

Union Calendar No. 87

104TH CONGRESS
1ST SESSION

H. R. 1091

[Report No. 104-176]

A BILL

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

JULY 11, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1995

Mr. BLILEY (for himself, Mr. GOODLATTE, Mr. BATEMAN, and Mr. WOLF) introduced the following bill; which was referred to the Committee on Resources

JULY 11, 1995

Additional sponsors: Mr. BOUCHER, Mr. SCOTT, and Mr. LEACH

JULY 11, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 1, 1995]

A BILL

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 (Chapter*
5 *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 Rich-*
8 *mond, in the vicinity of Richmond, Virginia, as a national*
9 *battlefield park for the benefit and inspiration of the people*
10 *of the United States, there is hereby established, subject to*
11 *existing rights, the Richmond National Battlefield Park*
12 *(hereinafter in this Act referred to as the ‘Park’).*

13 “(b) *The Park shall consist of—*

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

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

8 “(d) The Congress recognizes the national significance
9 of the Battle of New Market Heights and declares it to be
10 in the public interest to ensure the preservation of the New
11 Market Heights Battlefield so that an important aspect of
12 American history can be interpreted to the public. The Con-
13 gress directs the Secretary to work cooperatively with the
14 Commonwealth of Virginia, the county of Henrico, Vir-
15 ginia, and property owners within or impacted by the bat-
16 tlefield area to develop alternatives to ensure implementa-
17 tion of these goals. The Secretary shall submit a report out-
18 lining such alternatives to the Committee on Resources of
19 the House of Representatives and the Committee on Energy
20 and Natural Resources of the Senate no later than June
21 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 amended*
4 *by striking the period and inserting “; and the Act of Au-*
5 *gust 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 the*
12 *enactment of this Act, were in Federal ownership and were*
13 *administered by the Secretary of the Interior (hereinafter*
14 *in this title referred to as the “Secretary”) as part of the*
15 *park. So much of the Act of May 22, 1926 (Chapter 363;*
16 *44 Stat. 616) as is inconsistent herewith is hereby repealed.*

17 *(b) MINOR BOUNDARY ADJUSTMENTS AND LAND AC-*
18 *QUISITION.—*

19 *(1) MINOR BOUNDARY ADJUSTMENTS.—The Sec-*
20 *retary is authorized to make minor adjustments to the*
21 *boundary of Shenandoah National Park, as modified*
22 *by this title, to make essential improvements to facili-*
23 *tate access to trailheads to the park that exist on the*
24 *day before the date of the enactment of this title, in*
25 *cases in which there are no practicable alternatives to*
26 *such adjustments.*

1 (2) *LIMITATIONS ON LAND ACQUISITION.*—

2 (A) *IN GENERAL.*—*Except as otherwise pro-*
3 *vided in this subsection, the Secretary may ac-*
4 *quire lands and interests therein under this sub-*
5 *section only by donation.*

6 (B) *ADDITIONAL RESTRICTIONS.*—*When*
7 *acting under this subsection—*

8 (i) *the Secretary may add to the Shen-*
9 *andoah National Park only lands and in-*
10 *terests therein that are contiguous with Fed-*
11 *eral lands administered by the Secretary as*
12 *part of the park;*

13 (ii) *prior to accepting title to any*
14 *lands or interests therein, the Secretary*
15 *shall hold a public meeting in the county in*
16 *which such lands and interests are located;*

17 (iii) *the Secretary shall not alter the*
18 *primary means of access of any private*
19 *landowner to the lands owned by such land-*
20 *owner; and*

21 (iv) *the Secretary shall not cause any*
22 *property owned by a private individual, or*
23 *any group of adjacent properties owned by*
24 *private individuals, to be surrounded on all*

1 *sides by land administered by the Secretary*
2 *as part of the park.*

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

9 **SEC. 202. REQUIREMENT OF TRANSFER OF COUNTY ROAD**
10 **CORRIDORS.**

11 *(a) STATEMENT OF PURPOSE.—It is the purpose of*
12 *this section to permit the Commonwealth of Virginia to*
13 *maintain and provide for safe public use of certain roads*
14 *that the Commonwealth donated to the Federal Government*
15 *at the time of the establishment of Shenandoah National*
16 *Park.*

