

96TH CONGRESS  
1ST SESSION

# H. R. 5048

To amend the Act entitled "An Act to preserve within Manassas National Battlefield Park, Virginia, the most important historic properties relating to the battle of Manassas, and for other purposes", approved April 17, 1954 (68 Stat. 56; 16 U.S.C. 429b).

## IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1979

Mr. HARRIS introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

## A BILL

To amend the Act entitled "An Act to preserve within Manassas National Battlefield Park, Virginia, the most important historic properties relating to the battle of Manassas, and for other purposes", approved April 17, 1954 (68 Stat. 56; 16 U.S.C. 429b).

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*  
 3 That this Act may be cited as the "Manassas National Bat-  
 4 tlefield Park Amendments of 1979".

5 SEC. 2. The Act entitled "An Act to preserve within  
 6 the Manassas National Battlefield Park, Virginia, the most

1 important historic properties relating to the battle of Manas-  
2 sas, and for other purposes", approved April 17, 1954 (16  
3 U.S.C. 429b), is amended to read as follows: "That there is  
4 established as a unit of the national park system in the Com-  
5 monwealth of Virginia the Manassas National Battlefield  
6 Park, which shall contain within its boundaries the important  
7 historical lands relating to the two battles of Manassas. The  
8 total area of the park shall not be greater than four thousand  
9 seven hundred and fifteen acres. The boundaries of the park  
10 shall be the boundaries depicted on the map entitled 'Bound-  
11 ary Map, Manassas National Battlefield Park', dated August  
12 1979, and numbered 80,001, which shall be on file and avail-  
13 able for public inspection in the offices of the National Park  
14 Service, Department of the Interior. The Secretary shall  
15 publish in the Federal Register, as soon as practicable after  
16 the date of the enactment of this Act, a detailed description  
17 and map of the boundaries. Notwithstanding section 7(c) of  
18 the Land and Water Conservation Fund Act of 1965 (91  
19 Stat. 211), the Secretary may not make any changes in the  
20 boundaries of the park. The Secretary shall administer the  
21 park in accordance with laws, rules, and regulations applica-  
22 ble to the national park system.

23 "SEC. 2. (a) In order to effectuate the purposes of this  
24 Act, the Secretary is authorized to acquire by donation, pur-  
25 chase with donated or appropriated funds or exchange, any

1 property or interests therein which are located within the  
2 boundaries of the park, except that property owned by the  
3 Commonwealth of Virginia or by any political subdivision  
4 thereof may be acquired only by donation.

5 “(b) With respect to areas within the 1954 boundaries  
6 of the park, as identified on the map referred to in the first  
7 section of this Act, the Secretary may not acquire fee simple  
8 title to such areas without the consent of the owner so long  
9 as the lands continue to be devoted to their present use. Fur-  
10 ther, if the Secretary proposes to acquire fee simple title to  
11 such property because of a change in use, the owner of such  
12 property may seek a review of the proposed acquisition of his  
13 or her property and is entitled to a hearing on the record in  
14 accordance with section 554 of title 5 of the United States  
15 Code.

16 “(c) If the Virginia Department of Highways and  
17 Transportation determines that the proposed Route 234  
18 bypass should be properly located between the Virginia Elec-  
19 tric Power Company powerline easement and Route 705, the  
20 Secretary shall make available the land necessary for such  
21 road.

22 “(d) The Secretary may not close any State roads  
23 within the park unless action permitting the closing of such  
24 roads has been taken by appropriate officials of the Common-  
25 wealth of Virginia.

1 important historic properties relating to the battle of Manassas  
2 "SEC. 3. (a) Subsequent to the date of enactment of this  
3 section, the owner of improved property on the date of its  
4 acquisition by the Secretary may, as a condition of such ac-  
5 quisition, retain for himself and his heirs and assigns a right  
6 of use and occupancy of the improved property for noncom-  
7 mercial residential purposes for a definite term of not more  
8 than twenty-five years or for a term ending at the death of  
9 the owner or the death of the spouse of the owner, whichever  
10 is later. The owner shall elect the term to be reserved.  
11 Unless this property is wholly or partially donated to the  
12 United States, the Secretary shall pay the owner an amount  
13 equal to the fair market value of the property on the date of  
14 its acquisition less the value on such date of the right re-  
15 tained by the owner. If such property is donated (in whole or  
16 in part) to the United States, the Secretary may pay to the  
17 owner such lesser amount as the owner may agree to. A  
18 right retained pursuant to this section shall be subject to ter-  
19 mination by the Secretary upon his determination that it is  
20 being exercised in a manner inconsistent with the purposes of  
21 this Act, and it shall terminate by operation of law upon the  
22 Secretary's notifying the holder of the right of such determi-  
23 nation and tendering to him an amount equal to the fair  
24 market value of that portion of the right which remains unex-  
25 pired.

1 “(b) No property owner who elects to retain a right of  
2 use and occupancy under this section shall be considered a  
3 displaced person as defined in section 101(6) of the Uniform  
4 Relocation Assistance and Real Property Acquisition Policies  
5 Act of 1970 (84 Stat. 1894). Such owners shall be consid-  
6 ered to have waived any benefits which would otherwise  
7 accrue to them under sections 203 through 206 of such Act.

8 “SEC. 4. For purposes of this Act—

9 “(1) The term ‘improved property’ means a de-  
10 tached, one-family dwelling, construction of which was  
11 begun before January 1, 1979, which is used for non-  
12 commercial residential purposes, together with not to  
13 exceed three acres of land on which the dwelling is sit-  
14 uated and together with such additional lands or inter-  
15 ests therein as the Secretary deems to be reasonably  
16 necessary for access thereto, such lands being in the  
17 same ownership as the dwelling, together with any  
18 structures accessory to the dwelling which are situated  
19 on such land.

20 “(2) The term ‘park’ means the Manassas Nation-  
21 al Battlefield Park established under this Act.

22 “(3) The term ‘Secretary’ means the Secretary of  
23 the Interior.

24 “SEC. 5. (a) From funds available for expenditure from  
25 the Land and Water Conservation Fund, as established under

1 the Land and Water Conservation Fund Act of 1965, not  
2 more than a total of \$20,018,000 may be expended for the  
3 acquisition of property and interests therein under this Act.

4 "(b) It is the express intent of Congress that the Secre-  
5 tary shall acquire property and interests therein under this  
6 Act within two years after the date of the enactment of the  
7 Manassas National Battlefield Park Amendments of 1979.

8 "SEC. 6. (a) Authorizations of moneys to be appropri-  
9 ated under this Act from the Land and Water Conservation  
10 Fund for acquisition of properties and interests shall be effec-  
11 tive on October 1, 1980.

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

