

**§ 433c. Acceptance of donations of lands and funds; acquisition of land**

After the said peace memorial has been established as provided in section 433a of this title the Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property as may be donated for the extension and improvement of the said peace memorial, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said peace memorial as may be necessary for the completion thereof. The Secretary of the Interior is authorized to purchase with appropriated funds not to exceed four acres of land, or interests in land, for addition to the Perry's Victory and International Peace Memorial.

(June 2, 1936, ch. 477, §3, 49 Stat. 1394; Pub. L. 92-568, §§1, 2, Oct. 26, 1972, 86 Stat. 1181, 1182.)

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888" 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.

AMENDMENTS

1972—Pub. L. 92-568, §2, authorized acquisition of an additional four acres of land.

CHANGE OF NAME

"Peace memorial" substituted in text for "national monument" to conform to redesignation of Perry's Victory and International Peace Memorial National Monument as Perry's Victory and International Peace Memorial provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

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.

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 92-568, §4, Oct. 26, 1972, 86 Stat. 1182, as amended by Pub. L. 95-625, title I, §101(21), Nov. 10, 1978, 92 Stat. 3472; Pub. L. 98-141, §7(a), Oct. 31, 1983, 97 Stat. 910; Pub. L. 98-181, title I, Nov. 30, 1983, 97 Stat. 1294, provided that: "There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act [enacting section 433f-1, amending sections 433a to 433c and 433e, and repealing section 433d of this title, and enacting provisions set out as a note hereunder], but not more than \$370,000 shall be appropriated for the acquisition of lands and interests in lands and not more than \$10,500,000 shall be appropriated for development. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act [such sections]."

**§ 433d. Repealed. Pub. L. 92-568, §3(2), Oct. 26, 1972, 86 Stat. 1182**

Section, act June 2, 1936, ch. 477, §4, 49 Stat. 1394, provided that members of Perry's Victory Memorial Commission created by act Mar. 3, 1919, ch. 116, 40 Stat. 1322, act as a board of advisors, and also provided for number of members, method of filling vacancies, and travel expenses but no compensation for the members.

**§ 433e. Repealed. Pub. L. 98-141, §7(b), Oct. 31, 1983, 97 Stat. 910**

Section, acts June 2, 1936, ch. 477, §5, 49 Stat. 1395; Oct. 26, 1972, Pub. L. 92-568, §1, 86 Stat. 1181, provided that employees of the Perry's Victory Memorial Commission on June 2, 1936, could, in the discretion of the Secretary of the Interior, be employed by the National Park Service in the administration, protection, and development of the memorial.

**§ 433f. Inconsistent laws repealed**

The provisions of the Act of March 3, 1919 (ch. 116, 40 Stat. 1322-1324), and Acts supplemental thereof and amendatory thereto and all other Acts inconsistent with the provisions of section 433a to 433f of this title are repealed to the extent of such inconsistency.

(June 2, 1936, ch. 477, §6, 49 Stat. 1395.)

REFERENCES IN TEXT

The act of Mar. 3, 1919, and Acts supplemental and amendatory thereto were not classified to the Code.

**§ 433f-1. Change in name of Perry's Victory and International Peace Memorial National Monument**

The Perry's Victory and International Peace Memorial National Monument, established in accordance with section 433a of this title, is redesignated the Perry's Victory and International Peace Memorial.

(Pub. L. 92-568, §1, Oct. 26, 1972, 86 Stat. 1181.)

**§ 433g. Fort Frederica National Monument; establishment**

When title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-monument purposes, shall have been vested in the United States, said area not to exceed 305 acres shall be, and is, set apart as a national monument for the benefit and inspiration of the people, and shall be called the "Fort Frederica National Monument."

(May 26, 1936, ch. 451, §1, 49 Stat. 1373; Sept. 20, 1950, ch. 957, §1, 64 Stat. 869; Pub. L. 85-401, §1, May 16, 1958, 72 Stat. 110; Pub. L. 116-9, title II, §2104(a), Mar. 12, 2019, 133 Stat. 726.)

AMENDMENTS

2019—Pub. L. 116-9 substituted "305 acres" for "two hundred and fifty acres".

1958—Pub. L. 85-401 increased maximum acreage from one hundred acres to two hundred and fifty acres.

1950—Act Sept. 20, 1950, increased maximum acreage from eighty to one hundred acres.

