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1ST SESSION

H. R. 1091

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20 (legislative day, SEPTEMBER 5), 1995

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To improve the National Park System in the Commonwealth
of Virginia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **TITLE I—RICHMOND NATIONAL**
2 **BATTLEFIELD PARK**

3 **SEC. 101. MODIFICATION OF BOUNDARY.**

4 The first section of the Act of March 2, 1936 (Chap-
5 ter 113; 49 Stat. 1155), is amended to read as follows:

6 “SECTION 1. (a) In order to preserve the site of the
7 1862 Peninsula Campaign and the 1864–65 battle of
8 Richmond, in the vicinity of Richmond, Virginia, as a na-
9 tional battlefield park for the benefit and inspiration of
10 the people of the United States, there is hereby estab-
11 lished, subject to existing rights, the Richmond National
12 Battlefield Park (hereinafter in this Act referred to as the
13 ‘Park’).

14 “(b) The Park shall consist of—

15 “(1) lands, waters, and interests therein within
16 the area generally depicted on the map entitled
17 ‘Richmond National Battlefield Park, Land Status
18 Map’, numbered 367/92,000, and dated September
19 1993; and

20 “(2) upon donation of title acceptable to the
21 Secretary of the Interior (and acceptance by the Sec-
22 retary), the following tracts: a tract of 750 acres at
23 Malvern Hill, a tract of 15 acres at Beaver Dam
24 Creek, a tract of 100 acres at Cold Harbor, and a
25 tract of 42 acres at Bethesda Church.

1 “(c) As soon as practicable, the Secretary of the Inte-
2 rior shall complete a boundary map (including tracts re-
3 ferred to in subsection (b)(2)) for the Park. The map re-
4 quired by this subsection and the map referred to in sub-
5 section (b)(1) shall be on file and available for public in-
6 spection in the office of the National Park Service, De-
7 partment of the Interior.

8 “(d) The Congress recognizes the national signifi-
9 cance of the Battle of New Market Heights and declares
10 it to be in the public interest to ensure the preservation
11 of the New Market Heights Battlefield so that an impor-
12 tant aspect of American history can be interpreted to the
13 public. The Congress directs the Secretary to work coop-
14 eratively with the Commonwealth of Virginia, the county
15 of Henrico, Virginia, and property owners within or im-
16 pacted by the battlefield area to develop alternatives to
17 ensure implementation of these goals. The Secretary shall
18 submit a report outlining such alternatives to the Commit-
19 tee on Resources of the House of Representatives and the
20 Committee on Energy and Natural Resources of the Sen-
21 ate no later than June 1, 1996.”.

22 **SEC. 102. REPEAL OF PROVISION REGARDING PROPERTY**
23 **ACQUISITION.**

24 The Act of March 2, 1936 (Chapter 113; 49 Stat.
25 1155), is amended by striking section 2.

1 **SEC. 103. ADMINISTRATION.**

2 Section 3 of the Act of March 2, 1936 (Chapter 113;
3 49 Stat. 1156), is redesignated as section 2 and is amend-
4 ed by striking the period and inserting “, and the Act of
5 August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).”.

6 **TITLE II—SHENANDOAH**
7 **NATIONAL PARK**

8 **SEC. 201. MODIFICATION OF BOUNDARY.**

9 (a) IN GENERAL.—The boundary of Shenandoah Na-
10 tional Park is hereby modified to include only those lands
11 and interests therein that, on the day before the date of
12 the enactment of this Act, were in Federal ownership and
13 were administered by the Secretary of the Interior (herein-
14 after in this title referred to as the “Secretary”) as part
15 of the park. So much of the Act of May 22, 1926 (Chapter
16 363; 44 Stat. 616) as is inconsistent herewith is hereby
17 repealed.

18 (b) MINOR BOUNDARY ADJUSTMENTS AND LAND
19 ACQUISITION.—

20 (1) MINOR BOUNDARY ADJUSTMENTS.—The
21 Secretary is authorized to make minor adjustments
22 to the boundary of Shenandoah National Park, as
23 modified by this title, to make essential improve-
24 ments to facilitate access to trailheads to the park
25 that exist on the day before the date of the enact-

1 ment of this title, in cases in which there are no
2 practicable alternatives to such adjustments.

