

essary, out of any money in the Treasury of the United States not otherwise appropriated, for the completion of a monument to the memory of the soldiers who fell in the battle of New Orleans in the war of eighteen hundred and twelve, said monument to be completed under the direction and approval of the Secretary of the Army: *Provided*, That the State of Louisiana shall cede and transfer its jurisdiction to the property on which said monument is to be completed in accordance with the provisions of act numbered forty-one of the legislature of that State, approved July nineteenth, nineteen hundred and two: *Provided further*, That when said monument is completed the responsibility of maintaining the same and keeping the grounds surrounding it shall hereafter rest with the Government of the United States; and there is authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for such expenses.

(Mar. 4, 1907, ch. 2928, 34 Stat. 1411; June 2, 1930, ch. 369, 46 Stat. 489; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

#### Editorial Notes

##### AMENDMENTS

1930—Act June 2, 1930, placed responsibility for maintaining monument and grounds with United States Government and authorized appropriations for expenses.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

##### CHALMETTE UNIT OF THE JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE

Designation of lands on which monument erected as Chalmette Unit of the Jean Lafitte National Historical Park and Preserve, see section 231 of this title.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

Administrative functions of Chalmette Monument and Grounds, Louisiana transferred to Department of the Interior by Ex. Ord. No. 6166, § 2, and Ex. Ord. No. 6228, § 1, set out as notes under section 901 of Title 5, Government Organization and Employees. National Park Service substituted for Office of National Parks, Buildings and Reservations referred to in Ex. Ord. No. 6166, § 2, by act Mar. 2, 1934, ch. 38, § 1, 48 Stat. 389.

#### §§ 450b to 450e. Repealed. Pub. L. 94-578, title III, § 308(e), Oct. 21, 1976, 90 Stat. 2736

Section 450b, acts June 18, 1930, ch. 520, § 1, 46 Stat. 777; Aug. 13, 1935, ch. 520, § 1, 49 Stat. 613; Apr. 15, 1954, ch. 142, 68 Stat. 54, provided for creation of the Appomattox Court House National Historical Park.

Section 450c, acts June 18, 1930, ch. 520, § 2, 46 Stat. 777; Aug. 13, 1935, ch. 520, § 1, 49 Stat. 613, authorized ap-

propriation of \$100,000 for the Appomattox Court House National Historical Park.

Section 450d, acts June 18, 1930, ch. 520, § 3, 46 Stat. 777; Aug. 13, 1935, ch. 520, § 1, 49 Stat. 613, authorized Secretary of the Interior to accept donations of land or buildings within boundaries of the park.

Section 450d-1, acts July 17, 1953, ch. 227, 67 Stat. 181; Apr. 15, 1954, ch. 142, 68 Stat. 54, authorized exchange of land in park for adjacent non-Federal land.

Section 450e, act June 18, 1930, ch. 520, § 4, as added Aug. 13, 1935, ch. 520, § 2, 49 Stat. 614; amended Apr. 15, 1954, ch. 142, 68 Stat. 54, provided for administration of park by National Park Service under the direction of Secretary of the Interior.

#### § 450e-1. Appomattox Court House National Historical Park

##### (a) Boundaries

The Appomattox Court House National Historical Park shall hereafter comprise the area depicted on the map entitled "Boundary Map, Appomattox Court House National Historical Park", numbered 340/80,015 and dated June 1992, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

##### (b) Land acquisition by donation, purchase, or exchange; limitation on acquisition of State land

Within the boundaries of the park, the Secretary may acquire lands and interests in lands, by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests in lands owned by the State of Virginia or its political subdivisions may be acquired only by donation.

##### (c) Owner's reservation of right of use and occupancy of improved property for residential purposes for life or fixed term of years; compensation at fair market value; termination of right retained by owner; "improved property" defined; waiver of rights and benefits by owner

(1) The owner of an improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for non-commercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition, less the fair market value, on that date, of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this section, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(2) As used in this section, the term "improved property" means a detached, single-family dwelling, construction of which was begun be-