

Calendar No. 613

104TH CONGRESS
2^D SESSION

H. R. 1091

AN ACT

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

SEPTEMBER 16, 1996

Reported with an amendment

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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

SEPTEMBER 16, 1996

Reported by Mr. MURKOWSKI, with an amendment

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

AN ACTTo 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,*

3 **TITLE I—RICHMOND NATIONAL**
 4 **BATTLEFIELD PARK**

5 **SEC. 101. MODIFICATION OF BOUNDARY.**

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

8 “SECTION 1. (a) In order to preserve the site of the
 9 1862 Peninsula Campaign and the 1864–65 battle of

1 Richmond, in the vicinity of Richmond, Virginia, as a na-
2 tional battlefield park for the benefit and inspiration of
3 the people of the United States, there is hereby estab-
4 lished, subject to existing rights, the Richmond National
5 Battlefield Park (hereinafter in this Act referred to as the
6 ‘Park’).

7 “(b) The Park shall consist of—

8 “(1) lands, waters, and interests therein within
9 the area generally depicted on the map entitled
10 ‘Richmond National Battlefield Park, Land Status
11 Map’, numbered 367/92,000, and dated September
12 1993; and

13 “(2) upon donation of title acceptable to the
14 Secretary of the Interior (and acceptance by the Sec-
15 retary); the following tracts: a tract of 750 acres at
16 Malvern Hill; a tract of 15 acres at Beaver Dam
17 Creek; a tract of 100 acres at Cold Harbor; and a
18 tract of 42 acres at Bethesda Church.

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

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

15 **SEC. 102. REPEAL OF PROVISION REGARDING PROPERTY**
16 **ACQUISITION.**

17 The Act of March 2, 1936 (Chapter 113; 49 Stat.
18 1155), is amended by striking section 2.

19 **SEC. 103. ADMINISTRATION.**

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

1 **TITLE II—SHENANDOAH**
2 **NATIONAL PARK**

3 **SEC. 201. MODIFICATION OF BOUNDARY.**

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

13 (b) **MINOR BOUNDARY ADJUSTMENTS AND LAND**
14 **ACQUISITION.**—

15 (1) **MINOR BOUNDARY ADJUSTMENTS.**—The
16 Secretary is authorized to make minor adjustments
17 to the boundary of Shenandoah National Park, as
18 modified by this title, to make essential improve-
19 ments to facilitate access to trailheads to the park
20 that exist on the day before the date of the enact-
21 ment of this title, in cases in which there are no
22 practicable alternatives to such adjustments.

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

24 (A) **IN GENERAL.**—Except as otherwise
25 provided in this subsection, the Secretary may

1 acquire lands and interests therein under this
2 subsection only by donation.

3 (B) ~~ADDITIONAL RESTRICTIONS.~~—When
4 acting under this subsection—

5 (i) the Secretary may add to the
6 Shenandoah National Park only lands and
7 interests therein that are contiguous with
8 Federal lands administered by the Sec-
9 retary as part of the park;

10 (ii) prior to accepting title to any
11 lands or interests therein, the Secretary
12 shall hold a public meeting in the county
13 in which such lands and interests are lo-
14 cated;

15 (iii) the Secretary shall not alter the
16 primary means of access of any private
17 landowner to the lands owned by such
18 landowner; and

19 (iv) the Secretary shall not cause any
20 property owned by a private individual, or
21 any group of adjacent properties owned by
22 private individuals, to be surrounded on all
23 sides by land administered by the Sec-
24 retary as part of the park.

1 (c) MITIGATION OF IMPACTS AT ACCESS POINTS.—

2 The Secretary shall take all reasonable actions to mitigate
3 the impacts associated with visitor use at trailheads
4 around the perimeter of Shenandoah National Park. The
5 Secretary shall enlist the cooperation of the State and
6 local jurisdictions, as appropriate, in carrying out this sub-
7 section.

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

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

16 (b) REQUIREMENT OF TRANSFER.—Not later than
17 180 days after the date of the enactment of this Act, the
18 Secretary of the Interior shall transfer to the Common-
19 wealth of Virginia, without consideration or reimburse-
20 ment, all right, title, and interest of the United States in
21 and to all county road corridors that were located within
22 the Shenandoah National Park on the day before the date
23 of the enactment of this Act and are removed from such
24 Park by 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
 8 “county road corridor” means a corridor that is
 9 comprised of any Shenandoah county road together
 10 with an amount of land, which is contiguous with
 11 the road and which is selected by the Secretary of
 12 the Interior in consultation with the Governor of the
 13 Commonwealth of Virginia, such that the total width
 14 of the 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,
 18 on the date of the enactment of this Act, constitutes
 19 part 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 connect-
 15 ing Criser Road to the Warren County School
 16 Board 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
 22 average width of the Colonial Parkway, the Secretary of
 23 the Interior (hereinafter in this title referred to as the
 24 “Secretary”) is authorized to include within the Colonial
 25 National Historical Park, and to acquire by purchase, do-

1 nation or exchange, lands and interests in lands (with or
2 without improvements) within the areas depicted on the
3 map dated August 1993, numbered 333/80031A, and enti-
4 tled "Page Landing Addition to Colonial National Histori-
5 cal Park". Such map shall be on file and available for in-
6 spection in the offices of the National Park Service at Co-
7 lonial National Historical Park and in Washington, Dis-
8 trict of Columbia.

