

96TH CONGRESS
1ST SESSION

John W. Warner
S. 1857

To authorize the expansion of the boundaries of the Manassas National Battlefield Park, Virginia.

IN THE SENATE OF THE UNITED STATES

OCTOBER 4 (legislative day, JUNE 21), 1979

Mr. WARNER (for himself and Mr. HARRY F. BYRD, JR.) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the expansion of the boundaries of the Manassas National Battlefield Park, Virginia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to further the purposes of the Manassas Na-
4 tional Battlefield Park, Virginia, and to preserve and protect
5 certain historic properties relating to the two battles of Ma-
6 nassas, the Secretary of the Interior (hereinafter referred to
7 in this Act as the "Secretary") is authorized to designate for
8 addition to the Manassas National Battlefield Park the fol-
9 lowing described areas by publication, in the Federal Regis-

1 ter, of a map and legal description of such areas so
2 designated:

3 (1) that parcel situated in close proximity to the
4 Manassas National Battlefield Park, comprising 94.69
5 acres, owned by Southern Lightweight Aggregate,
6 identified on Tax Map of Prince William County, Vir-
7 ginia, as parcel numbered 124-1-1;

8 (2) that parcel situated in close proximity to the
9 Manassas National Battlefield Park, comprising 4.94
10 acres, owned by Mr. Davis, identified on Tax Map of
11 Prince William County, Virginia, as parcel numbered
12 124-1-4;

13 (3) that parcel situated in close proximity to the
14 Manassas National Battlefield Park, comprising 4
15 acres, owned by Mr. and Mrs. Wheeler, identified on
16 Tax Map of Prince William County, Virginia, as parcel
17 numbered 124-1-5;

18 (4) that parcel situated in close proximity to the
19 Manassas National Battlefield Park, comprising 8
20 acres, owned by Mr. and Mrs. Sprow, identified on Tax
21 Map of Prince William County, Virginia, as parcel
22 numbered 124-1-18;

23 (5) that parcel situated in close proximity to the
24 Manassas National Battlefield Park, comprising 8.69
25 acres, owned by the National Park Foundation, identi-

1 fied on Tax Map of Prince William County, Virginia,
2 as parcel numbered 132-1-10A;

3 (6) that parcel situated in close proximity to the
4 Manassas National Battlefield Park, comprising 70
5 acres, owned by the National Park Foundation, identi-
6 fied on Tax Map of Prince William County, Virginia,
7 as parcel numbered 132-1-12;

8 (7) that parcel situated in close proximity to the
9 Manassas National Battlefield Park, comprising 71.50
10 acres, owned by the National Park Foundation, identi-
11 fied on Tax Map of Prince William County, Virginia,
12 as parcel numbered 132-1-13A;

13 (8) that parcel situated in close proximity to the
14 Manassas National Battlefield Park, comprising 53.40
15 acres, owned by the National Park Foundation, identi-
16 fied on Tax Map of Prince William County, Virginia,
17 as parcel numbered 132-1-14;

18 (9) that parcel comprising 53.20 acres, owned by
19 Mr. and Mrs. Aldrich, identified on Tax Map of Prince
20 William County, Virginia, as parcel numbered
21 131-1-1;

22 (10) that parcel comprising 5 acres, owned by Mr.
23 and Mrs. Aldrich, identified on Tax Map of Prince Wil-
24 liam County, Virginia, as parcel numbered 131-1-2;

1 (11) that parcel comprising 82 acres, owned by
2 Mr. and Mrs. Davis, identified on Tax Map of Prince
3 William County, Virginia, as parcel numbered
4 134-1-17A;

5 (12) that portion of a parcel (such portion com-
6 prising 104 acres more or less) lying east of power
7 line, owned by Mr. and Mrs. Davis, identified on Tax
8 Map of Prince William County, Virginia, as parcel
9 numbered 134-1-17 (portion);

10 (13) that portion of a parcel (such portion com-
11 prising 5 acres more or less) lying east of power line,
12 owned by Mr. and Mrs. Abbott, identified on Tax Map
13 of Prince William County, Virginia, as parcel num-
14 bered 134-1-14 (portion);

15 (14) that portion of a parcel (such portion com-
16 prising 25 acres more or less) lying south of gas line,
17 owned by Mr. and Mrs. Cole, identified on Tax Map of
18 Prince William County, Virginia, as parcel numbered
19 134-1-9 (portion);

20 (15) that portion of a parcel (such portion com-
21 prising 1 acre) lying south of gas line, owned by Mr.
22 and Mrs. Henry, identified on Tax Map of Prince Wil-
23 liam County, Virginia, as parcel numbered 134-1-8A
24 (portion);

(16) that portion of a parcel (such portion comprising 8.77 acres more or less) lying south of gas line, owned by Mr. and Mrs. Thompson, identified on Tax Map of Prince William County, Virginia, as parcel number 134-1-8 (portion);

(17) that portion of a parcel (such portion comprising 2 acres more or less) lying south of gas line, owned by Mr. and Mrs. Gray, identified on Tax Map of Prince William County, Virginia, as parcel numbered 134-1-7 (portion);

