

## Calendar No. 674

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 980

IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2001

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

OCTOBER 8, 2002

Reported by Mr. BINGAMAN, with an amendment and an amendment to the title

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

## AN ACT

To establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Moccasin Bend Na-  
5 tional Historic Site Establishment Act”.

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act the following definitions  
3 apply:

4 (1) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Interior.

6 (2) HISTORIC SITE.—The term “historic site”  
7 means the Moccasin Bend National Historic Site.

8 (3) STATE.—The term “State” means the State  
9 of Tennessee.

10 (4) MAP.—The term “Map” means the map en-  
11 titled “Boundary Map, Moccasin Bend National His-  
12 toric Site”, numbered NAMB/80000A, and dated  
13 September 2001.

14 **SEC. 3. ESTABLISHMENT.**

15 (a) IN GENERAL.—In order to preserve, protect, and  
16 interpret for the benefit of the public the nationally signifi-  
17 cant archeological and historic resources located on the pe-  
18 ninsula known as Moccasin Bend, Tennessee, there is es-  
19 tablished as a unit of the National Park System the Moe-  
20 casin Bend National Historic Site.

21 (b) BOUNDARIES.—The historic site shall consist of  
22 approximately 900 acres generally depicted on the Map.  
23 The Map shall be on file and available for public inspection  
24 in the appropriate offices of the National Park Service,  
25 Department of the Interior. The Secretary may make  
26 minor revisions in the boundaries of the historic site in

1 accordance with section 7(e) of the Land and Water Con-  
2 servation Fund Act of 1965 (16 U.S.C. 4601–9(e)).

3 (e) ACQUISITION OF LAND AND INTERESTS IN  
4 LAND.—

5 (1) IN GENERAL.—The Secretary may acquire  
6 by donation or purchase from willing sellers, using  
7 donated or appropriated funds, lands and interests  
8 in lands within the exterior boundary of the historic  
9 site.

10 (2) MOCCASIN BEND MENTAL HEALTH INSTI-  
11 TUTE.—Notwithstanding paragraph (1), the Sec-  
12 retary may acquire the State-owned land and inter-  
13 ests in land (including structures on that land)  
14 known as the Moccasin Bend Mental Health Insti-  
15 tute for inclusion in the historic site only by dona-  
16 tion and only after the facility is no longer used to  
17 provide health care services, except that the Sec-  
18 retary may acquire by donation only, at any time,  
19 any such State-owned land or interests in land that  
20 the State determines is excess to the needs of the  
21 Moccasin Bend Mental Health Institute. The Sec-  
22 retary may work with the State through a cost shar-  
23 ing arrangement for the purpose of demolishing the  
24 structures located on that land that the Secretary  
25 determines should be demolished.

1           (3) EASEMENT OUTSIDE BOUNDARY.—To allow  
2           access between areas of the historic site that on the  
3           date of the enactment of this Act are noncontiguous,  
4           the Secretary may acquire by donation or purchase  
5           from willing owners, using donated or appropriated  
6           funds, an easement connecting the areas generally  
7           depicted on the Map as the “Moccasin Bend Archeo-  
8           logical National Historic Landmark” and the “Rock-  
9           Tem” property.

10          (d) MOCCASIN BEND GOLF COURSE.—On the date  
11         of the enactment of this Act, the boundary of the historic  
12         site shall not include the approximately 157 acres of land  
13         generally depicted on the Map as the “Golf Course” as  
14         such lands shall not be within the boundary of the historic  
15         site. In the event that those lands are no longer used as  
16         a public golf course, the Secretary may acquire the lands  
17         for inclusion in the historic site by donation only. Upon  
18         such acquisition, the Secretary shall adjust the boundary  
19         of the historic site to include the newly acquired lands.

20          (e) RADIO TOWER PROPERTY.—On the date of the  
21         enactment of this Act, the boundary of the historic site  
22         shall not include the approximately 13 acres of land gen-  
23         erally depicted on the Map as “WDEF”. In the event that  
24         those lands are no longer used as a location from which  
25         to transmit radio signals, the Secretary may acquire the

1 lands for inclusion in the historic site by donation or pur-  
2 chase from willing sellers with appropriated or donated  
3 funds. Upon such acquisition, the Secretary shall adjust  
4 the boundary of the historic site to include the newly ac-  
5 quired lands.

6 **SEC. 4. ADMINISTRATION.**

7 (a) **IN GENERAL.**—The historic site shall be adminis-  
8 tered by the Secretary in accordance with this Act and  
9 with the laws generally applicable to units of the National  
10 Park System.

11 (b) **COOPERATIVE AGREEMENT.**—The Secretary may  
12 consult and enter into cooperative agreements with cul-  
13 turally affiliated federally recognized Indian tribes, gov-  
14 ernmental entities, and interested persons to provide for  
15 the restoration, preservation, development, interpretation,  
16 and use of the historic site.

17 (c) **VISITOR INTERPRETIVE CENTER.**—For purposes  
18 of interpreting the historical themes and cultural re-  
19 sources of the historic site, the Secretary may establish  
20 and administer a visitor center in the development of the  
21 center's operation and interpretive programs.