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

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

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

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

15 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

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

21 **TITLE IV—SHENANDOAH**
 22 **VALLEY BATTLEFIELDS**

23 **SEC. 401. SHORT TITLE.**

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

1 **SEC. 402. CONGRESSIONAL FINDINGS.**

2 The Congress finds that—

3 (1) there are situated in the Shenandoah Valley
4 in the Commonwealth of Virginia the sites of several
5 key Civil War battles;

6 (2) certain sites, battlefields, structures, and
7 districts in the Shenandoah Valley are collectively of
8 national significance in the history of the Civil War;

9 (3) in 1990, the Congress enacted legislation di-
10 recting the Secretary of the Interior to prepare a
11 comprehensive study of significant sites and struc-
12 tures associated with Civil War battles in the Shen-
13 andoah Valley;

14 (4) the study, which was completed in 1992,
15 found that many of the sites within the Shenandoah
16 Valley possess national significance and retain a
17 high degree of historical integrity;

18 (5) the preservation of Civil War sites within a
19 regional framework requires cooperation among local
20 property owners and Federal, State, and local gov-
21 ernment entities; and

22 (6) partnerships between Federal, State, and
23 local governments, the regional entities of such gov-
24 ernments, and the private sector offer the most ef-
25 fective opportunities for the enhancement and man-

1 agement of the Civil War battlefields and related
2 sites in the Shenandoah Valley.

3 **SEC. 403. STATEMENT OF PURPOSE.**

4 The purposes of this title are to—

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

7 (2) recognize and interpret important events
8 and geographic locations representing key Civil War
9 battles in the Shenandoah Valley, including those
10 battlefields associated with the Thomas J. (Stone-
11 wall) Jackson campaign of 1862 and the decisive
12 campaigns of 1864;

13 (3) recognize and interpret the effect of the
14 Civil War on the civilian population of the Shen-
15 andoah Valley during the war and postwar recon-
16 struction period; and

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

23 **SEC. 404. DEFINITIONS.**

24 For purposes of this title:

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

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

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

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

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

18 (6) **REPORT.**—The term “report” means the re-
19 port prepared by the Secretary pursuant to the Civil
20 War Sites Study Act of 1990 (Public Law 101–628;
21 16 U.S.C. 1a–5 note).

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

1 (8) SHENANDOAH VALLEY.—The term “Shen-
2 andoah Valley” means the Shenandoah Valley in the
3 Commonwealth of Virginia.

4 **SEC. 405. SHENANDOAH VALLEY BATTLEFIELDS NATIONAL**
5 **HISTORIC PARK.**

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

13 (b) ESTABLISHMENT.—

14 (1) IN GENERAL.—The Shenandoah Valley Bat-
15 tlefields National Historic Park is hereby established
16 upon publication by the Secretary in the Federal
17 Register that—

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

23 (B) the Secretary accepts administrative
24 jurisdiction of such historic core.

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

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

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

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

22 (2) the Secretary may acquire from any willing
23 seller lands and interests therein within the bound-
24 ary of the historic core if the Secretary determines
25 that such acquisition is essential to avoid significant

1 changes to land use which the Secretary determines
2 would have a significant adverse effect on the his-
3 toric character of the historic core.

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

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

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

21 (b) SPECIFIC PROVISIONS.—The plan shall include—
22 (1) provisions for the management, protection,
23 and interpretation of the natural, cultural, and his-
24 torical resources of the battlefields, consistent with
25 the purposes of this title;

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

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

12 (4) recommendations to the Commonwealth of
13 Virginia (and political subdivisions thereof) regard-
14 ing the management, protection, and interpretation
15 of the natural, cultural, and historical resources of
16 the battlefields;

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

21 (6) identification of appropriate partnerships
22 between the Secretary, Federal, State, and local gov-
23 ernments and regional entities, and the private sec-
24 tor, in furtherance of the purposes of this title;

1 (7) proposed locations for visitor contact and
2 major interpretive facilities;

3 (8) provisions for implementing a continuing
4 program of interpretation and visitor education con-
5 cerning the resources and values of the battlefields
6 and historic core areas;

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

13 (10) recommendations for means of ensuring
14 continued local involvement and participation in the
15 management, protection, and development of the
16 battlefields.

17 (c) PREPARATION OF DRAFT PLAN.—

18 (1) IN GENERAL.—Not later than 3 years after
19 the date on which the Commission conducts its first
20 meeting, the Commission shall submit to the Sec-
21 retary a draft plan that meets the requirements of
22 subsection (b).

23 (2) ADDITIONAL REQUIREMENTS.—Prior to
24 submitting the draft plan to the Secretary, the Com-
25 mission shall ensure that—

1 (A) the Commonwealth of Virginia, and
2 any political subdivision thereof that would be
3 affected by the plan, receives a copy of the
4 draft plan;

5 (B) adequate notice of the availability of
6 the draft plan is provided through publication
7 in appropriate local newspapers in the area of
8 the battlefields; and

9 (C) at least one public hearing in the vicin-
10 ity of the battlefields in the upper Shenandoah
11 Valley and one public hearing in the vicinity of
12 the battlefields in the lower Shenandoah Valley
13 is conducted by the Commission with respect to
14 the draft plan.

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

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

20 (2) reject the draft plan and recommend to the
21 Commission modifications that would make the draft
22 plan acceptable.

