

108TH CONGRESS
1ST SESSION

H. R. 646

To expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2003

Mr. WHITFIELD (for himself and Mr. TANNER) introduced the following bill;
which was referred to the Committee on Resources

A BILL

To expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, 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. SHORT TITLE.**

4 This Act may be cited as the “Fort Donelson Na-
5 tional Battlefield Act of 2003”.

1 **SEC. 2. FORT DONELSON NATIONAL BATTLEFIELD.**

2 (a) DESIGNATION; PURPOSE.—There exists as a unit
3 of the National Park System the Fort Donelson National
4 Battlefield to commemorate—

5 (1) the Battle of Fort Donelson in February
6 1862; and

7 (2) the campaign conducted by General Ulysses
8 S. Grant and Admiral Andrew H. Foote that re-
9 sulted in the capture of Fort Donelson by Union
10 forces.

11 (b) BOUNDARIES.—The Fort Donelson National Bat-
12 tlefield shall consist of the site of Fort Donelson and asso-
13 ciated land that has been acquired by the Secretary of the
14 Interior for administration by the National Park Service,
15 including Fort Donelson National Cemetery, in Stewart
16 County, Tennessee and the site of Fort Heiman and asso-
17 ciated land in Calloway County, Kentucky, as generally
18 depicted on the map entitled “_____”
19 numbered _____, and dated
20 _____. The map shall be on file and available
21 for public inspection in the appropriate offices of the Na-
22 tional Park Service.

23 (c) EXPANSION OF BOUNDARIES.—The Fort
24 Donelson National Battlefield shall also include any land
25 acquired pursuant to section 3.

1 **SEC. 3. LAND ACQUISITION RELATED TO FORT DONELSON**
2 **NATIONAL BATTLEFIELD.**

3 (a) ACQUISITION AUTHORITY.—Subject to sub-
4 sections (b) and (c), the Secretary of the Interior may ac-
5 quire land, interests in land, and improvements thereon
6 for inclusion in the Fort Donelson National Battlefield.
7 Such land, interests in land, and improvements may be
8 acquired by the Secretary only by purchase from willing
9 sellers with appropriated or donated funds, by donation,
10 or by exchange with willing owners.

11 (b) LAND ELIGIBLE FOR ACQUISITION.—The Sec-
12 retary of the Interior may acquire land, interests in land,
13 and improvements thereon under subsection (a)—

14 (1) within the boundaries of the Fort Donelson
15 National Battlefield described in section 2(b); and

16 (2) outside such boundaries if—

17 (A) the land has been identified by the
18 American Battlefield Protection Program as
19 part of the battlefield associated with Fort
20 Donelson; or

21 (B) the Secretary otherwise determines
22 that acquisition under subsection (a) will pro-
23 tect critical resources associated with the Battle
24 of Fort Donelson in 1862 and the Union cam-
25 paign that resulted in the capture of Fort
26 Donelson.

1 (c) BOUNDARY REVISION.—Upon acquisition of land
2 or interests in land described in subsection (b)(2), the Sec-
3 retary of the Interior shall revise the boundaries of the
4 Fort Donelson National Battlefield to include the acquired
5 property.

6 (d) LIMITATION ON TOTAL ACREAGE OF PARK.—The
7 total area encompassed by the Fort Donelson National
8 Battlefield may not exceed 2,000 acres.

9 **SEC. 4. ADMINISTRATION OF FORT DONELSON NATIONAL**
10 **BATTLEFIELD.**

11 The Secretary of the Interior shall administer the
12 Fort Donelson National Battlefield in accordance with this
13 Act and the laws generally applicable to units of the Na-
14 tional Park System, including the Act of August 25, 1916
15 (commonly known as the National Park Service Organic
16 Act; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935
17 (commonly known as the Historic Sites, Buildings, and
18 Antiquities Act; 16 U.S.C. 461 et seq.).

19 **SEC. 5. RELATION TO LAND BETWEEN THE LAKES NA-**
20 **TIONAL RECREATION AREA.**

21 The Secretary of Agriculture and the Secretary of the
22 Interior shall enter into a memorandum of understanding
23 to facilitate cooperative protection and interpretation of
24 the remaining vestiges of Fort Henry and other existing
25 Civil War resources affiliated with the Fort Donelson cam-

1 paign and located in the Land Between the Lakes Na-
2 tional Recreation Area.

3 **SEC. 6. REPEAL OF OBSOLETE PROVISIONS AND CON-**
4 **FORMING AMENDMENTS.**

5 (a) Repeals.—

6 (1) 1928 LAW.—The first section and sections
7 2 through 7 of the Act of March 26, 1928 (16
8 U.S.C. 428a–428f), are repealed.

9 (2) 1937 LAW.—Section 3 of the Act of August
10 30, 1937 (16 U.S.C. 428d–3), is repealed.

11 (3) 1960 LAW.—Sections 4 and 5 of Public
12 Law 86–738 (16 U.S.C. 428n, 428o) are repealed.

13 (b) CONFORMING AMENDMENTS.—

14 (1) 1928 LAW.—The Act of March 26, 1928, is
15 amended—

16 (A) in section 8 (16 U.S.C. 428g), by
17 striking “Secretary of War” and inserting “Sec-
18 retary of the Interior”;

19 (B) in section 9 (16 U.S.C. 428h)—

20 (i) by striking “Fort Donelson Na-
21 tional Park” and inserting “Fort Donelson
22 National Battlefield”; and

23 (ii) by striking “Secretary of War”
24 and inserting “Secretary of the Interior”;
25 and

1 (C) in section 10 (16 U.S.C. 428i), by
2 striking “Secretary of War” and inserting “Sec-
3 retary of the Interior”.

4 (2) 1937 LAW.—The Act of August 30, 1937,
5 is amended—

6 (A) in the first section (16 U.S.C. 428d-
7 1)—

8 (i) by striking “Fort Donelson Na-
9 tional Military Park” and inserting “Fort
10 Donelson National Battlefield”; and

11 (ii) by striking “War Department”
12 and inserting “Department of the Army”;
13 and

14 (B) in section 2 (16 U.S.C. 428d-2)—

15 (i) by striking “Fort Donelson Na-
16 tional Military Park” and inserting “Fort
17 Donelson National Battlefield”;

18 (ii) by striking “said national military
19 park” and inserting “Fort Donelson Na-
20 tional Battlefield”; and

21 (iii) by striking the last sentence.

22 (3) 1960 LAW.—The first section of Public Law
23 86-738 (16 U.S.C. 428k) is amended—

1 (A) by striking “Fort Donelson National
2 Military Park” and inserting “Fort Donelson
3 National Battlefield”; and

4 (B) by striking “, but the total area com-
5 memorating the battle of Fort Donelson shall
6 not exceed 600 acres”.

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