

Union Calendar No. 395

108TH CONGRESS
2^D SESSION

H. R. 4481

[Report No. 108-651]

To amend Public Law 86-434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2004

Mr. BLUNT (for himself, Mr. GRAVES, Mr. AKIN, Mr. CLAY, Ms. MCCARTHY of Missouri, Mr. SKELTON, Mrs. EMERSON, Mr. GEPHARDT, and Mr. HULSHOF) introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 7, 2004

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

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

[For text of introduced bill, see copy of bill as introduced on June 2, 2004]

A BILL

To amend Public Law 86-434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park, 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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Wilson’s Creek National*
3 *Battlefield Boundary Adjustment Act of 2004”.*

4 **SEC. 2. EXPANSION OF BOUNDARIES, WILSON’S CREEK NA-**
5 **TIONAL BATTLEFIELD, MISSOURI.**

6 *(a) BOUNDARY EXPANSION; PRIVATE PROPERTY PRO-*
7 *TECTIONS.—The first section of Public Law 86–434 (16*
8 *U.S.C. 430kk) is amended—*

9 *(1) by striking “That the Secretary” and insert-*
10 *ing the following:*

11 **“SECTION 1. WILSON’S CREEK NATIONAL BATTLEFIELD: ES-**
12 **TABLISHMENT AND ACQUISITION OF LANDS.**

13 *“(a) ESTABLISHMENT, INITIAL BOUNDARIES.—The*
14 *Secretary”;* and

15 *(2) by adding at the end the following new sub-*
16 *sections:*

17 *“(b) EXPANSION OF BOUNDARIES.—(1) The bound-*
18 *aries of the Wilson’s Creek National Battlefield are revised*
19 *to include lands and interests therein consisting of six par-*
20 *cels totaling 615 acres and identified as parcels ‘1, 2, 3,*
21 *4, 5, and 6’ on the map entitled ‘Wilson’s Creek National*
22 *Battlefield Proposed Boundary’, numbered 410/80,037 and*
23 *dated January 27, 2004. The map shall be on file and*
24 *available for public inspection in the appropriate offices of*
25 *the National Park Service.*

1 “(2) *The Secretary is authorized to acquire the lands*
2 *referred to in paragraph (1) by donation, by purchase from*
3 *willing sellers with donated or appropriated funds, or by*
4 *exchange. The Secretary may acquire by the same methods*
5 *personal property associated with, and appropriate for, in-*
6 *terpretation of the park.*

7 “(c) *ACCESS TO PRIVATE PROPERTY.—Nothing in this*
8 *Act shall be construed to—*

9 “(1) *require any private property owner to allow*
10 *public access (including Federal, State, or local gov-*
11 *ernment access) to such private property; or*

12 “(2) *modify any provision of Federal, State, or*
13 *local law with regard to public access to or use of pri-*
14 *vate property.*

15 “(d) *LIABILITY.—The revision of the boundaries of the*
16 *Wilson’s Creek National Battlefield by subsection (b) shall*
17 *not be considered to create any liability for, or to have any*
18 *effect on any liability under any other law of, any owner*
19 *of private property with respect to any person injured on*
20 *that private property.*

21 “(e) *RECOGNITION OF AUTHORITY TO CONTROL LAND*
22 *USE.—Nothing in this Act shall be construed to modify the*
23 *authority of Federal, State, or local governments to regulate*
24 *land use.*

1 “(f) *PARTICIPATION OF PRIVATE PROPERTY OWN-*
2 *ERS.—Nothing in this Act shall be construed to require the*
3 *owner of any private property located within the bound-*
4 *aries of the Wilson’s Creek National Battlefield to partici-*
5 *pate in, or be associated with, the National Battlefield.*”

6 “(g) *EFFECT OF EXPANSION.—The boundaries of the*
7 *Wilson’s Creek National Battlefield, as revised by subsection*
8 *(b), represent the area within which Federal funds appro-*
9 *priated for the purpose of this Act may be expended. The*
10 *boundary revision shall not be construed to provide any*
11 *nonexisting regulatory authority on land use within the*
12 *National Battlefield or its viewshed by the Secretary or the*
13 *National Park Service.*”

14 “(b) *AUTHORIZATION OF APPROPRIATIONS.—Section 3*
15 *of such Act (16 U.S.C. 430mm) is amended by adding at*
16 *the end the following new sentence: “There are authorized*
17 *to be appropriated such sums as may be necessary to carry*
18 *out section 1(b).”*”

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