23 **SEC. 407. COOPERATIVE AGREEMENTS.**

24 (a) **IN GENERAL.**—In furtherance of the purposes of
25 this title, the Secretary may establish partnerships and

1 enter into cooperative agreements concerning lands, and
2 interests therein, within the battlefields with other Fed-
3 eral, State, or local agencies and private persons or organi-
4 zations.

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

14 (c) AGREEMENTS AND PARTNERSHIPS NOT DEPEND-
15 ENT ON INCLUSION IN HISTORIC PARK.—The Secretary
16 may establish a partnership or enter into an agreement
17 under this section with respect to a battlefield regardless
18 of whether or not the historic core area of the battlefield
19 is included in the historic park.

20 **SEC. 408. TECHNICAL ASSISTANCE PROGRAM.**

21 (a) TECHNICAL ASSISTANCE TO PROPERTY OWN-
22 ERS.—The Secretary may provide technical assistance to
23 owners of property located within the battlefields to pro-
24 vide for the preservation and interpretation of the natural,
25 cultural, and historical resources within the battlefields.

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

10 (c) **ASSISTANCE NOT DEPENDENT ON INCLUSION IN**
 11 **PARK.**—The Secretary may provide assistance under this
 12 section with respect to a battlefield or historic core area
 13 regardless of whether or not the battlefield or historic core
 14 area is included in the Park.

15 **SEC. 409. SHENANDOAH VALLEY BATTLEFIELDS COMMIS-**
 16 **SION.**

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

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

22 (1) 5 members representing local governments
 23 of communities in the vicinity of the battlefields, ap-
 24 pointed after the Secretary considers recommenda-
 25 tions made by appropriate local governing bodies.

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

4 ~~(3)~~ 1 member with demonstrated expertise in
5 historic preservation.

6 ~~(4)~~ 1 member who is a recognized historian
7 with expertise in Civil War history.

8 ~~(5)~~ 1 member from a list of recommendations
9 made by the Governor of Virginia.

10 ~~(6)~~ 1 member representing the interests of the
11 National Park Service.

12 ~~(c)~~ APPOINTMENTS.—Members shall be appointed for
13 the life of the Commission.

14 ~~(d)~~ ELECTION OF OFFICERS.—The Commission shall
15 elect one of its members as Chairperson and one as Vice
16 Chairperson. The terms of office of the Chairperson and
17 Vice Chairperson shall be 2 years. The Vice Chairperson
18 shall serve as Chairperson in the absence of the Chair-
19 person.

20 ~~(e)~~ VACANCY.—Any vacancy on the Commission shall
21 be filled in the same manner in which the original appoint-
22 ment was made, except that the Secretary shall fill any
23 vacancy within 30 days after the vacancy occurs.

24 ~~(f)~~ QUORUM.—A majority of the Commission shall
25 constitute a quorum.

1 (g) MEETINGS.—The Commission shall meet at the
2 call of the Chairperson or a majority of the members of
3 the Commission, but not less than quarterly. Notice of
4 Commission meetings and agendas for the meetings shall
5 be published in local newspapers that have a distribution
6 throughout the Shenandoah Valley. Commission meetings
7 shall be held at various locations throughout the Shen-
8 andoah Valley and in a manner that ensures adequate
9 public participation.

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

13 (i) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
14 ministrator of the General Services Administration shall
15 provide to the Commission, on a reimbursable basis, such
16 administrative support services as the Commission may re-
17 quest.

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

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

24 (l) EXPENSES.—Members of the Commission shall
25 serve without compensation, but the Secretary may reim-

1 burse members for expenses reasonably incurred in carry-
2 ing out the responsibilities of the Commission under this
3 title.

4 (m) **MAILS.**—The Commission may use the United
5 States mails in the same manner and under the same con-
6 ditions as other departments and agencies of the United
7 States.

8 (n) **GIFTS.**—The Commission may, for purposes of
9 carrying out the duties of the Commission, seek, accept,
10 and dispose of gifts, bequests, or donations of money, per-
11 sonal property, or services, received from any source.

12 (o) **TERMINATION.**—The Commission shall terminate
13 upon the expiration of the 45-day period beginning on the
14 date on which the Secretary approves the plan under sec-
15 tion 406(d).

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

17 The Commission shall—

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

20 (2) advise the Secretary with respect to the bat-
21 tlefields;

22 (3) assist the Commonwealth of Virginia, and
23 any political subdivision thereof, in the management,
24 protection, and interpretation of the natural, cul-
25 tural, and historical resources within the battlefields;

1 except that the Commission shall in no way infringe
2 upon the authorities and policies of the Common-
3 wealth of Virginia or any political subdivision there-
4 of; and

5 (4) take appropriate action to encourage protec-
6 tion of the natural, cultural, and historic resources
7 within the battlefields by landowners, local govern-
8 ments, organizations, and businesses.

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

10 (a) **IN GENERAL.**—A historic core that becomes part
11 of the historic park shall continue to be included in the
12 historic park unless—

13 (1) the Secretary determines that the protection
14 of the historic core no longer meets the requirements
15 of section 405(b)(1)(A); and

16 (2) after making a determination referred to in
17 paragraph (1), the Secretary submits to the Con-
18 gress notification that the historic core should cease
19 to be included in the historic park.

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

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

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

6 (2) ~~LEGISLATIVE DAY.~~—For purposes of this
 7 subsection, the term “legislative day” means any
 8 calendar day on which both Houses of the Congress
 9 are in session.