17 *(b) REQUIREMENT OF TRANSFER.—Not later than 180*
18 *days after the date of the enactment of this Act, the Sec-*
19 *retary of the Interior shall transfer to the Commonwealth*
20 *of Virginia, without consideration or reimbursement, all*
21 *right, title, and interest of the United States in and to all*
22 *county road corridors that were located within the Shen-*
23 *andoah National Park on the day before the date of the en-*
24 *actment of this Act and are removed from such Park by*
25 *the boundary modification made by section 201.*

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

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

7 (1) *COUNTY ROAD CORRIDOR.*—The term “coun-
8 ty road corridor” means a corridor that is comprised
9 of any Shenandoah county road together with an
10 amount of land, which is contiguous with the road
11 and which is selected by the Secretary of the Interior
12 in consultation with the Governor of the Common-
13 wealth of Virginia, such that the total width of the
14 corridor is 50 feet.

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

20 (A) Madison County Route 600;

21 (B) Rockingham County Route 624;

22 (C) Rockingham County Route 625;

23 (D) Rockingham County Route 626;

24 (E) Warren County Route 604;

25 (F) Page County Route 759;

1 (G) Page County Route 611;

2 (H) Page County Route 682;

3 (I) Page County Route 662;

4 (J) Augusta County Route 611;

5 (K) Augusta County Route 619;

6 (L) Albemarle County Route 614;

7 (M) Augusta County Route 661;

8 (N) Rockingham County Route 663;

9 (O) Rockingham County Route 659;

10 (P) Page County Route 669;

11 (Q) Rockingham County Route 661;

12 (R) Criser Road (to Town of Front Royal);

13 or

14 (S) the government-owned parcel connecting

15 Criser Road to the Warren County School Board

16 parcel.

17 **TITLE III—COLONIAL NATIONAL**
 18 **HISTORICAL PARK**

19 **SEC. 301. MODIFICATION OF BOUNDARY.**

20 Notwithstanding the provisions of the Act of June 28,

21 1938 (52 Stat. 1208; 16 U.S.C. 81b, 81d), limiting the aver-

22 age width of the Colonial Parkway, the Secretary of the In-

23 terior (hereinafter in this title referred to as the "Sec-

24 retary") is authorized to include within the Colonial Na-

25 tional Historical Park, and to acquire by donation or ex-

1 *change, lands and interests in lands (with or without im-*
2 *provements) within the areas depicted on the map dated*
3 *August 1993, numbered 333/80031A, and entitled “Page*
4 *Landing Addition to Colonial National Historical Park”.*
5 *Such map shall be on file and available for inspection in*
6 *the offices of the National Park Service at Colonial National*
7 *Historical Park and in Washington, District of Columbia.*

8 **SEC. 302. TRANSFER OF SEWAGE DISPOSAL SYSTEM AND**
9 **RIGHTS-OF-WAY.**

10 (a) *IN GENERAL.*—*The Secretary is authorized to*
11 *transfer, without reimbursement (except as provided in sub-*
12 *section (c)), to York County, Virginia, any portion of the*
13 *existing sewage disposal system, including related improve-*
14 *ments and structures, that is owned by the United States*
15 *and located within the Colonial National Historical Park,*
16 *together with such rights-of-way as the Secretary determines*
17 *to be necessary to maintain and operate such system.*

18 (b) *REPAIR AND REHABILITATION OF SYSTEM.*—*The*
19 *Secretary is authorized to enter into a cooperative agree-*
20 *ment with York County, Virginia, under which the Sec-*
21 *retary will pay a portion, not to exceed \$110,000, of the*
22 *costs of repair and rehabilitation of the sewage disposal sys-*
23 *tem referred to in subsection (a).*

24 (c) *EFFECT OF AGREEMENT ON CHARGES, IMPACT,*
25 *AND ALTERATIONS.*—*In consideration for the rights-of-way*

