

1970—Pub. L. 91-554 increased authorization of appropriations from not more than \$120,000 to not more than \$2,285,000 (March 1969 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices.

**§ 430nn. Antietam Battlefield site; acquisition of lands, buildings, structures, and other property**

The Secretary of the Interior is authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable or by condemnation in accordance with section 3113 of title 40, lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Antietam Battlefield site, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That payment for such property or interests shall be made solely from donated funds. All such property and interests shall be a part of the Antietam Battlefield site and shall be subject to all laws and regulations applicable thereto.

(May 14, 1940, ch. 191, 54 Stat. 212.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888 (25 Stat. 357)” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

ANTIETAM NATIONAL BATTLEFIELD SITE REDESIGNATED AS ANTIETAM NATIONAL BATTLEFIELD; BOUNDARY REVISION

Pub. L. 95-625, title III, §319(b), Nov. 10, 1978, 92 Stat. 3488, as amended by Pub. L. 100-528, §1(c), Oct. 25, 1988, 102 Stat. 2649, provided that: “The Antietam National Battlefield Site established pursuant to such Act of April 22, 1960 [section 430oo of this title] is hereby redesignated the ‘Antietam National Battlefield’. The boundaries of such battlefield are hereby revised to include the area generally depicted on the map referenced in subsection (a) of this section [set out as a note under section 430oo of this title], which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.”

**§ 430oo. Acquisition of lands for preservation, protection and improvement; limitation**

The Secretary of the Interior is authorized to acquire such lands and interests in land and to enter into such agreements with the owners of land on behalf of themselves, their heirs and assigns with respect to the use thereof as the Secretary finds necessary to preserve, protect and improve the Antietam Battlefield comprising approximately 1,800 acres in the State of Maryland and the property of the United States thereon, to assure the public a full and unimpeded view thereof, and to provide for the maintenance of the site (other than those portions thereof which are occupied by public buildings and monuments and the Antietam National Cemetery) in, or its restoration to, substantially the condition in which it was at the time of the battle of Antietam. Any acquisition authorized by this section may be made without regard to the limitation set forth in the proviso contained in section 430nn of this title.

(Pub. L. 86-438, Apr. 22, 1960, 74 Stat. 79; Pub. L. 93-608, §1(11), Jan. 2, 1975, 88 Stat. 1969; Pub. L. 100-528, §1(a), Oct. 25, 1988, 102 Stat. 2649.)

AMENDMENTS

1988—Pub. L. 100-528 struck out after first sentence “Not more than 600 acres of land, however, shall be acquired in fee by purchase or condemnation, but neither this limitation nor any other provision of law shall preclude such acquisition of the fee title to other lands and its immediate reconveyance to the former owner with such covenants, restrictions, or conditions as will accomplish the purposes of this section: *Provided*, That the cost to the Government of any such transaction shall not exceed the reasonable value of the covenants, restrictions, or conditions thereby imposed on the property.”

1975—Pub. L. 93-608 struck out requirement that Secretary report to Congress at least once each year on any acquisition made or agreement entered into under provisions of this section.

SCENIC EASEMENTS; ACQUISITION

Pub. L. 95-625, title III, §319(a), Nov. 10, 1978, 92 Stat. 3488, as amended by Pub. L. 100-528, §1(b), Oct. 25, 1988, 102 Stat. 2649, provided that: “In furtherance of the purposes of the Act entitled ‘An Act to provide for the protection and preservation of the Antietam Battlefield in the State of Maryland’, approved April 22, 1960 (74 Stat. 79) [this section], and other Acts relative thereto [see section 430nn of this title], the Secretary is hereby authorized to acquire the additional lands generally depicted on the map entitled ‘Boundary Map, Antietam National Battlefield, Washington County, Maryland’, numbered 302-80.005-A and dated June 1977.”

**§ 430pp. Fort Necessity National Battlefield; acquisition of land**

In furtherance of the purposes of the Act of March 4, 1931 (46 Stat. 1522), the Secretary of the Interior is authorized to acquire by purchase, exchange, donation, with donated funds or otherwise by such means as he may deem to be in the public interest, lands and interests in lands adjoining or near the Fort Necessity National Battlefield site which in his discretion are necessary to preserve the historic battleground, together with not to exceed 25 acres at the detached Braddock Monument: *Provided*, That the total area acquired pursuant to sections 430pp to 430tt of this title shall not exceed 500 acres, except that in order to avoid the undesirable severance of parcels in private ownership such parcels may be purchased in the entirety.

(Pub. L. 87-134, §1, Aug. 10, 1961, 75 Stat. 336.)

REFERENCES IN TEXT

Act of March 4, 1931 (46 Stat. 1522), referred to in text, was not classified to the Code.

**§ 430qq. Exchange of lands**

The Secretary of the Interior, in order to implement the purposes of section 430pp of this title, is authorized to exchange lands which may be acquired pursuant to sections 430pp to 430tt of this title for other lands or interests therein of approximately equal value lying within the original George Washington land patent at Fort Necessity.

(Pub. L. 87-134, §2, Aug. 10, 1961, 75 Stat. 336.)

**§ 430rr. Change in name to Fort Necessity National Battlefield**

The Fort Necessity National Battlefield site is redesignated as the Fort Necessity National