

105TH CONGRESS
2D SESSION

S. 1695

To establish the Sand Creek Massacre National Historic Site in the State
of Colorado.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 1998

Mr. CAMPBELL (for himself and Mrs. HUTCHISON) introduced the following
bill; which was read twice and referred to the Committee on Energy and
Natural Resources

A BILL

To establish the Sand Creek Massacre National Historic
Site in the State of Colorado.

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 “Sand Creek Massacre
5 National Historic Site Preservation Act of 1998”.

6 **SEC. 2. SAND CREEK MASSACRE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) on November 29, 1864, Colonel John M.
9 Chivington led a group of 700 armed soldiers to the
10 Sand Creek Indian Reservation located within the

1 Territory of Colorado, and slaughtered between 200
2 and 500 Cheyenne and Arapaho Indians, the major-
3 ity of whom were women and children;

4 (2) a private landowner currently holds title to
5 the land that constitutes the site of the Sand Creek
6 Massacre and is a voluntary and willing seller of the
7 land;

8 (3) the site is of great significance to the Chey-
9 enne and Arapaho Indian descendants of those who
10 lost their lives at the incident at Sand Creek, and
11 those descendants deserve the right of unfettered
12 visitation to the site.

13 (b) DEFINITIONS.—In this section:

14 (1) NATIONAL HISTORIC SITE.—The term “Na-
15 tional Historic Site” means the Sand Creek Mas-
16 sacre National Historic Site established by sub-
17 section (c).

18 (2) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior, acting through the Di-
20 rector of the National Park Service.

21 (c) ESTABLISHMENT.—To provide for the preserva-
22 tion and interpretation of the Sand Creek Massacre, there
23 is established the Sand Creek Massacre National Historic
24 Site in the State of Colorado.

25 (d) BOUNDARY.—

1 (1) IN GENERAL.—The National Historic Site
2 shall consist of such land and interests in land in
3 Kiowa County, Colorado, as the Secretary may ac-
4 quire under subsection (f) at the site of the Sand
5 Creek Massacre in Kiowa County, Colorado.

6 (2) MAP AND LEGAL DESCRIPTION.—The Sec-
7 retary shall prepare a map and legal description of
8 the land and interests in land described in para-
9 graph (1).

10 (3) PUBLIC AVAILABILITY.—The map and legal
11 description prepared under paragraph (2) shall be
12 on file in the offices of the Director of the National
13 Park Service, Department of the Interior, and other
14 appropriate offices of the National Park Service.

15 (4) BOUNDARY REVISION.—The Secretary may,
16 from time to time, make minor revisions in the
17 boundary of the National Historic Site in accordance
18 with section 7(c) of the Land and Water Conserva-
19 tion Act of 1965 (16 U.S.C. 460l–9(c)).

20 (e) ADMINISTRATION.—

21 (1) IN GENERAL.—The Secretary shall manage
22 the National Historic Site in accordance with this
23 section and the law generally applicable to units of
24 the National Park System, including the Act of Au-
25 gust 25, 1916 (39 Stat. 535, chapter 408; 16 U.S.C.

1 1 et seq.), and the Act of August 21, 1935 (49 Stat.
2 666, chapter 593; 16 U.S.C. 461 et seq.).

3 (2) MANAGEMENT.—The Secretary shall man-
4 age the National Historic Site for the following pur-
5 poses, among others:

6 (A) To protect and preserve the National
7 Historic Site (including the topographic fea-
8 tures important to the massacre site, artifacts
9 and other physical remains of the massacre,
10 and the visual scene) as closely as practicable to
11 their condition at the time of the massacre.

12 (B) To interpret the cultural and natural
13 resources of the site in a manner that promotes
14 public understanding and appreciation of the
15 site so as to perpetuate the qualities and values
16 of the site for future generations.

17 (3) CONSULTATION AND TRAINING.—The Sec-
18 retary shall consult regularly with representatives of
19 the Cheyenne Tribe and Arapaho Tribe on the for-
20 mulation of the management plan under subsection
21 (g) and on preparation of educational programs
22 made available to the public.

23 (4) COOPERATIVE AGREEMENTS.—The Sec-
24 retary may enter into cooperative agreements with
25 the Cheyenne Tribe and Arapaho Tribe or a subordi-

1 nate board, committee, enterprise, or leader to carry
2 out this section.

3 (f) ACQUISITION OF PROPERTY.—Within the bound-
4 aries of the National Historic Site, the Secretary may ac-
5 quire, in accordance with applicable procedures of the De-
6 partment of the Interior, land and interests in land by do-
7 nation, purchase at fair market value with donated or ap-
8 propriated funds, or exchange, except that—

9 (1) no land or interest in land within the Na-
10 tional Historic Site may be acquired without the
11 consent of the owner; and

12 (2) any land or interest in land owned by the
13 State of Colorado or any political subdivision of the
14 State may be acquired only by donation.

15 (g) MANAGEMENT PLAN.—

16 (1) IN GENERAL.—Not later than 5 years after
17 the date on which funds are made available to carry
18 out this section, the Secretary shall prepare a gen-
19 eral management plan for the National Historic
20 Site.

21 (2) CONTENTS.—The plan shall provide for—

22 (A) a resource protection program;

23 (B) a visitor use plan that includes pro-
24 grams and facilities that will be provided for

1 public use, including the location and cost of
2 public facilities;

3 (C) a research and curation plan; and

4 (D) a highway signing program.

5 (3) PARTICIPATION.—The Secretary shall en-
6 courage—

7 (A) participation by the Cheyenne Tribe
8 and Arapaho Tribe in the formulation of edu-
9 cational programs for the National Historic
10 Site; and

11 (B) participation by the State of Colorado
12 and other local and national entities willing to
13 share in the responsibilities of developing and
14 supporting the National Historic Site.

15 (h) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated such sums as are nec-
17 essary to carry out this section.

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