1 *granted under subsection (a), in recognition of the contribu-*
2 *tion authorized under subsection (b), and as a condition*
3 *of the transfer authorized by subsection (a), the cooperative*
4 *agreement under subsection (b) shall provide for a reduction*
5 *in, or the elimination of, the amounts charged to the Na-*
6 *tional Park Service for its sewage disposal with respect to*
7 *the Colonial National Historical Park, shall provide for*
8 *minimizing the impact of the park's sewage disposal system*
9 *on the park and its resources, and shall provide that such*
10 *system may not be enlarged or substantially altered without*
11 *the concurrence of the director of the National Park Service.*

12 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

13 *There are authorized to be appropriated such sums as*
14 *may be necessary to carry out this title.*

15 **TITLE IV—SHENANDOAH VALLEY**
16 **BATTLEFIELDS**

17 **SEC. 401. SHORT TITLE.**

18 *This title may be cited as the “Shenandoah Valley Bat-*
19 *tlefields Partnership Act of 1995”.*

20 **SEC. 402. CONGRESSIONAL FINDINGS.**

21 *The Congress finds that—*

22 *(1) there are situated in the Shenandoah Valley*
23 *in the Commonwealth of Virginia the sites of several*
24 *key Civil War battles;*

1 (2) *certain sites, battlefields, structures, and dis-*
2 *tricts in the Shenandoah Valley are collectively of na-*
3 *tional significance in the history of the Civil War;*

4 (3) *in 1990, the Congress enacted legislation di-*
5 *recting the Secretary of the Interior to prepare a com-*
6 *prehensive study of significant sites and structures as-*
7 *sociated with Civil War battles in the Shenandoah*
8 *Valley;*

9 (4) *the study, which was completed in 1992,*
10 *found that many of the sites within the Shenandoah*
11 *Valley possess national significance and retain a high*
12 *degree of historical integrity;*

13 (5) *the preservation of Civil War sites within a*
14 *regional framework requires cooperation among local*
15 *property owners and Federal, State, and local govern-*
16 *ment entities; and*

17 (6) *partnerships between Federal, State, and*
18 *local governments, the regional entities of such gov-*
19 *ernments, and the private sector offer the most effec-*
20 *tive opportunities for the enhancement and manage-*
21 *ment of the Civil War battlefields and related sites in*
22 *the Shenandoah Valley.*

23 **SEC. 403. STATEMENT OF PURPOSE.**

24 *The purposes of this title are to—*

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

3 (2) *recognize and interpret important events and*
4 *geographic locations representing key Civil War bat-*
5 *tles in the Shenandoah Valley, including those battle-*
6 *fields associated with the Thomas J. (Stonewall)*
7 *Jackson campaign of 1862 and the decisive cam-*
8 *paigns of 1864;*

9 (3) *recognize and interpret the effect of the Civil*
10 *War on the civilian population of the Shenandoah*
11 *Valley during the war and postwar reconstruction pe-*
12 *riod; and*

13 (4) *create partnerships among Federal, State,*
14 *and local governments, the regional entities of such*
15 *governments, and the private sector to preserve, con-*
16 *serve, enhance, and interpret the nationally signifi-*
17 *cant battlefields and related sites associated with the*
18 *Civil War in the Shenandoah Valley.*

19 **SEC. 404. DEFINITIONS.**

20 *For purposes of this title:*

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

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

4 (3) *HISTORIC CORE.*—The term “historic core”
5 means the area that is so defined in the report, en-
6 compasses important components of a battle, and pro-
7 vides a strategic context and geographic setting for
8 understanding the battle.

9 (4) *HISTORIC PARK.*—The term “historic park”
10 means the Shenandoah Battlefields National Historic
11 Park established under section 405(b).

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

15 (6) *REPORT.*—The term “report” means the re-
16 port prepared by the Secretary pursuant to the Civil
17 War Sites Study Act of 1990 (Public Law 101–628;
18 16 U.S.C. 1a–5 note).

19 (7) *SECRETARY.*—The term “Secretary” means
20 the Secretary of the Interior.