3 (2) LIMITATIONS ON LAND ACQUISITION.—

4 (A) IN GENERAL.—Except as otherwise
5 provided in this subsection, the Secretary may
6 acquire lands and interests therein under this
7 subsection only by donation.

8 (B) ADDITIONAL RESTRICTIONS.—When
9 acting under this subsection—

10 (i) the Secretary may add to the
11 Shenandoah National Park only lands and
12 interests therein that are contiguous with
13 Federal lands administered by the Sec-
14 retary as part of the park;

15 (ii) prior to accepting title to any
16 lands or interests therein, the Secretary
17 shall hold a public meeting in the county
18 in which such lands and interests are lo-
19 cated;

20 (iii) the Secretary shall not alter the
21 primary means of access of any private
22 landowner to the lands owned by such
23 landowner; and

24 (iv) the Secretary shall not cause any
25 property owned by a private individual, or

1 any group of adjacent properties owned by
2 private individuals, to be surrounded on all
3 sides by land administered by the Sec-
4 retary as part of the park.

5 (c) MITIGATION OF IMPACTS AT ACCESS POINTS.—
6 The Secretary shall take all reasonable actions to mitigate
7 the impacts associated with visitor use at trailheads
8 around the perimeter of Shenandoah National Park. The
9 Secretary shall enlist the cooperation of the State and
10 local jurisdictions, as appropriate, in carrying out this sub-
11 section.

12 **SEC. 202. REQUIREMENT OF TRANSFER OF COUNTY ROAD**
13 **CORRIDORS.**

14 (a) STATEMENT OF PURPOSE.—It is the purpose of
15 this section to permit the Commonwealth of Virginia to
16 maintain and provide for safe public use of certain roads
17 that the Commonwealth donated to the Federal Govern-
18 ment at the time of the establishment of Shenandoah Na-
19 tional Park.

20 (b) REQUIREMENT OF TRANSFER.—Not later than
21 180 days after the date of the enactment of this Act, the
22 Secretary of the Interior shall transfer to the Common-
23 wealth of Virginia, without consideration or reimburse-
24 ment, all right, title, and interest of the United States in
25 and to all county road corridors that were located within

1 the Shenandoah National Park on the day before the date
2 of the enactment of this Act and are removed from such
3 Park by the boundary modification made by section 201.

4 (c) REVERSION.—Each transfer pursuant to this sec-
5 tion shall be made subject to the condition that if, at any
6 time, any county road corridor so transferred is no longer
7 used as a public roadway, all right, title, and interest in
8 the county road corridor shall revert to the United States.

9 (d) DEFINITIONS.—For purposes of this section:

10 (1) COUNTY ROAD CORRIDOR.—The term
11 “county road corridor” means a corridor that is
12 comprised of any Shenandoah county road together
13 with an amount of land, which is contiguous with
14 the road and which is selected by the Secretary of
15 the Interior in consultation with the Governor of the
16 Commonwealth of Virginia, such that the total width
17 of the corridor is 50 feet.

18 (2) SHENANDOAH COUNTY ROAD.—The term
19 “Shenandoah county road” means any portion of a
20 road that is open to public vehicle usage and that,
21 on the date of the enactment of this Act, constitutes
22 part of—

23 (A) Madison County Route 600;

24 (B) Rockingham County Route 624;

25 (C) Rockingham County Route 625;

- 1 (D) Rockingham County Route 626;
2 (E) Warren County Route 604;
3 (F) Page County Route 759;
4 (G) Page County Route 611;
5 (H) Page County Route 682;
6 (I) Page County Route 662;
7 (J) Augusta County Route 611;
8 (K) Augusta County Route 619;
9 (L) Albemarle County Route 614;
10 (M) Augusta County Route 661;
11 (N) Rockingham County Route 663;
12 (O) Rockingham County Route 659;
13 (P) Page County Route 669;
14 (Q) Rockingham County Route 661;
15 (R) Criser Road (to Town of Front Royal);
16 or
17 (S) the government-owned parcel connect-
18 ing Criser Road to the Warren County School
19 Board parcel.

