

(Pub. L. 98-621, §11, as added Pub. L. 102-150, §4(2), Oct. 31, 1991, 105 Stat. 981.)

REFERENCES IN TEXT

The Buy American Act of 1933, and the Buy American Act, referred to in subsecs. (a) to (d), is title III of act Mar. 3, 1933, ch. 212, 47 Stat. 1520, as amended, known as the Buy American Act, which is classified generally to sections 10a, 10b, and 10c of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 10a of Title 41 and Tables.

The Trade Agreement Act of 1979, referred to in subsec. (c), probably means the Trade Agreements Act of 1979, Pub. L. 96-39, July 26, 1979, 93 Stat. 144, as amended. For complete classification of this Act to the Code, see References in Text note set out under section 2501 of Title 19, Customs Duties, and Tables.

This subchapter, referred to in subsec. (e), was in the original "this title" and was translated as reading "this Act", meaning Pub. L. 98-621, which is classified principally to this subchapter, to reflect the probable intent of Congress, because Pub. L. 98-621 does not contain titles.

CHAPTER 5—COLUMBIA INSTITUTION FOR THE DEAF

§§ 231 to 250. Omitted

CODIFICATION

Sections 231 to 250, relating to Columbia Institution for the Deaf, were transferred to sections 31-1001 to 31-1020 of the District of Columbia Code and subsequently repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91-587, §5, 84 Stat. 1579. The Columbia Institution for the Deaf was redesignated Gallaudet College by act June 18, 1954, and thereafter redesignated Gallaudet University by Pub. L. 99-371, title I, §101(a), Aug. 4, 1986, 100 Stat. 781, which is classified to subchapter I (§4301 et seq.) of chapter 55 of Title 20, Education.

CHAPTER 6—FREEDMEN'S HOSPITAL

§§ 261 to 264. Omitted

CODIFICATION

Sections 261 to 264 related to Freedmen's Hospital in the District of Columbia, and were also set out as sections 32-317 to 32-320 of the District of Columbia Code. Freedmen's Hospital was transferred to Howard University by Pub. L. 87-262, Sept. 21, 1961, 75 Stat. 542 (20 U.S.C. 124-129), section 7 of which repealed all laws specifically applicable to Freedmen's Hospital effective with the transfer. Sections 32-317 to 32-320 were omitted from the 1981 edition of the District of Columbia Code.

Section 261, R.S. §2038; act June 23, 1874, ch. 455, 18 Stat. 223, related to direction of and expenditures for Freedmen's Hospital.

Section 262, acts June 26, 1912, ch. 182, §1, 37 Stat. 172; May 29, 1928, ch. 901, §1(78), 45 Stat. 992, related to admission of patients to Freedmen's Hospital, charges, and disposition of money collected.

Section 263, acts Mar. 3, 1905, ch. 1483, 33 Stat. 1190, Mar. 16, 1926, ch. 58, 44 Stat. 208, related to authority to contract for the care and treatment of persons from the District admitted to Freedmen's Hospital.

Section 264, act July 1, 1916, ch. 209, 39 Stat. 311, related to disposition of unclaimed money left at Freedmen's Hospital by deceased patients.

CHAPTER 7—NATIONAL CEMETERIES

Sec.

271 to 295. Repealed or Omitted.

295a. Arlington Memorial Amphitheater.

Sec.

- (a) Recommendations of Secretary of Defense for memorials and entombments.
- (b) Specific authorization from Congress.
- (c) Character of memorials.

296. Repealed.

TRANSFER OF FUNCTIONS

Section 2 of Ex. Ord. No. 6166, June 10, 1933, as amended by Ex. Ord. No. 6229, July 27, 1934; Ex. Ord. No. 6614, Feb. 26, 1934; Ex. Ord. No. 6690, Apr. 25, 1934, set out as a note to section 901 of Title 5, Government Organization and Employees, transferred all functions of administrator of certain historical national cemeteries located within the continental limits of the United States, including certain cemeteries administered by the War Department to the Director of National Parks, Buildings, and Reservations in the Department of the Interior.