21 (8) *SHENANDOAH VALLEY.*—The term “Shen-
22 andoah Valley” means the Shenandoah Valley in the
23 Commonwealth of Virginia.

1 **SEC. 405. SHENANDOAH VALLEY BATTLEFIELDS NATIONAL**
2 **HISTORIC PARK.**

3 (a) *AUTHORIZATION.*—To carry out the purposes of
4 this title, there is hereby authorized to be established the
5 Shenandoah Valley Battlefields National Historic Park in
6 the Commonwealth of Virginia. The Secretary shall estab-
7 lish in the Shenandoah Valley an administrative office and
8 a location to provide information and interpretation with
9 respect to the battlefields.

10 (b) *ESTABLISHMENT.*—

11 (1) *IN GENERAL.*—The Shenandoah Valley Bat-
12 tlefields National Historic Park is hereby established
13 upon publication by the Secretary in the Federal Reg-
14 ister that—

15 (A) the Secretary has determined that the
16 historic core of one or more of the battlefields is
17 protected adequately to ensure the long-term
18 preservation of the historic core in accordance
19 with the plan; and

20 (B) the Secretary accepts administrative ju-
21 risdiction of such historic core.

22 (2) *CONTENTS OF HISTORIC PARK.*—The historic
23 park shall consist of each historic core with respect to
24 which the Secretary publishes a notice under para-
25 graph (1).

1 (c) *ADMINISTRATION.*—*The Secretary shall administer*
2 *the historic park in accordance with this title and with pro-*
3 *visions of law generally applicable to the National Park*
4 *System, including the Act of August 25, 1916 (39 Stat. 535;*
5 *16 U.S.C. 1, 2, 3, 4) and the Act of August 21, 1935 (49*
6 *Stat. 666; 16 U.S.C. 461–467). The Secretary shall protect,*
7 *manage, and administer the historic park for the purposes*
8 *of preserving and interpreting its natural, cultural, and*
9 *historic resources and of providing for public understanding*
10 *and appreciation of the battlefields, in such a manner as*
11 *to perpetuate these qualities and values for future genera-*
12 *tions.*

13 (d) *LAND ACQUISITION.*—*If a historic core is included*
14 *in the historic park—*

15 (1) *the Secretary may accept title from any pri-*
16 *vate entity to any lands or interests therein within*
17 *the historic core; and*

18 (2) *the Secretary may acquire from any willing*
19 *seller lands and interests therein within the boundary*
20 *of the historic core if the Secretary determines that*
21 *such acquisition is essential to avoid significant*
22 *changes to land use which the Secretary determines*
23 *would have a significant adverse effect on the historic*
24 *character of the historic core.*

1 (e) *LIVING HISTORY DEMONSTRATIONS AND BATTLE-*
2 *FIELD ENACTMENTS.*—*The Secretary shall allow, at any lo-*
3 *cation in the historic park, any living history demonstra-*
4 *tion or battlefield reenactment that is the same as or sub-*
5 *stantially similar to a demonstration or reenactment that*
6 *occurred at such location at any time during the 12-month*
7 *period ending on the date of the enactment of this Act. The*
8 *Secretary may allow, at any location in the historic park,*
9 *any living history demonstration or battlefield reenactment*
10 *that is not described in the preceding sentence but that the*
11 *Secretary determines to be appropriate.*

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

13 (a) *IN GENERAL.*—*The historic park shall be managed*
14 *by the Secretary pursuant to this title and the Shenandoah*
15 *Valley Battlefields plan developed by the Commission and*
16 *approved by the Secretary, as provided in this section.*

17 (b) *SPECIFIC PROVISIONS.*—*The plan shall include—*

18 (1) *provisions for the management, protection,*
19 *and interpretation of the natural, cultural, and his-*
20 *torical resources of the battlefields, consistent with the*
21 *purposes of this title;*

22 (2) *identification of the historic cores that are*
23 *appropriate for administration by the Secretary;*

24 (3) *a determination of the level of protection that*
25 *is adequate to ensure the long-term preservation of*