10 **SEC. 412. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated not more
 12 than \$5,000,000 for development of the historic park, not
 13 more than \$2,000,000 for land acquisition pursuant to
 14 this title, not more than \$500,000 to carry out the pur-
 15 poses of sections 407 and 408, and not more than
 16 \$250,000 for any fiscal year for the operation of the Com-
 17 mission.

18 **TITLE V—CUMBERLAND GAP**
 19 **NATIONAL HISTORICAL PARK**

20 **SEC. 501. ADDITION OF LANDS.**

21 (a) ~~AUTHORITY.~~—Notwithstanding the Act of June
 22 11, 1940 (16 U.S.C. 261 et seq.), the Secretary of the
 23 Interior is authorized to acquire by donation, purchase
 24 with donated or appropriated funds, or exchange not to
 25 exceed 10 acres of land or interests in land, which shall

1 consist of those necessary lands for the establishment of
2 trailheads to be located at White Rocks and Chadwell Gap.

3 (b) ~~ADMINISTRATION.~~—Lands and interests in lands
4 acquired pursuant to subsection (a) shall be added to and
5 administered as part of Cumberland Gap National Histor-
6 ical Park.

7 ***TITLE I—RICHMOND NATIONAL*** 8 ***BATTLEFIELD PARK***

9 ***SEC. 101. FINDINGS AND PURPOSE.***

10 “(a) *FINDINGS.*—*The Congress finds that—*

11 “(1) *in 1936 the Congress established the Rich-*
12 *mond National Battlefield Park in and around the*
13 *City of Richmond, Virginia. The park’s boundary was*
14 *established to permit the inclusion of all military bat-*
15 *tlefield areas related to the battles fought during the*
16 *Civil War in defense of and against the City of Rich-*
17 *mond. The park originally included the area then*
18 *known as the Richmond Battlefield State Park;*

19 “(2) *the total acreage of the area identified in*
20 *1936 for consideration for inclusion in the Richmond*
21 *National Battlefield Park encompasses approximately*
22 *225,000 acres in and around the City of Richmond,*
23 *Virginia. A study undertaken by the Congressionally*
24 *authorized Civil War Sites Advisory Commission de-*
25 *termined that within those 225,000 acres, the histori-*

1 *cally significant areas in and around Richmond re-*
2 *lating to the campaigns against and in defense of*
3 *Richmond encompass approximately 38,000 acres.*
4 *The National Park Service, through its general man-*
5 *agement planning process for Richmond National*
6 *Battlefield Park, has identified approximately 7,121*
7 *acres which satisfy the National Park Service criteria*
8 *of significance, integrity, feasibility, and suitability*
9 *for inclusion in Richmond National Battlefield Park.*

10 *“(3) there is national interest in protecting and*
11 *preserving sites of historic significance associated*
12 *with the Civil War and Richmond; and*

13 *“(4) the Commonwealth of Virginia and its local*
14 *units of government have authority to prevent or*
15 *minimize adverse use of these historic resources and*
16 *can play a significant role in the protection of the*
17 *historic resources related to the battles of Richmond.*

18 *“(b) PURPOSES.—Therefore, it is the purpose of this*
19 *title:*

20 *“(1) to establish a revised boundary for the Rich-*
21 *mond National Battlefield Park based on the findings*
22 *of the Civil War Sites Advisory Commission and the*
23 *National Park Service; and*

24 *“(2) direct the Secretary of the Interior to work*
25 *in cooperation with the Commonwealth of Virginia,*

1 *the City of Richmond and other political subdivisions*
2 *of the Commonwealth, other public entities, and the*
3 *private sector in the management, protection, and in-*
4 *terpretation of the resources associated with the Civil*
5 *War and the Battles of Richmond in and around the*
6 *City of Richmond, Virginia”.*

7 **SEC. 102. MODIFICATION OF BOUNDARY.**

8 *Section 2 of the Act of March 2, 1936 (Chapter 113;*
9 *49 Stat. 1155), is amended to read as follows:*

10 *“SEC. 2. BOUNDARY.—The boundary of the Richmond*
11 *National Battlefield Park (hereinafter in this Act referred*
12 *to as the ‘park’) shall hereinafter comprise the lands, waters*
13 *and interests in lands therein, comprising approximately*
14 *7,121 acres, within the boundary generally depicted as*
15 *“Park Boundary” on the map entitled “Richmond National*
16 *Battlefield Park Boundary Map”, numbered 367–NEFA*
17 *80026 and dated August, 1996, which shall be on file and*
18 *available for public inspection in the Office of the Director*
19 *of the National Park Service, Department of the Interior.”.*

20 **SEC. 103. LAND ACQUISITION.**

21 *The Act of March 7, 1936 (Chapter 113; 49 Stat.*
22 *1155), is amended by adding a new section 4 as follows:*

23 *“SECTION 4. LAND ACQUISITION.—The Secretary is*
24 *authorized to acquire lands and interests in lands within*
25 *the park’s boundary as depicted on the map identified in*

1 *Section 2 by donation, purchase with donated or appro-*
2 *priated funds, exchange, or otherwise. Privately owned*
3 *lands or the interests therein may be acquired only with*
4 *the consent of the property owner. In acquiring lands and*
5 *interests in lands under this Act, the Secretary shall acquire*
6 *the minimum Federal interests necessary to achieve the ob-*
7 *jectives of the park.”.*

8 **SEC. 104. PARK MANAGEMENT AND ADMINISTRATION.**

9 *The Act of March 7, 1936 (Chapter 113; 49 Stat.*
10 *1155), is amended by adding a new section 5 as follows:*