By Ex. Ord. No. 6228, July 28, 1933, also set out as a note to section 901 of Title 5, the operation of Executive Order No. 6166 as to the transfer of the specified national cemeteries was postponed until further order, except with regard to the following cemeteries located within the continental limits of the United States:

NATIONAL MILITARY PARKS

- Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.
- Fort Donelson National Military Park, Tennessee.
- Fredericksburg and Spotsylvania County Battle Fields, Memorial, Virginia.
- Gettysburg National Military Park, Pennsylvania.
- Guilford Courthouse National Military Park, North Carolina.
- Kings Mountain National Military Park, South Carolina.
- Moore's Creek National Military Park, North Carolina.
- Petersburg National Military Park, Virginia.
- Shiloh National Military Park, Tennessee.
- Stones River National Military Park, Tennessee.
- Vicksburg National Military Park, Mississippi.

NATIONAL PARKS

- Abraham Lincoln National Park, Kentucky.
- Fort McHenry National Park, Maryland.

BATTLEFIELD SITES

- Antietam Battlefield, Maryland.
- Appomattox, Virginia.
- Brices Cross Roads, Mississippi.
- Chalmette Monument and Grounds, Louisiana.
- Cowpens, South Carolina.
- Fort Necessity, Wharton County, Pennsylvania.
- Kenesaw Mountain, Georgia.
- Monocacy, Maryland.
- Tupelo, Mississippi.
- White Plains, New York.

NATIONAL MONUMENTS

- Big Hole Battlefield, Beaverhead County, Montana.
- Cabrillo Monument, Ft. Rosecrans, California.
- Castle Pinckney, Charleston, South Carolina.
- Father Millet Cross, Fort Niagara, New York.
- Fort Marion, St. Augustine, Florida.
- Fort Matanzas, Florida.
- Fort Pulaski, Georgia.
- Meriwether Lewis, Hardin County, Tennessee.
- Mound City Group, Chillicothe, Ohio.
- Statue of Liberty, Fort Wood, New York.

MISCELLANEOUS MEMORIALS

- Camp Blount Tablets, Lincoln County, Tennessee.
- Kill Devil Hill Monument, Kitty Hawk, North Carolina.
- New Echota Marker, Georgia.
- Lee Mansion, Arlington National Cemetery, Virginia.

NATIONAL CEMETERIES

- Battleground, District of Columbia.

Antietam, (Sharpsburg) Maryland.
 Vicksburg, Mississippi.
 Gettysburg, Pennsylvania.
 Chattanooga, Tennessee.
 Fort Donelson, (Dover) Tennessee.
 Shiloh, (Pittsburg Landing) Tennessee.
 Stones River, (Murfreesboro) Tennessee.
 Fredericksburg, Virginia.
 Poplar Grove, (Petersburg) Virginia.
 Yorktown, Virginia.

CHANGE OF NAME

Director of National Parks, Buildings and Reservations renamed Director of National Park Service by act Mar. 2, 1934, ch. 38, 48 Stat. 362.

NATIONAL CEMETERIES IN FOREIGN COUNTRIES

The functions of administration pertaining to national cemeteries located in foreign countries, which were transferred to the Department of State, were revoked and the functions of administration pertaining to national cemeteries and memorials located in Europe, together with personnel, records, etc. were transferred to the American Battle Monuments Commission by Ex. Ord. No. 6614, Apr. 25, 1934, set out as a note under section 901 of Title 5, Government Organization and Employees.

§§ 271 to 276. Repealed. Pub. L. 93-43, § 7(a)(1)-(3), (61), June 18, 1973, 87 Stat. 82, 88

Section 271, R.S. § 4870, provided for manner of acquisition of lands.

Section 271a, act June 29, 1938, ch. 808, 52 Stat. 1233, related to State donations of land.

Section 272, R.S. § 4871; act Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167, provided for appraisal of real estate.

Section 273, R.S. § 4872, provided for payment of appraised value.

Section 274, R.S. § 4873, provided for superintendents of cemeteries.

Section 275, acts Mar. 24, 1948, ch. 143, § 1, 62 Stat. 84; Aug. 30, 1961, Pub. L. 87-178, 75 Stat. 411, provided for selection of superintendents.

Section 276, R.S. § 4875; act July 30, 1912, ch. 258, 37 Stat. 240, provided for fuel and quarters for superintendents.

Subject matter is generally covered by section 2400 et seq. of Title 38, Veterans' Benefits. See sections 2404 and 2406 of Title 38.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1973, or such earlier date as the President may prescribe and publish in the Federal Register, see section 10(c) of Pub. L. 93-43, set out as a note under section 2306 of Title 38, Veterans' Benefits.