1 *each of the historic cores that is identified under*
2 *paragraph (2) and measures recommended to accom-*
3 *plish such protection, which may include (but need*
4 *not be limited to) conservation easements, local zon-*
5 *ing, transfer of development rights, or ownership by*
6 *an entity dedicated to preservation of the historic re-*
7 *sources of the battlefields;*

8 *(4) recommendations to the Commonwealth of*
9 *Virginia (and political subdivisions thereof) regard-*
10 *ing the management, protection, and interpretation of*
11 *the natural, cultural, and historical resources of the*
12 *battlefields;*

13 *(5) the information described in section 12(b) of*
14 *Public Law 91-383 (16 U.S.C. 1a-7(b)) (pertaining*
15 *to the preparation of general management plans);*

16 *(6) identification of appropriate partnerships be-*
17 *tween the Secretary, Federal, State, and local govern-*
18 *ments and regional entities, and the private sector, in*
19 *furtherance of the purposes of this title;*

20 *(7) proposed locations for visitor contact and*
21 *major interpretive facilities;*

22 *(8) provisions for implementing a continuing*
23 *program of interpretation and visitor education con-*
24 *cerning the resources and values of the battlefields*
25 *and historic core areas;*

1 (9) provisions for a uniform valley-wide histori-
2 cal marker and wayside exhibit program, including a
3 provision for marking, with the consent of the owner,
4 historic structures and properties that are contained
5 within and contribute to the understanding of the
6 battlefields; and

7 (10) recommendations for means of ensuring
8 continued local involvement and participation in the
9 management, protection, and development of the bat-
10 tlefields.

11 (c) PREPARATION OF DRAFT PLAN.—

12 (1) IN GENERAL.—Not later than 3 years after
13 the date on which the Commission conducts its first
14 meeting, the Commission shall submit to the Sec-
15 retary a draft plan that meets the requirements of
16 subsection (b).

17 (2) ADDITIONAL REQUIREMENTS.—Prior to sub-
18 mitting the draft plan to the Secretary, the Commis-
19 sion shall ensure that—

20 (A) the Commonwealth of Virginia, and
21 any political subdivision thereof that would be
22 affected by the plan, receives a copy of the draft
23 plan;

24 (B) adequate notice of the availability of the
25 draft plan is provided through publication in

1 *appropriate local newspapers in the area of the*
2 *battlefields; and*

3 *(C) at least one public hearing in the vicin-*
4 *ity of the battlefields in the upper Shenandoah*
5 *Valley and one public hearing in the vicinity of*
6 *the battlefields in the lower Shenandoah Valley is*
7 *conducted by the Commission with respect to the*
8 *draft plan.*

9 *(d) REVIEW OF PLAN BY THE SECRETARY.—The Sec-*
10 *retary shall review the draft plan submitted under sub-*
11 *section (c) and, not later than 90 days after the date on*
12 *which the draft plan is submitted, shall either—*

13 *(1) approve the draft plan as the plan; or*

14 *(2) reject the draft plan and recommend to the*
15 *Commission modifications that would make the draft*
16 *plan acceptable.*

17 **SEC. 407. COOPERATIVE AGREEMENTS.**

18 *(a) IN GENERAL.—In furtherance of the purposes of*
19 *this title, the Secretary may establish partnerships and*
20 *enter into cooperative agreements concerning lands, and in-*
21 *terests therein, within the battlefields with other Federal,*
22 *State, or local agencies and private persons or organiza-*
23 *tions.*

24 *(b) HISTORIC MONUMENTS.—The Secretary may enter*
25 *into an agreement with the owner of property that is located*

1 *in the battlefields and on which an historic monument or*
2 *tablet commemorating a relevant battle has been erected*
3 *prior to the date of the enactment of this Act. The Secretary*
4 *may make funds available for the maintenance, protection,*
5 *and interpretation of the monument or tablet, as the case*
6 *may be, pursuant to the agreement.*