20 **TITLE III—COLONIAL NATIONAL**
21 **HISTORICAL PARK**

22 **SEC. 301. MODIFICATION OF BOUNDARY.**

23 Notwithstanding the provisions of the Act of June 28,
24 1938 (52 Stat. 1208; 16 U.S.C. 81b, 81d), limiting the
25 average width of the Colonial Parkway, the Secretary of

1 the Interior (hereinafter in this title referred to as the
2 “Secretary”) is authorized to include within the Colonial
3 National Historical Park, and to acquire by purchase, do-
4 nation or exchange, lands and interests in lands (with or
5 without improvements) within the areas depicted on the
6 map dated August 1993, numbered 333/80031A, and enti-
7 tled “Page Landing Addition to Colonial National Histori-
8 cal Park”. Such map shall be on file and available for in-
9 spection in the offices of the National Park Service at Co-
10 lonial National Historical Park and in Washington, Dis-
11 trict of Columbia.

12 **SEC. 302. TRANSFER OF SEWAGE DISPOSAL SYSTEM AND**
13 **RIGHTS-OF-WAY.**

14 (a) IN GENERAL.—The Secretary is authorized to
15 transfer, without reimbursement (except as provided in
16 subsection (c)), to York County, Virginia, any portion of
17 the existing sewage disposal system, including related im-
18 provements and structures, that is owned by the United
19 States and located within the Colonial National Historical
20 Park, together with such rights-of-way as the Secretary
21 determines to be necessary to maintain and operate such
22 system.

23 (b) REPAIR AND REHABILITATION OF SYSTEM.—The
24 Secretary is authorized to enter into a cooperative agree-
25 ment with York County, Virginia, under which the Sec-

1 retary will pay a portion, not to exceed \$110,000, of the
2 costs of repair and rehabilitation of the sewage disposal
3 system referred to in subsection (a).

4 (c) EFFECT OF AGREEMENT ON CHARGES, IMPACT,
5 AND ALTERATIONS.—In consideration for the rights-of-
6 way granted under subsection (a), in recognition of the
7 contribution authorized under subsection (b), and as a
8 condition of the transfer authorized by subsection (a), the
9 cooperative agreement under subsection (b) shall provide
10 for a reduction in, or the elimination of, the amounts
11 charged to the National Park Service for its sewage dis-
12 posal with respect to the Colonial National Historical
13 Park, shall provide for minimizing the impact of the park's
14 sewage disposal system on the park and its resources, and
15 shall provide that such system may not be enlarged or sub-
16 stantially altered without the concurrence of the director
17 of the National Park Service.

18 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated \$110,000 to
20 carry out section 302 and \$830,000, or the current ap-
21 praised value of the lands and interests in lands referred
22 to in section 301, whichever is lower, to carry out section
23 301.

1 **TITLE IV—SHENANDOAH**
2 **VALLEY BATTLEFIELDS**

3 **SEC. 401. SHORT TITLE.**

4 This title may be cited as the “Shenandoah Valley
5 Battlefields Partnership Act of 1995”.

6 **SEC. 402. CONGRESSIONAL FINDINGS.**

7 The Congress finds that—

8 (1) there are situated in the Shenandoah Valley
9 in the Commonwealth of Virginia the sites of several
10 key Civil War battles;

11 (2) certain sites, battlefields, structures, and
12 districts in the Shenandoah Valley are collectively of
13 national significance in the history of the Civil War;

14 (3) in 1990, the Congress enacted legislation di-
15 recting the Secretary of the Interior to prepare a
16 comprehensive study of significant sites and struc-
17 tures associated with Civil War battles in the Shen-
18 andoah Valley;

19 (4) the study, which was completed in 1992,
20 found that many of the sites within the Shenandoah
21 Valley possess national significance and retain a
22 high degree of historical integrity;

23 (5) the preservation of Civil War sites within a
24 regional framework requires cooperation among local

1 property owners and Federal, State, and local gov-
2 ernment entities; and

3 (6) partnerships between Federal, State, and
4 local governments, the regional entities of such gov-
5 ernments, and the private sector offer the most ef-
6 fective opportunities for the enhancement and man-
7 agement of the Civil War battlefields and related
8 sites in the Shenandoah Valley.

