

retary 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(1), 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 430qq, 430tt of this title.

§ 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.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 430pp, 430tt of this title.

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

The Fort Necessity National Battlefield site is redesignated as the Fort Necessity National Battlefield and any remaining balance of funds appropriated for the purposes of the site shall be available for the purposes of the Fort Necessity National Battlefield.

(Pub. L. 87-134, §3, Aug. 10, 1961, 75 Stat. 336.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 430pp, 430qq, 430tt of this title.

§ 430ss. Administration, protection, and development

The administration, protection, and development of the Fort Necessity National Battlefield shall be exercised by the Secretary of the Interior in accordance with provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented.

(Pub. L. 87-134, §4, Aug. 10, 1961, 75 Stat. 336.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 430pp, 430qq, 430tt of this title.

§ 430tt. Authorization of appropriation

There are authorized to be appropriated such sums, but not more than \$722,000 as are necessary to carry out the provisions of sections 430pp to 430tt of this title.

(Pub. L. 87-134, §5, Aug. 10, 1961, 75 Stat. 336; Pub. L. 93-477, title I, §101(4), Oct. 26, 1974, 88 Stat. 1445.)

AMENDMENTS

1974—Pub. L. 93-477 substituted “\$722,000” for “\$115,000”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 430pp, 430qq of this title.

§ 430uu. Big Hole National Battlefield; redesignation of monument

The Big Hole Battlefield National Monument, established by Executive Order Numbered 1216 of June 23, 1910, and enlarged by Proclamation