

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1961

To designate the Tennessee Civil War Heritage Area, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1995

Mr. GORDON (for himself, Mr. QUILLEN, Mr. FORD, Mr. CLEMENT, Mr. TANNER, and Mr. WAMP) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To designate the Tennessee Civil War Heritage Area, and  
for other purposes.

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. FINDINGS AND PURPOSES.**

4        (a) FINDINGS.—The Congress finds that—

5                (1) there are situated in the State of Tennessee  
6        the sites of several key Civil War battles, campaigns,  
7        and engagements;

8                (2) certain sites, battlefields, structures, and  
9        areas in Tennessee are collectively of national sig-  
10        nificance in the history of the Civil War;

1           (3) the Civil War Sites Advisory Commission,  
2           established by Congress in 1991, identified 38 sites  
3           in Tennessee as significant;

4           (4) the preservation and interpretation of these  
5           sites will make an important contribution to the un-  
6           derstanding of the heritage of the United States;

7           (5) the preservation of Civil War sites within a  
8           regional framework requires cooperation among local  
9           property owners and Federal, State, and local gov-  
10          ernment entities; and

11          (6) partnerships between Federal, State, and  
12          local governments and their regional entities, and  
13          the private sector, offer the most effective opportuni-  
14          ties for the enhancement and management of the  
15          Civil War battlefields and related sites located in  
16          Tennessee.

17          (b) PURPOSES.—The purposes of this Act are—

18               (1) to preserve, conserve, and interpret the leg-  
19               acy of the Civil War in Tennessee;

20               (2) to recognize and interpret important events  
21               and geographic locations representing key Civil War  
22               battles, campaigns, and engagements in Tennessee;

23               (3) to recognize and interpret the effect of the  
24               Civil War on the civilian population of Tennessee

1 during the war and postwar reconstruction period;  
2 and

3 (4) to create partnerships among Federal,  
4 State, and local governments and their regional enti-  
5 ties, and the private sector to preserve, conserve, en-  
6 hance, and interpret the battlefields and associated  
7 sites associated with the Civil War in Tennessee.

8 **SEC. 2. DEFINITIONS.**

9 As used in this Act:

10 (1) The term “national heritage area” means  
11 the Tennessee Civil War Heritage Area as des-  
12 ignated pursuant to section 3.

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

15 (3) The term “compact” means the compact  
16 approved under section 4.

17 (4) The term “management plan” means the  
18 management plan submitted under section 5.

19 **SEC. 3. TENNESSEE CIVIL WAR HERITAGE AREA.**

20 (a) DESIGNATION.—Upon publication by the Sec-  
21 retary in the Federal Register of notice that a compact  
22 regarding the Tennessee Civil War Heritage Area has  
23 been approved by the Secretary in accordance with this  
24 Act, there shall be designated the Tennessee Civil War  
25 Heritage Area.

1 (b) BOUNDARIES.—The Tennessee Civil War Herit-  
2 age Area shall be comprised of areas of the State of Ten-  
3 nessee depicted on the map entitled “Tennessee Civil War  
4 Heritage Area”. The map shall be on file and available  
5 for public inspection in the office of the Director of the  
6 National Park Service.

7 (c) ADMINISTRATION.—The national heritage area  
8 shall be administered in accordance with the compact and  
9 the management plan.

10 **SEC. 4. COMPACT.**

11 (a) COMPACT.—The compact referred to in section  
12 3(a) shall include information relating to the objectives  
13 and management of the area proposed for designation as  
14 a national heritage area. Such information shall include  
15 (but not be limited to) each of the following:

16 (1) A delineation of the boundaries of the pro-  
17 posed National Heritage Area.

18 (2) A discussion of the goals and objectives of  
19 the proposed national heritage area, including an ex-  
20 planation of the approach, proposed by the partners  
21 referred to in paragraph (4), to conservation and in-  
22 terpretation of resources.

23 (3) An identification and description of the  
24 management entity that will administer the proposed  
25 national heritage area.

1           (4) A list of the initial partners to be involved  
2           in developing and implementing the management  
3           plan for the proposed national heritage area, and a  
4           statement of the financial commitment of the part-  
5           ners.

6           (5) A description of the role of the State of  
7           Tennessee.

8           (b) PREPARATION OF AND ACTIONS CALLED FOR IN  
9           COMPACT.—The compact shall be prepared with public  
10          participation. Actions called for in the compact shall be  
11          likely to be initiated within a reasonable time after des-  
12          ignation of the proposed national heritage area and shall  
13          ensure effective implementation of the State and local as-  
14          pects of the compact.

15          (c) APPROVAL AND DISAPPROVAL OF COMPACTS.—

16          (1) The Secretary, in consultation with the Governor of  
17          Tennessee, shall approve or disapprove the proposed com-  
18          pact not later than 90 days after receiving such compact.

19          (2) If the Secretary disapproves a proposed compact,  
20          the Secretary shall advise, in writing, the reasons for the  
21          disapproval and shall make recommendations for revisions  
22          of the proposed compact. The Secretary shall approve or  
23          disapprove a proposed revision to such a compact within  
24          90 days after the date on which the revision is submitted  
25          to the Secretary.

1 **SEC. 5. MANAGEMENT.**

2 (a) **MANAGEMENT PLANS.**—A management plan sub-  
3 mitted under this Act for the national heritage area shall  
4 present comprehensive recommendations for the conserva-  
5 tion, funding, management, and development of the area.

