining and marking lines of battle

It shall be lawful for the authorities of any State having had troops engaged in said battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, or in any of said battles, to enter upon the lands and approaches of the Fred-

ericksburg and Spotsylvania County Battle Fields Memorial for the purposes of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription for the same, shall be submitted to the Secretary of the Interior, and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the commissioners of the park: *Provided*, That no discrimination shall be made against any State as to the manner of designing lines, but any grant made to any State by the Secretary of the Interior may be used by any other State.

(Feb. 14, 1927, ch. 127, § 7, 44 Stat. 1093; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

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§ 425g. 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, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, 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 park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, 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 park, any person so offending and found guilty thereof before any justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than \$5 nor more than \$50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature were, on February 14, 1927, by law recoverable in the several counties where the offense may be committed.

(Feb. 14, 1927, ch. 127, § 8, 44 Stat. 1094; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933.)

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§ 425h. 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 park, and for the establishment and marking of lines of battle and other historical features of the park.

(Feb. 14, 1927, ch. 127, §9, 44 Stat. 1094; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 425 of this title.

§ 425i. Report of completion of acquisition of land and work of commission; superintendent of park

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 park 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 park.

(Feb. 14, 1927, ch. 127, §10, 44 Stat. 1094; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 425 of this title.

§ 425j. Authorization of appropriation

To enable the Secretary of the Interior to begin to carry out the provisions of sections 425 to 425j of this title, including the condemnation, purchase, or lease of the necessary lands, surveys, maps, marking the boundaries of the park, opening, constructing, or repairing necessary roads, pay and expenses of commissioners, salaries for labor and services, traveling expenses, supplies and materials, the sum of \$50,000 is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to remain available until expended, and such additional sums are authorized to be appropriated from time to time as may be necessary for the completion of the project and for the proper maintenance of said park. All disbursements under said sections shall be annually reported by the Secretary of the Interior to Congress.

(Feb. 14, 1927, ch. 127, §11, 44 Stat. 1094; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 425 of this title.

§ 425k. Revision of park boundaries

(a) Boundary revision

In furtherance of the purposes of sections 425 to 425j of this title, the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park (hereinafter in sections 425k to 425o of this title referred to as the "park") shall hereafter comprise the lands and interests in lands within the boundary generally depicted as "Proposed Park Boundary" on the maps entitled "Fredericksburg and Spotsylvania

National Military Park", numbered 326-40075D/89, 326-40074E/89, 326-40069B/89, 326-40070D/89, 326-40071C/89, 326-40076A/89, and 326-40073D/89, and dated June 1989, and the map entitled "Fredericksburg and Spotsylvania National Military Park," numbered 326-40072E/89/A and dated September 1990. The maps shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(b) Excluded lands

Lands and interests in lands within the boundary depicted on the maps referred to in subsection (a) as "Existing Park Boundary" but outside of the boundary depicted as "Proposed Park Boundary" are hereby excluded from the park, in accordance with the provisions of section 425(b) of this title. The Secretary of the Interior (hereinafter referred to as the "Secretary") may relinquish to the Commonwealth of Virginia exclusive or concurrent legislative jurisdiction over lands excluded from the park by this section by filing with the Governor a notice of relinquishment. Such relinquishment shall take effect upon acceptance thereof, or as the laws of the Commonwealth may otherwise provide.

(Pub. L. 101-214, §2, Dec. 11, 1989, 103 Stat. 1849; Pub. L. 102-541, §2(a), Oct. 27, 1992, 106 Stat. 3565; Pub. L. 106-150, §1(c), Dec. 9, 1999, 113 Stat. 1730.)

AMENDMENTS

1999—Subsec. (a). Pub. L. 106-150 substituted "Spotsylvania National" for "Spotsylvania National".

1992—Subsec. (a). Pub. L. 102-541 struck out "326-40072E/89," after "326-40071C/89," and substituted "1989, and the map entitled 'Fredericksburg and Spotsylvania National Military Park,' numbered 326-40072E/89/A and dated September, 1990." for "1989."

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-541, §2(a)(2), Oct. 27, 1992, 106 Stat. 3565, provided in part that amendment of this section by Pub. L. 102-541 was not to be effective until the lands included within the proposed new boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park pursuant to Pub. L. 102-541 had been donated to the Secretary of the Interior, prior to repeal by Pub. L. 106-150, §1(a), Dec. 9, 1999, 113 Stat. 1730.

SHORT TITLE

Pub. L. 101-214, §1, Dec. 11, 1989, 103 Stat. 1849, provided that: "This Act [enacting this section and sections 425l to 425o of this title] may be cited as the 'Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park Expansion Act of 1989'."

CONGRESSIONAL FINDINGS RELATING TO PARK EXPANSION

Pub. L. 102-541, §1, Oct. 27, 1992, 106 Stat. 3565, provided that: "Congress finds that the land area near Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park, Virginia, located south and west of the intersection of the Orange Plank Road and Brock Road in Spotsylvania County was strategically significant ground associated with the battle of the Civil War known as the Battle of the Wilderness, and that the tract of land adjacent to such area known as 'Longstreet's Flank Attack' was also strategically significant to that battle."

ACQUISITION OF CERTAIN LANDS BY DONATION ONLY

Pub. L. 102-541, §2(b), Oct. 27, 1992, 106 Stat. 3565, provided that lands included within the boundaries of the