

1978—Subsec. (a)(4), (5). Pub. L. 95-625 struck out par. “(4) Dorchester Heights; and” and redesignated par. (5) as (4).

§ 410z-2. Boston National Historical Park Advisory Commission

(a) Establishment; membership

There is established a Boston National Historical Park Advisory Commission (hereinafter referred to as the “Commission”) which shall be composed of members appointed by the Secretary as follows:

(1) Three members appointed from recommendations submitted by the Governor of Massachusetts;

(2) Three members appointed from recommendations submitted by the mayor of the city of Boston; and

(3) One member to represent each owner with which the Secretary has concluded a cooperative agreement pursuant to section 410z-1 of this title, to be appointed from recommendations submitted by each such owner.

(b) Termination of Commission

The Commission shall terminate ten years from the date of establishment of the Boston National Historical Park.

(c) Vacancies; chairman

A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term). The Chairman of the Commission shall be designated by the Secretary.

(d) Majority rule

The Commission shall act and advise by affirmative vote of a majority of its members.

(e) Consultation between Secretary and Commission

The Secretary or his designee shall from time to time, but at least semiannually, consult with the Commission with respect to matters relating to the development of the Boston National Historical Park.

(f) Compensation; payment of expenses

Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this subchapter upon presentation of vouchers signed by the Chairman.

(Pub. L. 93-431, § 4, Oct. 1, 1974, 88 Stat. 1185.)

§ 410z-3. Visitor center

The Secretary may acquire property or any interest therein by donation, purchase, or exchange for the visitor center, and notwithstanding any other provision of law, funds appropriated for the development and operation of the visitor center may be expended on property in which the Secretary has acquired less than the fee simple interest therein, including a leasehold interest.

(Pub. L. 93-431, § 5, Oct. 1, 1974, 88 Stat. 1186.)

§ 410z-4. Administration

When established as provided in section 410z of this title, the Boston National Historical Park

shall be administered by the Secretary in accordance with the provisions of this subchapter, sections 1, 2, 3, and 4 of this title, as amended and supplemented, and sections 461 to 467 of this title.

(Pub. L. 93-431, § 6, Oct. 1, 1974, 88 Stat. 1186.)

§ 410z-5. Authorization of appropriations

For the acquisition of lands or interests in lands designated by section 410z of this title, as components of the Boston National Historical Park, there is authorized to be appropriated not to exceed \$2,740,000. For development of the components designated as paragraphs 1 through 6 in section 410z of this title, there is authorized to be appropriated not more than \$12,818,000. For the development of the component designated as paragraph 7 in section 410z of this title, there is authorized to be appropriated not more than \$11,500,000.

(Pub. L. 93-431, § 7, Oct. 1, 1974, 88 Stat. 1186.)

SUBCHAPTER LVIII—VALLEY FORGE
NATIONAL HISTORICAL PARK

§ 410aa. Establishment

In order to preserve and commemorate for the people of the United States the area associated with the heroic suffering, hardship, and determination and resolve of General George Washington's Continental Army during the winter of 1777-1778 at Valley Forge, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to establish the Valley Forge National Historical Park (hereinafter referred to as the “park”), in the Commonwealth of Pennsylvania.

(Pub. L. 94-337, § 1, July 4, 1976, 90 Stat. 796.)

SHORT TITLE OF 1999 AMENDMENT

Pub. L. 106-86, § 1, Oct. 31, 1999, 113 Stat. 1298, provided that: “This Act [enacting provisions set out as a note under this section] may be cited as the ‘Pennsylvania Battlefields Protection Act of 1999.’”

VALLEY FORGE NATIONAL HISTORICAL PARK

Pub. L. 106-86, title II, Oct. 31, 1999, 113 Stat. 1299, provided that:

“SEC. 201. PURPOSE.

“The purpose of this title is to authorize the Secretary of the Interior to enter into an agreement with the Valley Forge Historical Society (hereinafter referred to as the ‘Society’), to construct and operate a museum within the boundary of Valley Forge National Historical Park in cooperation with the Secretary.

“SEC. 202. VALLEY FORGE MUSEUM OF THE AMERICAN REVOLUTION AUTHORIZATION.