9 **SEC. 403. STATEMENT OF PURPOSE.**

10 The purposes of this title are to—

11 (1) preserve, conserve, and interpret the legacy
12 of the Civil War in the Shenandoah Valley;

13 (2) recognize and interpret important events
14 and geographic locations representing key Civil War
15 battles in the Shenandoah Valley, including those
16 battlefields associated with the Thomas J. (Stone-
17 wall) Jackson campaign of 1862 and the decisive
18 campaigns of 1864;

19 (3) recognize and interpret the effect of the
20 Civil War on the civilian population of the Shen-
21 andoah Valley during the war and postwar recon-
22 struction period; and

23 (4) create partnerships among Federal, State,
24 and local governments, the regional entities of such
25 governments, and the private sector to preserve, con-

1 serve, enhance, and interpret the nationally signifi-
2 cant battlefields and related sites associated with the
3 Civil War in the Shenandoah Valley.

4 **SEC. 404. DEFINITIONS.**

5 For purposes of this title:

6 (1) **BATTLEFIELD.**—The term “battlefield”
7 means 1 of 15 battlefields in the Shenandoah Valley,
8 as identified in the report.

9 (2) **COMMISSION.**—The term “Commission”
10 means the Shenandoah Valley Battlefields Commis-
11 sion established by section 409.

12 (3) **HISTORIC CORE.**—The term “historic core”
13 means the area that is so defined in the report, en-
14 compasses important components of a battle, and
15 provides a strategic context and geographic setting
16 for understanding the battle.

17 (4) **HISTORIC PARK.**—The term “historic park”
18 means the Shenandoah Battlefields National His-
19 toric Park established under section 405(b).

20 (5) **PLAN.**—The term “plan” means the Shen-
21 andoah Valley Battlefields plan approved by the Sec-
22 retary under section 406.

23 (6) **REPORT.**—The term “report” means the re-
24 port prepared by the Secretary pursuant to the Civil

1 War Sites Study Act of 1990 (Public Law 101–628;
2 16 U.S.C. 1a–5 note).

3 (7) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (8) SHENANDOAH VALLEY.—The term “Shen-
6 andoah Valley” means the Shenandoah Valley in the
7 Commonwealth of Virginia.

8 **SEC. 405. SHENANDOAH VALLEY BATTLEFIELDS NATIONAL**
9 **HISTORIC PARK.**

10 (a) AUTHORIZATION.—To carry out the purposes of
11 this title, there is hereby authorized to be established the
12 Shenandoah Valley Battlefields National Historic Park in
13 the Commonwealth of Virginia. The Secretary shall estab-
14 lish in the Shenandoah Valley an administrative office and
15 a location to provide information and interpretation with
16 respect to the battlefields.

17 (b) ESTABLISHMENT.—

18 (1) IN GENERAL.—The Shenandoah Valley Bat-
19 tlefields National Historic Park is hereby established
20 upon publication by the Secretary in the Federal
21 Register that—

22 (A) the Secretary has determined that the
23 historic core of one or more of the battlefields
24 is protected adequately to ensure the long-term

1 preservation of the historic core in accordance
2 with the plan; and

3 (B) the Secretary accepts administrative
4 jurisdiction of such historic core.

5 (2) CONTENTS OF HISTORIC PARK.—The his-
6 toric park shall consist of each historic core with re-
7 spect to which the Secretary publishes a notice
8 under paragraph (1).

9 (c) ADMINISTRATION.—The Secretary shall admin-
10 ister the historic park in accordance with this title and
11 with provisions of law generally applicable to the National
12 Park System, including the Act of August 25, 1916 (39
13 Stat. 535; 16 U.S.C. 1, 2, 3, 4) and the Act of August
14 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). The Sec-
15 retary shall protect, manage, and administer the historic
16 park for the purposes of preserving and interpreting its
17 natural, cultural, and historic resources and of providing
18 for public understanding and appreciation of the battle-
19 fields, in such a manner as to perpetuate these qualities
20 and values for future generations.

21 (d) LAND ACQUISITION.—If a historic core is in-
22 cluded in the historic park—

23 (1) the Secretary may accept title from any pri-
24 vate entity to any lands or interests therein within
25 the historic core; and

1 (2) the Secretary may acquire from any willing
2 seller lands and interests therein within the bound-
3 ary of the historic core if the Secretary determines
4 that such acquisition is essential to avoid significant
5 changes to land use which the Secretary determines
6 would have a significant adverse effect on the his-
7 toric character of the historic core.