22 (d) **GENERAL MANAGEMENT PLAN.**—Not later than  
23 three years after funds are made available for this pur-  
24 pose, the Secretary shall develop and submit to the Com-  
25 mittee on Energy and Natural Resources of the Senate

1 and the Committee on Resources of the House of Rep-  
2 resentatives a general management plan for the historic  
3 site. The general management plan shall describe the ap-  
4 propriate protection and preservation of natural, cultural,  
5 and scenic resources, visitor use, and facility development  
6 within the historic area consistent with the purposes of  
7 this Act, while ensuring continued access to private land-  
8 owners to their property.

9 **SEC. 5. REPEAL OF PREVIOUS ACQUISITION AUTHORITY.**

10 The Act of August 3, 1950 (Chapter 532, 16 U.S.C.  
11 424a-4) is repealed.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Moccasin Bend National*  
14 *Archeological District Act”.*

15 **SEC. 2. DEFINITIONS.**

16 *As used in this Act:*

17 (1) *SECRETARY.*—*The term “Secretary” means*  
18 *the Secretary of the Interior.*

19 (2) *ARCHEOLOGICAL DISTRICT.*—*The term “ar-*  
20 *cheological district” means the Moccasin Bend Na-*  
21 *tional Archeological District.*

22 (3) *STATE.*—*The term “State” means the State*  
23 *of Tennessee.*

24 (4) *MAP.*—*The term “Map” means the map enti-*  
25 *tled “Boundary Map, Moccasin Bend National Ar-*

1        *cheological District*”, numbered 301/80098, and dated  
2        *September 2002.*

3        **SEC. 3. ESTABLISHMENT.**

4        (a) *IN GENERAL.*—*In order to preserve, protect, and*  
5        *interpret for the benefit of the public the nationally signifi-*  
6        *cant archeological and historic resources located on the pe-*  
7        *ninsula known as Moccasin Bend, Tennessee, there is estab-*  
8        *lished as a unit of Chickamauga and Chattanooga National*  
9        *Military Park, the Moccasin Bend National Archeological*  
10       *District.*

11       (b) *BOUNDARIES.*—*The archeological district shall*  
12       *consist of approximately 780 acres generally depicted on*  
13       *the Map. The Map shall be on file and available for public*  
14       *inspection in the appropriate offices of the National Park*  
15       *Service, Department of the Interior.*

16       (c) *ACQUISITION OF LAND AND INTERESTS IN LAND.*—

17                (1) *IN GENERAL.*—*The Secretary may acquire by*  
18        *donation, purchase from willing sellers using donated*  
19        *or appropriated funds, or exchange, lands and inter-*  
20        *ests in lands within the exterior boundary of the ar-*  
21        *cheological district. The Secretary may acquire the*  
22        *State, county and city-owned land and interests in*  
23        *land for inclusion in the archeological district only by*  
24        *donation.*

1           (2) *EASEMENT OUTSIDE BOUNDARY.*—*To allow*  
2           *access between areas of the archeological district that*  
3           *on the date of enactment of this Act are noncontig-*  
4           *uous, the Secretary may acquire by donation or pur-*  
5           *chase from willing owners using donated or appro-*  
6           *priated funds, or exchange, easements connecting the*  
7           *areas generally depicted on the Map.*

8 **SEC. 4. ADMINISTRATION.**

9           (a) *IN GENERAL.*—*The archeological district shall be*  
10          *administered by the Secretary in accordance with this Act,*  
11          *with laws applicable to Chickamauga and Chattanooga Na-*  
12          *tional Military Park, and with the laws generally applica-*  
13          *ble to units of the National Park System.*

14          (b) *COOPERATIVE AGREEMENT.*—*The Secretary may*  
15          *consult and enter into cooperative agreements with cul-*  
16          *turally affiliated federally recognized Indian tribes, govern-*  
17          *mental entities, and interested persons to provide for the*  
18          *restoration, preservation, development, interpretation, and*  
19          *use of the archeological district.*

20          (c) *VISITOR INTERPRETIVE CENTER.*—*For purposes of*  
21          *interpreting the historical themes and cultural resources of*  
22          *the archeological district, the Secretary may establish and*  
23          *administer a visitor center in the archeological district.*

24          (d) *GENERAL MANAGEMENT PLAN.*—*Not later than*  
25          *three years after funds are made available for this purpose,*

1 *the Secretary shall develop a general management plan for*  
2 *the archeological district. The general management plan*  
3 *shall describe the appropriate protection and preservation*  
4 *of natural, cultural, and scenic resources, visitor use, and*  
5 *facility development within the archeological district con-*  
6 *sistent with the purposes of this Act, while ensuring contin-*  
7 *ued access to private landowners to their property.*

8 **SEC. 5. REPEAL OF PREVIOUS ACQUISITION AUTHORITY.**

9 *The Act of August 3, 1950 (Chapter 532; 16 U.S.C.*  
10 *424a-4), is repealed.*

Amend the title so as to read: “An Act To establish the Moccasin Bend National Archeological District in the State of Tennessee as a unit of Chickamauga and Chattanooga National Military Park.”.

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To establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System.

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