“(a) AGREEMENT AUTHORIZED.—The Secretary of the Interior, in administering the Valley Forge National Historical Park, is authorized to enter into an agreement under appropriate terms and conditions with the Society to facilitate the planning, construction, and operation of the Valley Forge Museum of the American Revolution on Federal land within the boundary of Valley Forge National Historical Park.

“(b) CONTENTS AND IMPLEMENTATION OF AGREEMENT.—An agreement entered into under subsection (a) shall—

“(1) authorize the Society to develop and operate the museum pursuant to plans developed by the Secretary and to provide at the museum appropriate and necessary programs and services to visitors to Valley

Forge National Historical Park related to the story of Valley Forge and the American Revolution;

“(2) only be carried out in a manner consistent with the General Management Plan and other plans for the preservation and interpretation of the resources and values of Valley Forge National Historical Park;

“(3) authorize the Secretary to undertake at the museum activities related to the management of Valley Forge National Historical Park, including, but not limited to, provision of appropriate visitor information and interpretive facilities and programs related to Valley Forge National Historical Park;

“(4) authorize the Society, acting as a private nonprofit organization, to engage in activities appropriate for operation of the museum that may include, but are not limited to, charging appropriate fees, conducting events, and selling merchandise, tickets, and food to visitors to the museum;

“(5) provide that the Society’s revenues from the museum’s facilities and services shall be used to offset the expenses of the museum’s operation; and

“(6) authorize the Society to occupy the museum so constructed for the term specified in the Agreement and subject to the following terms and conditions:

“(A) The conveyance by the Society to the United States of all right, title, and interest in the museum to be constructed at Valley Forge National Historical Park.

“(B) The Society’s right to occupy and use the museum shall be for the exhibition, preservation, and interpretation of artifacts associated with the Valley Forge story and the American Revolution, to enhance the visitor experience of Valley Forge National Historical Park, and to conduct appropriately related activities of the Society consistent with its mission and with the purposes for which the Valley Forge National Historical Park was established. Such right shall not be transferred or conveyed without the express consent of the Secretary.

“(C) Any other terms and conditions the Secretary determines to be necessary.

“SEC. 203. PRESERVATION AND PROTECTION.

“Nothing in this title authorizes the Secretary or the Society to take any actions in derogation of the preservation and protection of the values and resources of Valley Forge National Historical Park. An agreement entered into under section 202 shall be construed and implemented in light of the high public value and integrity of the Valley Forge National Historical Park and the National Park System.”

§ 410aa-1. Lands and property

(a) Boundaries; inspection of map

The park shall comprise the area generally depicted on the map entitled “Valley Forge National Historical Park”, dated June 1979, and numbered VF-91,001, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the superintendent of the park. After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, in writing, the Secretary may make minor revisions of the boundaries of the park when necessary by publication of a revised map or other boundary description in the Federal Register.

(b) Acquisition of lands

Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any prop-

erty owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The effective date of such donation shall not be prior to October 1, 1976.

(c) Reservation of rights by grantors; compensation for land

Except for property deemed by the Secretary to be essential for visitor facilities, or for access to or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner, or the death of his or her spouse, whichever is the later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

(d) Termination of grantor’s rights

The Secretary may terminate a right of use and occupancy retained pursuant to this section upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this subchapter, and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(e) “Improved property” defined

The term “improved property”, as used in this section shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1975 (hereafter referred to as “dwelling”), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(Pub. L. 94-337, § 2, July 4, 1976, 90 Stat. 796; Pub. L. 96-287, title III, § 301(1), June 28, 1980, 94 Stat. 601; Pub. L. 103-437, § 6(a)(3), Nov. 2, 1994, 108 Stat. 4583.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-437 substituted “Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives” for “Committees on Interior and Insular Affairs of the United States Congress”.

1980—Subsec. (a). Pub. L. 96-287 substituted reference to park area as depicted on map “dated June 1979, and numbered VF-91,001” for prior depiction on map “dated February 1976, and numbered VF-91,000”.

§ 410aa-2. Notice in Federal Register; appropriations; administration

When the Secretary determines that lands and interests therein have been acquired in an