8 (e) LIVING HISTORY DEMONSTRATIONS AND BAT-
9 TLEFIELD ENACTMENTS.—The Secretary shall allow, at
10 any location in the historic park, any living history dem-
11 onstration or battlefield reenactment that is the same as
12 or substantially similar to a demonstration or reenactment
13 that occurred at such location at any time during the 12-
14 month period ending on the date of the enactment of this
15 Act. The Secretary may allow, at any location in the his-
16 toric park, any living history demonstration or battlefield
17 reenactment that is not described in the preceding sen-
18 tence but that the Secretary determines to be appropriate.

19 **SEC. 406. SHENANDOAH VALLEY BATTLEFIELDS PLAN.**

20 (a) IN GENERAL.—The historic park shall be man-
21 aged by the Secretary pursuant to this title and the Shen-
22 andoah Valley Battlefields plan developed by the Commis-
23 sion and approved by the Secretary, as provided in this
24 section.

25 (b) SPECIFIC PROVISIONS.—The plan shall include—

1 (1) provisions for the management, protection,
2 and interpretation of the natural, cultural, and his-
3 torical resources of the battlefields, consistent with
4 the purposes of this title;

5 (2) identification of the historic cores that are
6 appropriate for administration by the Secretary;

7 (3) a determination of the level of protection
8 that is adequate to ensure the long-term preserva-
9 tion of each of the historic cores that is identified
10 under paragraph (2) and measures recommended to
11 accomplish such protection, which may include (but
12 need not be limited to) conservation easements, local
13 zoning, transfer of development rights, or ownership
14 by an entity dedicated to preservation of the historic
15 resources of the battlefields;

16 (4) recommendations to the Commonwealth of
17 Virginia (and political subdivisions thereof) regard-
18 ing the management, protection, and interpretation
19 of the natural, cultural, and historical resources of
20 the battlefields;

21 (5) the information described in section 12(b)
22 of Public Law 91-383 (16 U.S.C. 1a-7(b)) (pertain-
23 ing to the preparation of general management
24 plans);

1 (6) identification of appropriate partnerships
2 between the Secretary, Federal, State, and local gov-
3 ernments and regional entities, and the private sec-
4 tor, in furtherance of the purposes of this title;

5 (7) proposed locations for visitor contact and
6 major interpretive facilities;

7 (8) provisions for implementing a continuing
8 program of interpretation and visitor education con-
9 cerning the resources and values of the battlefields
10 and historic core areas;

11 (9) provisions for a uniform valley-wide histori-
12 cal marker and wayside exhibit program, including a
13 provision for marking, with the consent of the
14 owner, historic structures and properties that are
15 contained within and contribute to the understand-
16 ing of the battlefields; and

17 (10) recommendations for means of ensuring
18 continued local involvement and participation in the
19 management, protection, and development of the
20 battlefields.

21 (c) PREPARATION OF DRAFT PLAN.—

22 (1) IN GENERAL.—Not later than 3 years after
23 the date on which the Commission conducts its first
24 meeting, the Commission shall submit to the Sec-

1 retary a draft plan that meets the requirements of
2 subsection (b).

3 (2) ADDITIONAL REQUIREMENTS.—Prior to
4 submitting the draft plan to the Secretary, the Com-
5 mission shall ensure that—

6 (A) the Commonwealth of Virginia, and
7 any political subdivision thereof that would be
8 affected by the plan, receives a copy of the
9 draft plan;

10 (B) adequate notice of the availability of
11 the draft plan is provided through publication
12 in appropriate local newspapers in the area of
13 the battlefields; and

14 (C) at least one public hearing in the vicin-
15 ity of the battlefields in the upper Shenandoah
16 Valley and one public hearing in the vicinity of
17 the battlefields in the lower Shenandoah Valley
18 is conducted by the Commission with respect to
19 the draft plan.

20 (d) REVIEW OF PLAN BY THE SECRETARY.—The
21 Secretary shall review the draft plan submitted under sub-
22 section (c) and, not later than 90 days after the date on
23 which the draft plan is submitted, shall either—

24 (1) approve the draft plan as the plan; or

1 (2) reject the draft plan and recommend to the
2 Commission modifications that would make the draft
3 plan acceptable.

4 **SEC. 407. COOPERATIVE AGREEMENTS.**

5 (a) IN GENERAL.—In furtherance of the purposes of
6 this title, the Secretary may establish partnerships and
7 enter into cooperative agreements concerning lands, and
8 interests therein, within the battlefields with other Fed-
9 eral, State, or local agencies and private persons or organi-
10 zations.