(18) that portion of a parcel (such portion comprising 1 acre more or less) lying south of gas line, owned by Mr. and Mrs. Youzika, identified on Tax Map of Prince William County, Virginia, as parcel numbered 134-1-6A (portion);

(19) that portion of a parcel (such portion comprising 1 acre more or less) lying south of gas line, owned by Mr. and Mrs. Beitel, identified on Tax Map of Prince William County, Virginia, as parcel numbered 134-1-6 (portion);

(20) that portion of a parcel (such portion comprising 1 acre more or less) lying south of gas line, owned by Mr. and Mrs. Underwood, identified on Tax Map of Prince William County, Virginia, as parcel numbered 134-1-3 (portion);

(21) that portion of a parcel (such portion comprising 12 acres more or less) lying south of gas line, owned by Mr. and Mrs. Underwood, identified on Tax Map of Prince William County, Virginia, as parcel number 134-1-4 (portion); and

(22) that parcel commonly referred to as the Stone Bridge, comprising 5 acres, more or less, located in Fairfax County, Virginia, the exact legal description of which to be supplied by the Secretary of the Interior.

SEC. 2. Within the areas designated in accordance with the first section of this Act, the Secretary is authorized to acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange. Lands and interests in lands acquired pursuant to this Act shall, upon such acquisition, be a part of the Manassas National Battlefield Park and shall be subject to all laws, rules, and regulations applicable to the Manassas National Battlefield Park.

SEC. 3. (a) With respect to the unacquired areas within the 1954 boundaries of the Manassas National Battlefield Park, the Secretary may not acquire fee simple title to any such area without the consent of the owner thereof so long as the land comprising such area continues to be devoted to a use which is the same as that in effect on September 1, 1979. In any case in which the Secretary proposes to acquire fee

1 simple title to such property because of a change in use, the
2 owner of such property may seek a review of the proposed
3 acquisition of his or her property and shall be entitled to a
4 hearing on the record in accordance with section 554 of title
5 5, United States Code.

6 (b) The Secretary may not close any State road within
7 the Manassas National Battlefield Park unless action permit-
8 ting the closing of such road has been taken by appropriate
9 officials of the Commonwealth of Virginia.

10 SEC. 4. (a) Subsequent to the date of enactment of this
11 section, the owner of improved property on the date of its
12 acquisition by the Secretary may, as a condition of such ac-
13 quisition, retain for himself and his heirs and assigns a right
14 of use and occupancy of the improved property for noncom-
15 mercial residential purposes for a definite term of not more
16 than twenty-five years or for a term ending at the death of
17 the owner or the death of the spouse of the owner, whichever
18 is later. The owner shall elect the term to be reserved.
19 Unless this property is wholly or partially donated to the
20 United States, the Secretary shall pay the owner an amount
21 equal to the fair market value of the property on the date of
22 its acquisition less the value on such date of the right re-
23 tained by the owner. If such property is donated (in whole or
24 in part) to the United States, the Secretary may pay to the
25 owner such lesser amount as the owner may agree to. A

1 right retained pursuant to this section shall be subject to ter-
2 mination by the Secretary upon his determination that it is
3 being exercised in a manner inconsistent with the purposes of
4 this Act, and it shall terminate by operation of law upon the
5 Secretary's notifying the holder of the right of such determi-
6 nation and tendering to him an amount equal to the fair
7 market value of that portion of the right which remains
8 unexpired.

9 (b) No property owner who elects to retain a right of use
10 and occupancy under this section shall be considered a dis-
11 placed person as defined in section 101(6) of the Uniform
12 Relocation Assistance and Real Property Acquisition Policies
13 Act of 1970 (84 Stat. 1894). Such owners shall be consid-
14 ered to have waived any benefits which would otherwise
15 accrue to them under sections 203 through 206 of such Act.

16 (c) For purposes of this Act, the term "improved proper-
17 ty" means a detached, one-family dwelling, construction of
18 which was begun before January 1, 1979, which is used for
19 noncommercial residential purposes, together with not to
20 exceed three acres of land on which the dwelling is situated
21 and together with such additional lands or interests therein
22 as the Secretary deems to be reasonably necessary for access
23 thereto, such lands being in the same ownership as the dwell-
24 ing, together with any structures accessory to the dwelling
25 which are situated on such land.

1 SEC. 5. From funds available for expenditure from the
2 Land and Water Conservation Fund, as established under the
3 Land and Water Conservation Fund Act of 1965, there is
4 authorized to be appropriated such sum, not to exceed
5 \$5,000,000, as may be necessary for the acquisition of prop-
6 erty and interest therein under this Act.

7 SEC. 6. (a) Authorizations of moneys to be appropriated
8 under this Act from the Land and Water Conservation Fund
9 for acquisition of properties and interests shall be effective on
10 October 1, 1980.

11 (b) Notwithstanding any other provision of this Act, au-
12 thority to enter into contracts, to incur obligations, or to
13 make payments under this Act shall be effective only to the
14 extent, and in such amounts as are provided in advance in
15 appropriation Acts.