11 **“SECTION 5. PARK MANAGEMENT AND ADMINISTRATION.**

12 *“(a) In administering the park, the Secretary shall in-*
13 *terpret, for the benefit of visitors to the park and the general*
14 *public, the Battles of Richmond in the larger context of the*
15 *Civil War and American history, including the causes and*
16 *consequences of the Civil War and the effects of the war on*
17 *all the American people.*

18 *“(b) The Secretary is directed to work with the Com-*
19 *monwealth of Virginia, its political subdivisions, including*
20 *the City of Richmond, private property owners, and the pri-*
21 *vate sector to develop mechanisms to protect and interpret*
22 *the resources identified within the boundary as depicted on*
23 *the map identified in Section 2 of this title. In order to*
24 *carry out this section the Secretary is authorized to enter*
25 *into cooperative agreements with the public and private sec-*

1 tors to carry out the purposes of this title, and to find
 2 means of protecting and interpreting the historic resources
 3 for the benefit of present and future generations in a man-
 4 ner that would allow for continued private ownership and
 5 use where compatible with the purposes of the park. The
 6 Secretary is also authorized to provide technical assistance
 7 to governmental entities, nonprofit organizations and pri-
 8 vate property owners in the development of comprehensive
 9 plans, land use guidelines, and other activities which are
 10 consistent with conserving the historic, cultural, natural,
 11 and scenic resources found within the park boundary.

12 **SEC. 105.**

13 Section 3 of the Act of March 2, 1936 (Chapter 113;
 14 49 Stat. 1156) is amended by striking the period and in-
 15 serting “, and the Act of August 21, 1935 (49 Stat. 666;
 16 16 U.S.C. 461–467).”.

17 **TITLE II—SHENANDOAH**
 18 **NATIONAL PARK**

19 **SEC. 201. MODIFICATION OF BOUNDARY.**

20 (a) *IN GENERAL.*—The boundary of Shenandoah Na-
 21 tional Park is modified to include only those lands and in-
 22 terests in lands that, on the day before enactment of this
 23 title, were in Federal ownership and were administered by
 24 the Secretary of the Interior (hereinafter in this title re-
 25 ferred to as the “Secretary”) as part of the park. So much

1 *of the Act of May 22, 1926 (Chapter 363; 44 Stat. 616)*
2 *as is inconsistent with this title is hereby repealed.*

3 (b) *BOUNDARY ADJUSTMENTS AND LAND ACQUI-*
4 *SION.—*

5 (1) *MINOR BOUNDARY ADJUSTMENTS.—*

6 (A) *IN GENERAL.—The Secretary may make*
7 *minor boundary adjustments to the boundary of*
8 *Shenandoah National Park; as modified by this*
9 *title to allow the acceptance of a donation of ad-*
10 *jacent land.*

11 (B) *RELATED LANDS STUDY.—If an appli-*
12 *cable Related Lands Study has been completed*
13 *on the date of an adjustment under subpara-*
14 *graph (A), the Secretary shall follow the rec-*
15 *ommendations of the Related Lands Study to en-*
16 *sure access to trailheads and other areas that*
17 *will resolve conflicts with adjacent property own-*
18 *ers.*

19 (2) *LIMITATIONS OF LAND ACQUISITION.—*

20 (A) *IN GENERAL.—Except as otherwise pro-*
21 *vided in this section, the Secretary may acquire*
22 *lands and interests therein under this section*
23 *only—*

24 (i) *by donation, purchase with donated*
25 *funds, or exchange; and*

1 (ii) with the consent of the owner.

2 (B) *ADDITIONAL RESTRICTIONS.*—When
3 acting under this section—

4 (i) the Secretary may add to the Shen-
5 andoah National Park only lands and in-
6 terests therein that are contiguous with Fed-
7 eral lands administered by the Secretary as
8 part of the park;

9 (ii) prior to accepting title to any
10 lands or interests therein, the Secretary
11 shall hold a public meeting in the county in
12 which such lands and interests are located;

13 (iii) the Secretary shall not alter the
14 primary means of access of any private
15 landowner to the lands owned by such land-
16 owner without the consent of the landowner;
17 and

18 (iv) the Secretary shall not cause any
19 property owned by a private individual, or
20 any group of adjacent properties owned by
21 private individuals, to be surrounded on all
22 sides by land administered by the Secretary
23 as part of the park without the consent of
24 the landowner thereof.

1 (C) *PUBLIC LAND.*—*Land or an interest in*
2 *land located within the boundaries of a park*
3 *owned by the Commonwealth of Virginia or a*
4 *political subdivision of the Commonwealth of*
5 *Virginia may be acquired by the Secretary under*
6 *this title only by donation or exchange.*

7 (D) *NO CONDEMNATION.*—*Under this title,*
8 *the Secretary may not accept a donation of land*
9 *or an interest in land that was acquired through*
10 *condemnation.*

11 (c) *MITIGATION OF IMPACTS AT ACCESS POINTS.*—*The*
12 *Secretary shall take all reasonable actions to mitigate the*
13 *impacts associated with visitor use at trailheads and other*
14 *visitor access points around the perimeter of Shenandoah*
15 *National Park. The Secretary shall enlist the cooperation*
16 *of the State and local jurisdictions, as appropriate, in car-*
17 *rying out this title.*

