

Calendar No. 664

115TH CONGRESS
2D SESSION**H. R. 5979****[Report No. 115–378]**

IN THE SENATE OF THE UNITED STATES

JULY 24, 2018

Received; read twice and referred to the Committee on Energy and Natural
Resources

NOVEMBER 26, 2018

Reported by Ms. MURKOWSKI, with an amendment

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

AN ACT

To establish the Mill Springs Battlefield National Monument
in the State of Kentucky as a unit of the National
Park System, 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 “Mill Springs Battle-
5 field National Monument Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

(1) MAP.—The term “Map” means the map entitled “Mill Springs Battlefield National Monument, Nancy, Kentucky” numbered 297/145513, and dated June 2018.

(2) MONUMENT.—The term “Monument” means the Mill Springs Battlefield National Monument established by section 3(a).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

**SEC. 3. ESTABLISHMENT OF MILL SPRINGS BATTLEFIELD
NATIONAL MONUMENT.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established, as a unit of the National Park System, the Mill Springs Battlefield National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations the nationally significant historic resources of the Mill Springs Battlefield and its role in the American Civil War.

(2) CONDITIONS.—The Monument shall not be established until the Secretary—

(A) has entered into a written agreement with the owner of any private or non-Federal

1 land within the Mill Springs Battlefield Na-
2 tional Monument boundary as depicted on the
3 Map; providing that such property shall be do-
4 nated to the United States for inclusion in the
5 Monument to be managed consistently with the
6 purposes of the Monument; and

7 (B) has determined that sufficient land or
8 interests in land have been acquired within the
9 boundary of the Monument to constitute a man-
10 ageable unit.

11 (b) BOUNDARIES.—The boundaries of the Monument
12 shall be the boundaries generally depicted on the Map.

13 (c) 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 (d) ACQUISITION AUTHORITY.—The Secretary may
17 only acquire land or an interest in land located within the
18 boundary of the Monument by—

- 19 (1) donation;
20 (2) purchase with donated funds; or
21 (3) exchange.

22 (e) ADMINISTRATION.—

23 (1) IN GENERAL.—The Secretary shall admin-
24 ister the Monument in accordance with—

25 (A) this Act; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to the Secretary for this purpose, the Secretary shall prepare a general management plan for the Monument in accordance with section 100502 of title 54, United States Code.

(B) SUBMIT TO CONGRESS.—On completion of the general management plan, the Secretary shall submit it to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(f) PRIVATE PROPERTY PROTECTION.—No private property or non-Federal public property shall be managed as part of the Monument without the written consent of the owner of such property.

1 ~~(g) NO BUFFER ZONES.—Nothing in this Act, the~~
 2 ~~establishment of the Monument, or the management of the~~
 3 ~~Monument shall be construed to create buffer zones out-~~
 4 ~~side of the Monument. The fact that an activity or use~~
 5 ~~can be seen, heard, or detected from within the Monument~~
 6 ~~shall not preclude the conduct of that activity or use out-~~
 7 ~~side of the Monument.~~

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Mill Springs Battlefield*
 10 *National Monument Act”.*

11 **SEC. 2. DEFINITIONS.**

12 *In this Act:*

13 (1) *MAP.—The term “Map” means the map enti-*
 14 *tled “Mill Springs Battlefield National Monument,*
 15 *Nancy, Kentucky”, numbered 297/145513, and dated*
 16 *June 2018.*

17 (2) *MONUMENT.—The term “Monument” means*
 18 *the Mill Springs Battlefield National Monument es-*
 19 *tablished by section 3(a)(1).*

20 (3) *SECRETARY.—The term “Secretary” means*
 21 *the Secretary of the Interior, acting through the Di-*
 22 *rector of the National Park Service.*

23 **SEC. 3. ESTABLISHMENT OF MILL SPRINGS BATTLEFIELD**
 24 **NATIONAL MONUMENT.**

25 (a) *ESTABLISHMENT.—*

1 (1) *IN GENERAL.*—Subject to paragraph (2),
2 there is established as a unit of the National Park
3 System, the Mill Springs Battlefield National Monu-
4 ment in the State of Kentucky, to preserve, protect,
5 and interpret for the benefit of present and future
6 generations—

7 (A) the nationally significant historic re-
8 sources of the Mill Springs Battlefield; and

9 (B) the role of the Mill Springs Battlefield
10 in the Civil War.

11 (2) *DETERMINATION BY THE SECRETARY.*—The
12 Monument shall not be established until the date on
13 which the Secretary determines that a sufficient
14 quantity of land or interests in land has been ac-
15 quired to constitute a manageable park unit.

16 (3) *NOTICE.*—Not later than 30 days after the
17 date on which the Secretary makes a determination
18 under paragraph (2), the Secretary shall publish in
19 the Federal Register notice of the establishment of the
20 Monument.

21 (4) *BOUNDARY.*—The boundary of the Monument
22 shall be as generally depicted on the Map.

23 (5) *AVAILABILITY OF MAP.*—The Map shall be on
24 file and available for public inspection in the appro-
25 priate offices of the National Park Service.

(6) *ACQUISITION AUTHORITY.*—*The Secretary may only acquire land or an interest in land located within the boundary of the Monument by—*

(A) donation;

(B) purchase from a willing seller with donated or appropriated funds; or

(C) exchange.

(b) ADMINISTRATION.—

(1) IN GENERAL.—*The Secretary shall administer the Monument in accordance with—*

(A) this Act; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—*Not later than 3 years after the date on which funds are first made available to prepare a general management plan for the Monument, the Secretary shall prepare*

1 *the general management plan in accordance with*
 2 *section 100502 of title 54, United States Code.*

3 *(B) SUBMISSION TO CONGRESS.—On com-*
 4 *pletion of the general management plan, the Sec-*
 5 *retary shall submit to the Committee on Natural*
 6 *Resources of the House of Representatives and*
 7 *the Committee on Energy and Natural Resources*
 8 *of the Senate the general management plan.*

9 *(c) PRIVATE PROPERTY PROTECTION.—Nothing in*
 10 *this Act affects the land use rights of private property own-*
 11 *ers within or adjacent to the Monument.*

12 *(d) NO BUFFER ZONES.—*

13 *(1) IN GENERAL.—Nothing in this Act, the estab-*
 14 *lishment of the Monument, or the management of the*
 15 *Monument creates a buffer zone outside the Monu-*
 16 *ment.*

17 *(2) ACTIVITY OR USE OUTSIDE MONUMENT.—The*
 18 *fact that an activity or use can be seen, heard, or de-*
 19 *tected from within the Monument shall not preclude*
 20 *the conduct of the activity or use outside the Monu-*
 21 *ment.*

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