

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3157

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

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2002

Mr. BUNNING introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To expand the boundaries of the Fort Donelson National Battlefield, to authorize the acquisition of land associated with the campaign that resulted in the capture of Fort Donelson 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 Expansion Act of 2002”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) BATTLEFIELD.—The term “Battlefield”  
2 means the Fort Donelson National Battlefield.

3           (2) ELIGIBLE LAND.—The term “eligible land”  
4 means any land, interest in land, or improvement to  
5 land that is located—

6                   (A) within the boundaries of the Battle-  
7 field; or

8                   (B) outside the boundaries of the Battle-  
9 field if—

10                           (i) the American Battlefield Protec-  
11 tion Program identifies the land, interest  
12 in land, or improvement to land as part of  
13 the battlefield associated with Fort  
14 Donelson; or

15                           (ii) the Secretary determines that ac-  
16 quisition of the land, interest in land, or  
17 improvement to land would protect critical  
18 resources associated with—

19                                   (I) the Battle of Fort Donelson  
20 in February 1862; or

21                                   (II) the campaign conducted by  
22 General Ulysses S. Grant and Admiral  
23 Andrew H. Foote that resulted in the  
24 capture of Fort Donelson.

1           (3) MAP.—The term “map” means the map en-  
2 titled “\_\_\_\_\_”, numbered  
3 \_\_\_\_\_, and dated \_\_\_\_.

4           (4) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Interior.

6 **SEC. 3. ADDITION OF LAND TO FORT DONELSON NATIONAL**  
7 **BATTLEFIELD.**

8           (a) BOUNDARY REVISION.—The boundary of the  
9 Battlefield is revised to include Fort Donelson National  
10 Cemetery, in Stewart County, Tennessee, and Fort  
11 Heiman and any associated land in Calloway County, Ken-  
12 tucky, as generally depicted on the map.

13           (b) AVAILABILITY OF MAP.—The map shall be on file  
14 and available for public inspection in the appropriate of-  
15 fices of the National Park Service.

16           (c) ACQUISITION OF ADDITIONAL LAND.—

17           (1) IN GENERAL.—Subject to paragraph (2),  
18 the Secretary may acquire from a willing seller by  
19 purchase with appropriated or donated funds, dona-  
20 tion, or exchange eligible land for inclusion in the  
21 Battlefield.

22           (2) LIMITATION.—The total area of the Battle-  
23 field shall not exceed 2,000 acres.

24           (3) REVISION.—On the date of the acquisition  
25 of eligible land under paragraph (1), the Secretary

1 shall revise the boundaries of the Battlefield to in-  
2 clude the eligible land acquired.

3 **SEC. 4. ADMINISTRATION OF FORT DONELSON NATIONAL**  
4 **BATTLEFIELD.**

5 (a) IN GENERAL.—The Secretary shall administer  
6 the Battlefield in accordance with—

7 (1) this Act; and

8 (2) the laws generally applicable to units of the  
9 National Park System, including—

10 (A) the Act of August 25, 1916 (16 U.S.C.  
11 1 et seq.); and

12 (B) the Act of August 21, 1935 (16 U.S.C.  
13 461 et seq.).

14 (b) MEMORANDUM OF UNDERSTANDING.—The Sec-  
15 retary shall enter into a memorandum of understanding  
16 with the Secretary of Agriculture to provide for the coop-  
17 erative protection and interpretation of—

18 (1) Fort Henry; and

19 (2) any other Civil War resources in the Land  
20 Between the Lakes National Recreation Area that  
21 are associated with the campaign to capture Fort  
22 Donelson.

1 **SEC. 5. REPEAL OF OBSOLETE PROVISIONS RELATING TO**  
2 **FORT DONELSON NATIONAL BATTLEFIELD.**

3 (a) 1928 LAW.—The first section and sections 2  
4 through 7 of the Act of March 26, 1928 (16 U.S.C. 428  
5 et seq.), are repealed.

6 (b) 1937 LAW.—Section 3 of the Act of August 30,  
7 1937 (16 U.S.C. 428d–3) is repealed.

8 (c) 1960 LAW.—Sections 4 and 5 of Public Law 86–  
9 738 (16 U.S.C. 428n, 428o) are repealed.

10 **SEC. 6. CONFORMING AMENDMENTS.**

11 (a) 1928 LAW.—The Act of March 26, 1928, is  
12 amended—

13 (1) in section 8 (16 U.S.C. 428g), by striking  
14 “Secretary of War” and inserting “Secretary of the  
15 Interior”;

16 (2) in section 9 (16 U.S.C. 428h)—

17 (A) by striking “Fort Donelson National  
18 Park” and inserting “Fort Donelson National  
19 Battlefield”; and

20 (B) by striking “Secretary of War” and in-  
21 serting “Secretary of the Interior”; and

22 (3) in section 10 (16 U.S.C. 428i), by striking  
23 “Secretary of War” and inserting “Secretary of the  
24 Interior”.

25 (b) 1937 LAW.—The Act of August 30, 1937, is  
26 amended—

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

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

5 (B) by striking “said park” and inserting  
6 “the battlefield”; and

7 (C) by striking “War Department” and in-  
8 serting “Department of the Army”; and

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

10 (A) by striking “Fort Donelson National  
11 Military Park” and inserting “Fort Donelson  
12 National Battlefield”;

13 (B) by striking “said national military  
14 park” and inserting “Fort Donelson National  
15 Battlefield”; and

16 (C) by striking the last sentence.

17 (c) 1960 LAW.—The first section of Public Law 86-  
18 738 (16 U.S.C. 428k) is amended—

19 (1) by striking “Fort Donelson National Mili-  
20 tary Park” and inserting “Fort Donelson National  
21 Battlefield”;

22 (2) by striking “said park” and inserting “the  
23 battlefield”; and

- 1 (3) by striking “, but the total area” and all
- 2 that follows through the period and inserting a pe-
- 3 riod.

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