7 (c) *AGREEMENTS AND PARTNERSHIPS NOT DEPEND-*
8 *ENT ON INCLUSION IN HISTORIC PARK.*—*The Secretary*
9 *may establish a partnership or enter into an agreement*
10 *under this section with respect to a battlefield regardless*
11 *of whether or not the historic core area of the battlefield*
12 *is included in the historic park.*

13 **SEC. 408. TECHNICAL ASSISTANCE PROGRAM.**

14 (a) *TECHNICAL ASSISTANCE TO PROPERTY OWN-*
15 *ERS.*—*The Secretary may provide technical assistance to*
16 *owners of property located within the battlefields to provide*
17 *for the preservation and interpretation of the natural, cul-*
18 *tural, and historical resources within the battlefields.*

19 (b) *TECHNICAL ASSISTANCE TO GOVERNMENTAL ENTI-*
20 *TIES.*—*The Secretary, after consultation with the Commis-*
21 *sion, may award grants and provide technical assistance*
22 *to governmental entities to assist with the planning, devel-*
23 *opment, and implementation of comprehensive plans, land*
24 *use guidelines, regulations, ordinances, or other appropriate*

1 *documents, that are consistent with and designed to protect*
2 *the historic character of the battlefields.*

3 *(c) ASSISTANCE NOT DEPENDENT ON INCLUSION IN*
4 *PARK.—The Secretary may provide assistance under this*
5 *section with respect to a battlefield or historic core area re-*
6 *gardless of whether or not the battlefield or historic core*
7 *area is included in the Park.*

8 **SEC. 409. SHENANDOAH VALLEY BATTLEFIELDS COMMIS-**
9 **SION.**

10 *(a) ESTABLISHMENT.—There is hereby established the*
11 *Shenandoah Valley Battlefields Commission.*

12 *(b) MEMBERSHIP.—The Commission shall be com-*
13 *posed of 19 members, to be appointed by the Secretary as*
14 *follows:*

15 *(1) 5 members representing local governments of*
16 *communities in the vicinity of the battlefields, ap-*
17 *pointed after the Secretary considers recommenda-*
18 *tions made by appropriate local governing bodies.*

19 *(2) 10 members representing property owners*
20 *within the battlefields (1 member within each unit of*
21 *the battlefields).*

22 *(3) 1 member with demonstrated expertise in his-*
23 *toric preservation.*

24 *(4) 1 member who is a recognized historian with*
25 *expertise in Civil War history.*

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

3 (6) 1 member representing the interests of the
4 National Park Service.

5 (c) APPOINTMENTS.—Members shall be appointed for
6 the life of the Commission.

7 (d) ELECTION OF OFFICERS.—The Commission shall
8 elect one of its members as Chairperson and one as Vice
9 Chairperson. The terms of office of the Chairperson and Vice
10 Chairperson shall be 2 years. The Vice Chairperson shall
11 serve as Chairperson in the absence of the Chairperson.

12 (e) VACANCY.—Any vacancy on the Commission shall
13 be filled in the same manner in which the original appoint-
14 ment was made, except that the Secretary shall fill any va-
15 cancy within 30 days after the vacancy occurs.

16 (f) QUORUM.—A majority of the Commission shall
17 constitute a quorum.

18 (g) MEETINGS.—The Commission shall meet at the call
19 of the Chairperson or a majority of the members of the Com-
20 mission, but not less than quarterly. Notice of Commission
21 meetings and agendas for the meetings shall be published
22 in local newspapers that have a distribution throughout the
23 Shenandoah Valley. Commission meetings shall be held at
24 various locations throughout the Shenandoah Valley and in
25 a manner that ensures adequate public participation.

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

4 (i) *ADMINISTRATIVE SUPPORT SERVICES.*—The Ad-
5 ministrator of the General Services Administration shall
6 provide to the Commission, on a reimbursable basis, such
7 administrative support services as the Commission may re-
8 quest.

9 (j) *FEDERAL AGENCIES.*—Upon request of the Com-
10 mission, the head of any Federal agency may detail to the
11 Commission, on a reimbursable basis, personnel of the agen-
12 cy to assist the Commission in carrying out its duties.