APPROPRIATIONS

Act Sept. 20, 1950, ch. 957, §2, 64 Stat. 869, provided that: "There is hereby authorized to be appropriated

not to exceed \$5,000 for the acquisition of land and interests in land for the said national monument. The Secretary of the Interior is authorized to use any funds so appropriated, together with any donated funds made available pursuant to the aforesaid Act of May 26, 1936 [sections 433g, 433h, 433i, and 433j] of this title, for this procurement of land and interests in land for the national monument.”

#### BOUNDARY EXPANSION, 2019

Pub. L. 116-9, title II, §2104(b), Mar. 12, 2019, 133 Stat. 726, provided that:

“(1) IN GENERAL.—The boundary of the Fort Frederica National Monument in the State of Georgia is modified to include the land generally depicted as ‘Proposed Acquisition Areas’ on the map entitled ‘Fort Frederica National Monument Proposed Boundary Expansion’, numbered 369/132,469, and dated April 2016.

“(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

“(3) ACQUISITION OF LAND.—The Secretary [of the Interior] may acquire the land and interests in land described in paragraph (1) by donation or purchase with donated or appropriated funds from willing sellers only.

“(4) NO USE OF CONDEMNATION OR EMINENT DOMAIN.—The Secretary may not acquire by condemnation or eminent domain any land or interests in land under this section or for the purposes of this section.”

#### LAND EXCHANGE AND BOUNDARY ADJUSTMENT, 2004

Pub. L. 108-417, Nov. 30, 2004, 118 Stat. 2339, provided that:

##### “SECTION 1. EXCHANGE OF LANDS.

“(a) IN GENERAL.—Notwithstanding section 5(b) of Public Law 90-401 ([former] 16 U.S.C. 460l-22(b)) [see 54 U.S.C. 10290l(b)], the Secretary of the Interior is authorized to convey to Christ Church of St. Simons Island, Georgia, the approximately 6.0 acres of land within the boundary of Fort Frederica National Monument adjacent to Christ Church and depicted as ‘NPS Lands for Exchange’ on the map entitled ‘Fort Frederica National Monument 2003 Boundary Revision’ numbered 369/80016, and dated April 2003, in exchange for approximately 8.7 acres of land to be acquired by Christ Church, which is depicted as ‘Private Lands for Addition’ on the same map.

“(b) MAP AVAILABILITY.—The map referred to in subsection (a) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

##### “SEC. 2. BOUNDARY ADJUSTMENT.

“Upon completion of the land exchange under subsection (a) of section 1, the Secretary of the Interior shall revise the boundary of Fort Frederica National Monument to reflect the exchange and shall administer the land acquired through the exchange as part of that monument.”

#### § 433h. Donation of property; acquisition of lands

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said national monument as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(May 26, 1936, ch. 451, §2, 49 Stat. 1373.)

#### CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” 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.

#### § 433h-1. Acquisition of additional lands

The Secretary of the Interior is authorized and directed to acquire by purchase, condemnation, or otherwise, subject to the acreage limitation contained in section 433g of this title, the site known as the Bloody Marsh Battle memorial monument located on Saint Simon Island, Georgia, together with such additional land, including the marshland across the river to the west of Fort Frederica National Monument, or interest in land, as in the judgment of the Secretary of the Interior might be desirable for the protection of such national monument. Such lands or interest in lands acquired by the Secretary pursuant to this section shall be made a part of the Fort Frederica National Monument.

(Pub. L. 85-401, §2, May 16, 1958, 72 Stat. 110.)

#### APPROPRIATIONS

Pub. L. 85-401, §3, May 16, 1958, 72 Stat. 110, provided that: “There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts, not to exceed \$20,000, as may be necessary to carry out the provisions of this Act [this section].”

#### § 433i. Museum; historical markers

##### (a) Maintenance; donations

The Secretary of the Interior is authorized, in his discretion, to maintain in some suitable structure within the national monument a museum for relics and records pertaining to Fort Frederica, and for other articles of national and patriotic interest, and in his discretion to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

##### (b) State and local participation

Any State or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets commemorating historic events or persons connected with the history of the area, within the boundaries of the Fort Frederica National Monument.

(May 26, 1936, ch. 451, §3, 49 Stat. 1373.)

#### § 433j. Administration, protection, and development

The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled “An Act to establish a National Park Service, and for other purposes”,<sup>1</sup> as amended.

(May 26, 1936, ch. 451, §4, 49 Stat. 1373.)

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