18 **TITLE III—SHENANDOAH VAL-**
19 **LEY NATIONAL BATTLE-**
20 **FIELDS**

21 **SEC. 301. CONGRESSIONAL FINDINGS.**

22 *The Congress finds that—*

23 (1) *there are situated in the Shenandoah Valley*
24 *in the Commonwealth of Virginia the sites of several*
25 *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 and interpretation of these*
14 *sites will make a vital contribution to the understand-*
15 *ing of the heritage of the United States;*

16 (6) *the preservation of Civil War sites within a*
17 *regional framework requires cooperation among local*
18 *property owners and Federal, State, and local govern-*
19 *ment entities; and*

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

1 **SEC. 302. STATEMENT OF PURPOSE.**

2 *The purposes of this title are to—*

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

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

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

15 *(4) create partnership among Federal, State, and*
16 *local governments, the regional entities of such gov-*
17 *ernments, and the private sector to preserve, conserve,*
18 *enhance, and interpret the nationally significant bat-*
19 *tlefields and related sites associated with the Civil*
20 *War in the Shenandoah Valley.*

21 **SEC. 303. DEFINITIONS.**

22 *As used in this title:*

23 *(1) The term “battlefields” means the Shen-*
24 *andoah Valley National Battlefields established by*
25 *section 304.*

1 (2) *The term “Commission” means the Shen-*
2 *andoah Valley National Battlefields Commission es-*
3 *tablished by section 308.*

4 (3) *The term “historic core” means the area that*
5 *surrounds each unit of the battlefields, is depicted on*
6 *the map referred to in section 304(a), encompasses*
7 *important components of a conflict, and provides a*
8 *strategic context and geographic setting for under-*
9 *standing the conflict.*

10 (4) *The term “plan” means the Shenandoah Val-*
11 *ley National Battlefields plan approved by the Sec-*
12 *retary under section 305.*

13 (5) *The term “Secretary” means the Secretary of*
14 *the Interior.*

15 (6) *The term “Shenandoah Valley” means the*
16 *Shenandoah Valley in the Commonwealth of Virginia.*

17 **SEC. 304. SHENANDOAH VALLEY NATIONAL BATTLEFIELDS.**

18 (a) *ESTABLISHMENT.—(1) To carry out the purposes*
19 *of this title, there is hereby established the Shenandoah Val-*
20 *ley National Battlefields in the Commonwealth of Virginia.*
21 *The battlefields consist of approximately 1,863 acres of*
22 *lands and interests therein as generally depicted on the map*
23 *entitled “Shenandoah Valley National Battlefields”, num-*
24 *bered SHVA/80,000, and dated April, 1994, comprising*
25 *units at Cedar Creek, Cross Keys, Fisher’s Hill, McDowell,*

1 *New Market, Opequan, Port Republic, Second Kerntown,*
2 *Second Winchester, and Tom's Brook.*

3 (2) *The map referred to in paragraph (1) shall be on*
4 *file and available for public inspection in the offices of the*
5 *Commission and in the appropriate offices of the National*
6 *Park Service.*

7 (3) *The Secretary may, with the advice of the Commis-*
8 *sion and following and opportunity for public comment,*
9 *make minor revisions to the boundaries of the battlefields.*

10 (4) *ADMINISTRATION.—The Secretary shall administer*
11 *the battlefields in accordance with this title and with provi-*
12 *sions of law generally applicable to the National Park Sys-*
13 *tem, including the Act of August 25, 1916 (39 Stat. 535;*
14 *U.S.C. 1, 2, 3, 4) and the Act of August 21, 1935 (49 Stat.*
15 *666; U.S.C. 461–467). The Secretary shall protect, manage,*
16 *and administer the battlefields for the purposes of preserv-*
17 *ing and interpreting their national, cultural, and historic*
18 *resources and for providing public understanding and ap-*
19 *preciation of the battlefields, in such a manner as to perpet-*
20 *uate these qualities and values for future generations.*

21 (b) *LAND ACQUISITION.—(1) Except as otherwise pro-*
22 *vided in this subsection, the Secretary is authorized to ac-*
23 *quire lands and interests therein within the boundaries of*
24 *the battlefields by donation, purchase with donated or ap-*
25 *propriated funds, or exchange, except that no lands or inter-*

1 *ests therein may be acquired under this title except with*
2 *the consent of the owner thereof.*

3 (2) *Lands or interests therein that are located within*
4 *the battlefields or a historic core area and are owned by*
5 *the Commonwealth of Virginia, or a political subdivision*
6 *thereof, may be acquired by the Secretary under this title*
7 *only by donation or exchange.*

8 (3) *The Secretary may not accept, under this title, do-*
9 *nations of lands or interests therein acquired through con-*
10 *demnation.*

11 (c) *LIVING HISTORY DEMONSTRATIONS AND BATTLE-*
12 *FIELD REENACTMENTS.—The Secretary shall allow, at any*
13 *location in the battlefields, any living history demonstra-*
14 *tion or battlefield reenactment that is the same as or sub-*
15 *stantially similar to a demonstration or reenactment that*
16 *occurred at such location at any time during the 12 month*
17 *period ending on the date of the enactment of this Act. The*
18 *Secretary may allow, at any location in the battlefields,*
19 *any living history demonstration or battlefield reenactment*
20 *that is not described in the preceding sentence but that the*
21 *Secretary determines to be appropriate.*