13 (k) *SUBPOENAS.*—The Commission may not issue sub-
14 poenas or exercise any subpoena authority.

15 (l) *EXPENSES.*—Members of the Commission shall
16 serve without compensation, but the Secretary may reim-
17 burse members for expenses reasonably incurred in carrying
18 out the responsibilities of the Commission under this title.

19 (m) *MAILS.*—The Commission may use the United
20 States mails in the same manner and under the same condi-
21 tions as other departments and agencies of the United
22 States.

23 (n) *GIFTS.*—The Commission may, for purposes of
24 carrying out the duties of the Commission, seek, accept, and

1 *dispose of gifts, bequests, or donations of money, personal*
2 *property, or services, received from any source.*

3 (o) *TERMINATION.*—*The Commission shall terminate*
4 *upon the expiration of the 45-day period beginning on the*
5 *date on which the Secretary approves the plan under section*
6 *406(d).*

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

8 *The Commission shall—*

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

11 (2) *advise the Secretary with respect to the bat-*
12 *tlefields;*

13 (3) *assist the Commonwealth of Virginia, and*
14 *any political subdivision thereof, in the management,*
15 *protection, and interpretation of the natural, cultural,*
16 *and historical resources within the battlefields, except*
17 *that the Commission shall in no way infringe upon*
18 *the authorities and policies of the Commonwealth of*
19 *Virginia or any political subdivision thereof; and*

20 (4) *take appropriate action to encourage protec-*
21 *tion of the natural, cultural, and historic resources*
22 *within the battlefields by landowners, local govern-*
23 *ments, organizations, and businesses.*

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

2 (a) *IN GENERAL.*—A historic core that becomes part
3 of the historic park shall continue to be included in the his-
4 toric park unless—

5 (1) the Secretary determines that the protection
6 of the historic core no longer meets the requirements
7 of section 405(b)(1)(A); and

8 (2) after making a determination referred to in
9 paragraph (1), the Secretary submits to the Congress
10 notification that the historic core should cease to be
11 included in the historic park.

12 (b) *PUBLIC HEARING.*—Before the Secretary makes a
13 determination referred to in subsection (a)(1) regarding a
14 historic core, the Secretary or a designee shall hold a public
15 hearing within the vicinity of the historic core.

16 (c) *TIME OF TERMINATION OF INCLUSION.*—

17 (1) *IN GENERAL.*—A historic core shall cease to
18 be included in the historic park upon the expiration
19 of 90 legislative days after the Secretary submits to
20 the Congress the notification referred to in subsection
21 (a)(2) regarding the historic core.

22 (2) *LEGISLATIVE DAY.*—For purposes of this sub-
23 section, the term “legislative day” means any cal-
24 endar day on which both Houses of the Congress are
25 in session.

1 **SEC. 412. AUTHORIZATION OF APPROPRIATIONS.**

2 *There are authorized to be appropriated not more than*
3 *\$5,000,000 for development of the historic park, not more*
4 *than \$2,000,000 for land acquisition pursuant to this title,*
5 *not more than \$500,000 to carry out the purposes of sections*
6 *407 and 408, and not more than \$250,000 for any fiscal*
7 *year for the operation of the Commission.*

8 **TITLE V—CUMBERLAND GAP**
9 **NATIONAL HISTORICAL PARK**

10 **SEC. 501. ADDITION OF LANDS.**

11 *(a) AUTHORITY.—Notwithstanding the Act of June 11,*
12 *1940 (16 U.S.C. 261 et seq.), the Secretary of the Interior*
13 *is authorized to acquire by donation, purchase with donated*
14 *or appropriated funds, or exchange not to exceed 10 acres*
15 *of land or interests in land, which shall consist of those*
16 *necessary lands for the establishment of trailheads to be lo-*
17 *cated at White Rocks and Chadwell Gap.*

18 *(b) ADMINISTRATION.—Lands and interests in lands*
19 *acquired pursuant to subsection (a) shall be added to and*
20 *administered as part of Cumberland Gap National Histori-*
21 *cal Park.*

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