SUPERINTENDENTS OF NATIONAL CEMETERIES UNDER THE JURISDICTION OF THE SECRETARY OF THE ARMY

Pub. L. 97-306, title IV, § 405, Oct. 14, 1982, 96 Stat. 1443, provided that: "Notwithstanding section 7(b)(2) of the National Cemeteries Act of 1973 (87 Stat. 88) [section 7 of Pub. L. 93-43 set out below], the provisions of the Act entitled "An Act to provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the Armed Forces who have been disabled in the line of duty for active field service", approved March 24, 1948 [Act Mar. 24, 1948, ch. 143, 62 Stat. 84, which enacted former section 275 of this title], as in effect on the day before the effective date of section 7 of the National Cemeteries Act of 1973 [see section 10(c) of Pub. L. 93-43 set out as a note under section 2306 of Title 38, Veterans' Benefits], shall not apply with respect to the appointment of the superintendent

of a national cemetery under the jurisdiction of the Secretary of the Army."

MATURED RIGHTS AND DUTIES, INCURRED PENALTIES, LIABILITIES, AND FORFEITURES, AND COMMENCED PROCEEDINGS EXCEPTED IN REPEAL OF NATIONAL CEMETERIES PROVISIONS

Section 7(a) of Pub. L. 93-43 provided in part that sections 271 to 276, 278 to 279d, 281 to 282, 286 to 290, and 296 of this title are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun before effective date of such section 7.

Section 7 of Pub. L. 93-43 effective Sept. 1, 1973, or such earlier date as the President may prescribe and publish in the Federal Register, see section 10(c) of Pub. L. 93-43, set out as a note under section 2306 of Title 38, Veterans' Benefits.

FUNCTIONS, POWERS, AND DUTIES OF SECRETARIES UNAFFECTED

Section 7(b) of Pub. L. 93-43 provided that: "Nothing in this section [repealing sections 271 to 276, 278 to 279d, 281 to 282, 286 to 290, and 296 of this title and enacting provisions set out as a note under sections 271 to 276] shall be deemed to affect in any manner the functions, powers, and duties of—

"(1) the Secretary of the Interior with respect to those cemeteries, memorials, or monuments under his jurisdiction on the effective date of this section [see note above], or

"(2) the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to those cemeteries, memorials, or monuments under his jurisdiction to which the transfer provisions of section 6(a) of this Act [set out as a note under section 2404 of Title 38, Veterans' Benefits] do not apply."

§ 277. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 646

Section, acts Feb. 12, 1925, ch. 225, title II, 43 Stat. 926; Apr. 15, 1926, ch. 146, title II, 44 Stat. 288, provided for appointment and pay of a superintendent of Antietam Battlefield.

§§ 278 to 279d. Repealed. Pub. L. 93-43, § 7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82

Section 278, acts July 24, 1876, ch. 226, § 1, 19 Stat. 99; June 10, 1921, ch. 18, §§ 206, 215, 42 Stat. 21, 23; Sept. 12, 1950, ch. 946, title III, § 301(96), 64 Stat. 844, provided for care and maintenance of cemeteries. See section 2404(a), (e) of Title 38, Veterans' Benefits.

Section 279, R.S. § 4877, related to inclosure, headstones, and registers. See section 2404(a), (c), (d) of Title 38.

Section 279a, acts July 1, 1948, ch. 791, § 1, 62 Stat. 1215; Aug. 14, 1958, Pub. L. 85-644, § 1(1), 72 Stat. 601; Aug. 28, 1958, Pub. L. 85-811, 72 Stat. 978; Sept. 1, 1970, Pub. L. 91-369, 84 Stat. 836, provided for headstones for unmarked graves of Civil War soldiers, members of armed forces, reserve components, National Guard, Air National Guard, and Reserve Officers Training Corps; compilation of list; and inscription of names on Memorial. See sections 2306 and 2403 of Title 38.

Section 279b, acts July 1, 1948, ch. 791, § 2, 62 Stat. 1216; Aug. 14, 1958, Pub. L. 85-644, § 1(2), 72 Stat. 602, authorized rules and regulations for the headstones, list, and inscription of names.

Section 279c, act July 1, 1948, ch. 791, § 3, 62 Stat. 1216, related to preservation of records respecting the headstones, list, and inscription of names. See section 2404(d) of Title 38.

Section 279d, acts Aug. 27, 1954, ch. 1013, 68 Stat. 880; July 3, 1956, ch. 509, 70 Stat. 489, provided for markers to honor memory of certain Armed Forces personnel. See section 2403(a), (b) of Title 38.