6 The management plan shall—

7 (1) be prepared with public participation;

8 (2) take into consideration existing Federal,  
9 State, county, and local plans and involve residents,  
10 public agencies, and private organizations in the  
11 area;

12 (3) include a description of actions that units of  
13 government and private organizations are rec-  
14 ommended to take to protect the resources of the  
15 area;

16 (4) specify existing and potential sources of  
17 funding for the conservation, management, and de-  
18 velopment of the area; and

19 (5) include the following, as appropriate:

20 (A) An inventory of the resources con-  
21 tained in the national heritage area, including a  
22 list of property in the area that should be con-  
23 served, restored, managed, developed, or main-  
24 tained because of the natural, cultural, or his-  
25 toric significance of the property as it relates to  
26 the themes of the area.

1           (B) A recommendation of policies for re-  
2           source management that consider and detail the  
3           application of appropriate land and water man-  
4           agement techniques, including (but not limited  
5           to) the development of intergovernmental coop-  
6           erative agreements to manage the historical,  
7           cultural, and natural resources and the rec-  
8           reational opportunities of the area in a manner  
9           consistent with the support of appropriate and  
10          compatible economic viability.

11          (C) A program, including plans for res-  
12          toration and construction, for implementation  
13          of the management plan by the management  
14          entity specified in the compact for the area and  
15          specific commitments, for the first 5 years of  
16          operation of the plan, by the partners identified  
17          in the compact.

18          (D) An analysis of means by which Fed-  
19          eral, State, and local programs may best be co-  
20          ordinated to promote the purposes of this Act.

21          (E) An interpretive plan for the National  
22          Heritage Area.

23          (b) MANAGEMENT ENTITIES.—The management en-  
24          tity for the national heritage area shall do each of the fol-  
25          lowing:

1           (1) Develop and submit to the Secretary a man-  
2           agement plan not later than three years after the  
3           date of the designation of the area as a national her-  
4           itage area.

5           (2) Give priority to the implementation of ac-  
6           tions, goals, and policies set forth in the compact  
7           and management plan for the area, including—

8                   (A) assisting units of government, regional  
9                   planning organizations, and nonprofit organiza-  
10                  tions—

11                           (i) in conserving the national heritage  
12                           area;

13                           (ii) in establishing and maintaining  
14                           interpretive exhibits in the area;

15                           (iii) in developing recreational oppor-  
16                           tunities in the area;

17                           (iv) in increasing public awareness of  
18                           and appreciation for the natural, historical,  
19                           and cultural resources of the area;

20                           (v) in the restoration of historic build-  
21                           ings that are located within the boundaries  
22                           of the area and relate to the themes of the  
23                           area; and

24                           (vi) in ensuring that clear, consistent,  
25                           and environmentally appropriate signs

1 identifying access points and sites of inter-  
2 est are put in place throughout the area;  
3 and

4 (B) consistent with the goals of the man-  
5 agement plan, encouraging economic viability in  
6 the affected communities by appropriate means.

7 (3) In developing and implementing the man-  
8 agement plan for the area, consider the interests of  
9 diverse units of government, businesses, private  
10 property owners, and nonprofit groups within the ge-  
11 ographic area.

12 (4) Conduct public meetings at least quarterly  
13 regarding the implementation of the management  
14 plan for the area.

15 (c) CLEARING HOUSE.—The Congress recognizes the  
16 Center for Historic Preservation at Middle Tennessee  
17 State University as the clearing house for the Tennessee  
18 Civil War Heritage Area.

19 **SEC. 6. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

20 (a) SECRETARY OF THE INTERIOR.—The Sec-  
21 retary—

22 (1) may provide technical assistance to units of  
23 government and private nonprofit organizations re-  
24 garding feasibility studies and the compact and,  
25 upon request of the management entity for the na-

1 tional heritage area, regarding the management plan  
2 and its implementation;

3 (2) may not, as a condition of the award of  
4 technical assistance under this section, require any  
5 recipient of such technical assistance to enact or  
6 modify land use restrictions; and

7 (3) may not make limitations on fishing, hunt-  
8 ing, or trapping a condition for the approval of the  
9 compact or the determination of eligibility for tech-  
10 nical assistance under this section.

11 (b) DUTIES OF OTHER FEDERAL AGENCIES.—Any  
12 Federal entity conducting any activity directly affecting  
13 the national heritage area shall consider the potential ef-  
14 fect of the activity on the management plan for the area  
15 and shall consult with the Governor of Tennessee with re-  
16 spect to the activity to minimize the adverse effects of the  
17 activity on the area.

18 **SEC. 7. SAVINGS PROVISIONS.**

19 (a) LACK OF EFFECT ON AUTHORITY OF GOVERN-  
20 MENTS.—Nothing in this Act shall be construed to modify,  
21 enlarge, or diminish any authority of the Federal, State,  
22 or local governments to regulate any use of land as pro-  
23 vided for by law or regulation.

24 (b) LACK OF ZONING OR LAND USE POWERS OF EN-  
25 TITY.—Nothing in this Act shall be construed to grant

1 powers of zoning or land use to any management entity  
2 for the national heritage area.

3 (c) FISH AND WILDLIFE.—The designation of the  
4 national heritage area shall not diminish the authority of  
5 the State of Tennessee to manage fish and wildlife, includ-  
6 ing the regulation of fishing and hunting within such area.

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8 There is authorized to be appropriated such sums as  
9 may be necessary to carry out this Act.

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