22 **SEC. 305. SHENANDOAH VALLEY NATIONAL BATTLEFIELDS**
23 **PLAN.**

24 (a) *IN GENERAL.—The battlefields shall be managed*
25 *by the Secretary pursuant to this title and the Shenandoah*

1 *Valley National Battlefields plan developed by the Commis-*
2 *sion and approved by the Secretary, as provided in this*
3 *section.*

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

5 *(1) recommendations of potential boundary*
6 *modifications to the battlefields, including modifica-*
7 *tions to the boundaries of the historic core of each*
8 *unit, and the potential addition of new units to the*
9 *battlefields;*

10 *(2) provisions for the management, protection,*
11 *and interpretation of the natural, cultural, and his-*
12 *torical resources of the battlefields, consistent with the*
13 *purposes of this title;*

14 *(3) recommendations to the Commonwealth of*
15 *Virginia (and political subdivisions thereof) for the*
16 *management, protection, and interpretation of the*
17 *natural, cultural, and historical resources of the his-*
18 *toric core areas;*

19 *(4) the information described in section 12(b) of*
20 *Public Law 91–383 (16 U.S.C. 1a–7(b)) (pertaining*
21 *to the preparation of general management plans);*

22 *(5) identification of appropriate partnerships be-*
23 *tween the Secretary, Federal, State, and local govern-*
24 *ments and regional entities, and the private sector, in*
25 *furtherance of the purposes of this title;*

1 (6) *proposed locations for visitor contact and*
2 *major interpretive facilities, including proposals for*
3 *one interpretive facility in the upper Shenandoah*
4 *Valley and one in the lower Shenandoah Valley;*

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

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

15 (9) *recommendations for means of ensuring con-*
16 *tinued local involvement and participation in the*
17 *management, protection, and development of the bat-*
18 *tlefields.*

19 (c) *PREPARATION OF DRAFT PLAN.*—(1) *Not later*
20 *than 3 years after the date on which the Commission con-*
21 *ducts its first meeting, the Commission shall submit to the*
22 *Secretary a draft plan that meets the requirements of sub-*
23 *section (b).*

24 (2) *Prior to submitting the draft plan to the Secretary,*
25 *the Commission shall ensure that—*

1 (A) *the Commonwealth of Virginia, and any po-*
2 *litical subdivision thereof that would be affected by*
3 *the plan, receives a copy of the draft plan;*

4 (B) *adequate notice of the availability of the*
5 *draft plan is provided through publication in appro-*
6 *priate local newspapers in the area of the battlefields;*
7 *and*

8 (C) *at least one public hearing in the vicinity of*
9 *the battlefields in the upper Shenandoah Valley and*
10 *one public hearing in the vicinity of the battlefields*
11 *in the lower Shenandoah Valley is conducted by the*
12 *Commission with respect to the draft plan.*

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

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

18 (2) *reject the draft plan and recommend to the*
19 *Commission modifications that would make the draft*
20 *plan acceptable.*

21 **SEC. 306. COOPERATIVE AGREEMENTS.**

22 (a) *IN GENERAL.—In furtherance of the purposes of*
23 *this title, the Secretary may establish partnerships and*
24 *enter into cooperative agreements concerning lands, and in-*
25 *terests therein, within the battlefields and historic core*

1 *areas with other Federal, State, or local agencies, and pri-*
2 *vate persons and organizations.*

3 **(b) HISTORIC MONUMENTS.**—*The Secretary may enter*
4 *into an agreement with the owner of property that is located*
5 *in the battlefields, or in a historic core area, and on which*
6 *a historic monument or tablet commemorating a relevant*
7 *battle has been erected prior to the date of the enactment*
8 *of this Title. The Secretary may make funds available for*
9 *the maintenance, protection, and interpretation of the*
10 *monument or tablet, as the case may be, pursuant to the*
11 *agreement.*

12 **SEC. 307. GRANT PROGRAM.**

13 **(a) IN GENERAL.**—*The Secretary may award grants*
14 *and provide technical assistance, to owners of property lo-*
15 *cated within the battlefields and historic core areas, to pro-*
16 *vide for the preservation and interpretation of the natural,*
17 *cultural, and historical resources within the battlefields and*
18 *historic core areas.*

19 **(1)** *The Secretary, after consultation with the*
20 *Commission, may award grants and provide tech-*
21 *nical assistance to governmental entities to assist*
22 *with the planning, development, and implementation*
23 *of comprehensive plans, land use guidelines, regula-*
24 *tions, ordinances, or other appropriate documents,*
25 *that are consistent with and designed to protect the*

1 *historic character of the battlefields and historic core*
2 *areas.*

3 (2) *The Commission shall conduct a regular re-*
4 *view of plans, guidelines, regulations, ordinances, and*
5 *documents with respect to which the Secretary has*
6 *awarded a grant under this paragraph. If the Com-*
7 *mission finds that any such plan, guideline, regula-*
8 *tion, ordinance, or document, or the implementation*
9 *thereof, is no longer consistent with the protection of*
10 *the historic character of the battlefields and historic*
11 *core areas the Commission may recommend, after*
12 *consultation with the affected governmental entity,*
13 *that the Secretary suspend any grant awarded pursu-*
14 *ant to this paragraph with respect to the plan, guide-*
15 *line, regulation, ordinance, or document.*