11 (b) HISTORIC MONUMENTS.—The Secretary may
12 enter into an agreement with the owner of property that
13 is located in the battlefields and on which an historic
14 monument or tablet commemorating a relevant battle has
15 been erected prior to the date of the enactment of this
16 Act. The Secretary may make funds available for the
17 maintenance, protection, and interpretation of the monu-
18 ment or tablet, as the case may be, pursuant to the agree-
19 ment.

20 (c) AGREEMENTS AND PARTNERSHIPS NOT DEPEND-
21 ENT ON INCLUSION IN HISTORIC PARK.—The Secretary
22 may establish a partnership or enter into an agreement
23 under this section with respect to a battlefield regardless
24 of whether or not the historic core area of the battlefield
25 is included in the historic park.

1 **SEC. 408. TECHNICAL ASSISTANCE PROGRAM.**

2 (a) TECHNICAL ASSISTANCE TO PROPERTY OWN-
3 ERS.—The Secretary may provide technical assistance to
4 owners of property located within the battlefields to pro-
5 vide for the preservation and interpretation of the natural,
6 cultural, and historical resources within the battlefields.

7 (b) TECHNICAL ASSISTANCE TO GOVERNMENTAL
8 ENTITIES.—The Secretary, after consultation with the
9 Commission, may award grants and provide technical as-
10 sistance to governmental entities to assist with the plan-
11 ning, development, and implementation of comprehensive
12 plans, land use guidelines, regulations, ordinances, or
13 other appropriate documents, that are consistent with and
14 designed to protect the historic character of the battle-
15 fields.

16 (c) ASSISTANCE NOT DEPENDENT ON INCLUSION IN
17 PARK.—The Secretary may provide assistance under this
18 section with respect to a battlefield or historic core area
19 regardless of whether or not the battlefield or historic core
20 area is included in the Park.

21 **SEC. 409. SHENANDOAH VALLEY BATTLEFIELDS COMMIS-**
22 **SION.**

23 (a) ESTABLISHMENT.—There is hereby established
24 the Shenandoah Valley Battlefields Commission.

1 (b) MEMBERSHIP.—The Commission shall be com-
2 posed of 19 members, to be appointed by the Secretary
3 as follows:

4 (1) 5 members representing local governments
5 of communities in the vicinity of the battlefields, ap-
6 pointed after the Secretary considers recommenda-
7 tions made by appropriate local governing bodies.

8 (2) 10 members representing property owners
9 within the battlefields (1 member within each unit of
10 the battlefields).

11 (3) 1 member with demonstrated expertise in
12 historic preservation.

13 (4) 1 member who is a recognized historian
14 with expertise in Civil War history.

15 (5) 1 member from a list of recommendations
16 made by the Governor of Virginia.

17 (6) 1 member representing the interests of the
18 National Park Service.

19 (c) APPOINTMENTS.—Members shall be appointed for
20 the life of the Commission.

21 (d) ELECTION OF OFFICERS.—The Commission shall
22 elect one of its members as Chairperson and one as Vice
23 Chairperson. The terms of office of the Chairperson and
24 Vice Chairperson shall be 2 years. The Vice Chairperson

1 shall serve as Chairperson in the absence of the Chair-
2 person.

3 (e) VACANCY.—Any vacancy on the Commission shall
4 be filled in the same manner in which the original appoint-
5 ment was made, except that the Secretary shall fill any
6 vacancy within 30 days after the vacancy occurs.

7 (f) QUORUM.—A majority of the Commission shall
8 constitute a quorum.

9 (g) MEETINGS.—The Commission shall meet at the
10 call of the Chairperson or a majority of the members of
11 the Commission, but not less than quarterly. Notice of
12 Commission meetings and agendas for the meetings shall
13 be published in local newspapers that have a distribution
14 throughout the Shenandoah Valley. Commission meetings
15 shall be held at various locations throughout the Shen-
16 andoah Valley and in a manner that ensures adequate
17 public participation.

18 (h) STAFF OF THE COMMISSION.—The Commission
19 shall have the power to appoint and fix the compensation
20 of such staff as may be necessary to carry out its duties.

21 (i) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
22 ministrator of the General Services Administration shall
23 provide to the Commission, on a reimbursable basis, such
24 administrative support services as the Commission may re-
25 quest.

1 (j) FEDERAL AGENCIES.—Upon request of the Com-
2 mission, the head of any Federal agency may detail to the
3 Commission, on a reimbursable basis, personnel of the
4 agency to assist the Commission in carrying out its duties.

5 (k) SUBPOENAS.—The Commission may not issue
6 subpoenas or exercise any subpoena authority.

7 (l) EXPENSES.—Members of the Commission shall
8 serve without compensation, but the Secretary may reim-
9 burse members for expenses reasonably incurred in carry-
10 ing out the responsibilities of the Commission under this
11 title.

12 (m) MAILS.—The Commission may use the United
13 States mails in the same manner and under the same con-
14 ditions as other departments and agencies of the United
15 States.

16 (n) GIFTS.—The Commission may, for purposes of
17 carrying out the duties of the Commission, seek, accept,
18 and dispose of gifts, bequests, or donations of money, per-
19 sonal property, or services, received from any source.

20 (o) TERMINATION.—The Commission shall terminate
21 upon the expiration of the 45-day period beginning on the
22 date on which the Secretary approves the plan under sec-
23 tion 406(d).

24 **SEC. 410. DUTIES OF THE COMMISSION.**

25 The Commission shall—

1 (1) develop the plan and draft plan referred to
2 in section 406, in consultation with the Secretary;

3 (2) advise the Secretary with respect to the bat-
4 tlefields;

5 (3) assist the Commonwealth of Virginia, and
6 any political subdivision thereof, in the management,
7 protection, and interpretation of the natural, cul-
8 tural, and historical resources within the battlefields,
9 except that the Commission shall in no way infringe
10 upon the authorities and policies of the Common-
11 wealth of Virginia or any political subdivision there-
12 of; and

13 (4) take appropriate action to encourage protec-
14 tion of the natural, cultural, and historic resources
15 within the battlefields by landowners, local govern-
16 ments, organizations, and businesses.

17 **SEC. 411. TERMINATION OF INCLUSION IN HISTORIC PARK.**

18 (a) IN GENERAL.—A historic core that becomes part
19 of the historic park shall continue to be included in the
20 historic park unless—

21 (1) the Secretary determines that the protection
22 of the historic core no longer meets the requirements
23 of section 405(b)(1)(A); and

24 (2) after making a determination referred to in
25 paragraph (1), the Secretary submits to the Con-

1 gress notification that the historic core should cease
2 to be included in the historic park.

3 (b) PUBLIC HEARING.—Before the Secretary makes
4 a determination referred to in subsection (a)(1) regarding
5 a historic core, the Secretary or a designee shall hold a
6 public hearing within the vicinity of the historic core.

7 (c) TIME OF TERMINATION OF INCLUSION.—

8 (1) IN GENERAL.—A historic core shall cease to
9 be included in the historic park upon the expiration
10 of 90 legislative days after the Secretary submits to
11 the Congress the notification referred to in sub-
12 section (a)(2) regarding the historic core.

13 (2) LEGISLATIVE DAY.—For purposes of this
14 subsection, the term “legislative day” means any
15 calendar day on which both Houses of the Congress
16 are in session.

17 **SEC. 412. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated not more
19 than \$5,000,000 for development of the historic park, not
20 more than \$2,000,000 for land acquisition pursuant to
21 this title, not more than \$500,000 to carry out the pur-
22 poses of sections 407 and 408, and not more than
23 \$250,000 for any fiscal year for the operation of the Com-
24 mission.

1 **TITLE V—CUMBERLAND GAP**
2 **NATIONAL HISTORICAL PARK**

3 **SEC. 501. ADDITION OF LANDS.**

4 (a) AUTHORITY.—Notwithstanding the Act of June
5 11, 1940 (16 U.S.C. 261 et seq.), the Secretary of the
6 Interior is authorized to acquire by donation, purchase
7 with donated or appropriated funds, or exchange not to
8 exceed 10 acres of land or interests in land, which shall
9 consist of those necessary lands for the establishment of
10 trailheads to be located at White Rocks and Chadwell Gap.

11 (b) ADMINISTRATION.—Lands and interests in lands
12 acquired pursuant to subsection (a) shall be added to and
13 administered as part of Cumberland Gap National Histor-
14 ical Park.

Passed the House of Representatives September 19,
1995.

Attest:

ROBIN H. CARLE,

Clerk.

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