16 (3) *The Secretary, after consultation with the*
17 *Commission, shall suspend any grant awarded under*
18 *this paragraph if the Secretary has determined that*
19 *the plan, guideline, regulation, ordinance, or docu-*
20 *ment with respect to which the grant is awarded is*
21 *modified in a manner that is inconsistent with the*
22 *protection of the historic character of the battlefields*
23 *and historic core areas.*

24 (b) *COST SHARE.—The Federal share of any grant*
25 *made under this section may not exceed the amount of non-*

1 *Federal funds provided for the preservation, interpretation,*
2 *planning, development, or implementation with respect to*
3 *which the grant is awarded.*

4 (c) *ADDITIONAL CONDITIONS.—The Secretary may re-*
5 *quire such additional terms and conditions before awarding*
6 *any grant under this section as the Secretary determines*
7 *to be necessary.*

8 **SEC. 308. SHENANDOAH VALLEY NATIONAL BATTLEFIELDS**
9 **COMMISSION.**

10 (a) *ESTABLISHMENT.—There is hereby established the*
11 *Shenandoah Valley National 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 or historic core areas (1 mem-*
21 *ber within each unit of 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) *The Governor of Virginia, or a designee of*
2 *the Governor, ex officio.*

3 (6) *The Director of the National Park Service, or*
4 *a designee of the Director, ex officio.*

5 (c) *APPOINTMENTS.—Members of the Commission shall*
6 *be appointed for staggered terms of 3 years, as designated*
7 *by the Secretary at the time of the initial appointment. Any*
8 *member of the Commission appointed for a definite term*
9 *may serve after the expiration of the term until the succes-*
10 *sor of the member is appointed.*

11 (d) *ELECTION OF OFFICERS.—The Commission shall*
12 *elect one of its members as Chairperson and one as Vice*
13 *Chairperson. The terms of office of the Chairperson and Vice*
14 *Chairperson shall be 2 years. The Vice Chairperson shall*
15 *serve as Chairperson in the absence of the Chairperson.*

16 (e) *VACANCY.—Any vacancy on the Commission shall*
17 *be filed in the same manner in which the original appoint-*
18 *ment was made, except that the Secretary shall fill any*
19 *vacancy within 30 days after the vacancy occurs.*

20 (f) *QUORUM.—A majority of the Commission shall*
21 *constitute a quorum.*

22 (g) *MEETINGS.—The Commission shall meet at the call*
23 *of the Chairperson or a majority of the members of the Com-*
24 *mission, but not less than quarterly. Notice of Commission*
25 *meetings and agendas for the meetings shall be published*

1 *in local newspapers that have a distribution throughout the*
2 *Shenandoah Valley. Commission meetings shall be held at*
3 *various locations throughout the Shenandoah Valley and in*
4 *a manner that ensures adequate public participation.*

5 *(h) STAFF OF THE COMMISSION.—The Commission*
6 *shall have the power to appoint and fix the compensation*
7 *of such staffs as may be necessary to carry out its duties.*

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

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

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

19 *(l) EXPENSES.—Members of the Commission shall*
20 *serve without compensation, but the Secretary may reim-*
21 *burse members for expenses reasonably incurred in carrying*
22 *out the responsibilities of the Commission under this Act.*

23 *(m) MAIL.—The Commission may use the United*
24 *States mails in the same manner and under the same condi-*

1 tions as other departments and agencies of the United
2 States.

3 (n) *GIFTS.*—The Commission may, for purposes of
4 carrying out the duties of the Commission, seek, accept, and
5 dispose of gifts, bequests, or donations of money, personal
6 property, or services, received from any source.

7 (o) *TERMINATION.*—The Commission shall terminate
8 at the expiration of the 45-day period beginning on the date
9 on which the Secretary approves the plan under section
10 305(d).

11 **SEC. 309. DUTIES OF THE COMMISSION.**

12 (a) *IN GENERAL.*—The Commission shall—

13 (1) develop the plan and draft plan referred to
14 in section 305, in consultation with the Secretary;

15 (2) advise the Secretary on the administration of
16 the battlefields;

17 (3) assist the Commonwealth of Virginia, and
18 any political subdivision thereof, in the management,
19 protection, and interpretation of the natural, cultural,
20 and historical resources within the historic core areas,
21 except that the Commission shall in no way infringe
22 upon the authorities and policies of the Common-
23 wealth of Virginia or any political subdivision there-
24 of; and

1 (4) *take appropriate action to encourage protec-*
2 *tion of the natural, cultural, and historic resources*
3 *within the battlefields and historic core areas by land-*
4 *owners, local governments, organizations, and busi-*
5 *nesses.*

6 (b) *ASSISTANCE TO NONPROFIT ORGANIZATIONS.—*
7 *The Commission may assist any nonprofit organization in*
8 *the management, protection, and interpretation of the natu-*
9 *ral, cultural, and historical resources within the historic*
10 *core areas.*

11 **SEC. 310. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *AUTHORIZATION.—There are authorized to be ap-*
13 *propriated such sums as may be necessary to carry out this*
14 *title, except that not more than \$250,000 may be appro-*
15 *priated for any fiscal year for the establishment and oper-*
16 *ation of the Commission.*

17 (b) *AVAILABILITY OF FUNDS.—Funds made available*
18 *under subsection (a) shall remain available until expended.*

 Passed the House of Representatives September 19,
1996.

Attest:

ROBIN H. CARLE,
Clerk.

Calendar No. 613

104TH CONGRESS
2^D SESSION

H. R. 1091

A BILL

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

SEPTEMBER 16, 1996

Reported with an amendment