

113TH CONGRESS
2D SESSION

H. R. 4003

To designate the Civil War Defenses of Washington National Historical Park comprised of certain National Park System lands, and by affiliation and cooperative agreements other historically significant resources, located in the District of Columbia, Virginia, and Maryland, that were part of the Civil War defenses of Washington and related to the Shenandoah Valley Campaign of 1864, to study ways in which the Civil War history of both the North and South can be assembled, arrayed, and conveyed for the benefit of the public, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2014

Ms. NORTON (for herself, Mr. WOLF, Mr. MORAN, and Ms. EDWARDS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To designate the Civil War Defenses of Washington National Historical Park comprised of certain National Park System lands, and by affiliation and cooperative agreements other historically significant resources, located in the District of Columbia, Virginia, and Maryland, that were part of the Civil War defenses of Washington and related to the Shenandoah Valley Campaign of 1864, to study ways in which the Civil War history of both the North and South can be assembled, arrayed, and conveyed for the benefit of the public, 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 AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Civil War Defenses of Washington National Historical
6 Park Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Redesignation.

Sec. 4. Areas included in Civil War Defenses of Washington National Historical
Park.

Sec. 5. Possible inclusion of additional areas.

Sec. 6. National Civil War History Education Center Report.

Sec. 7. Administration.

Sec. 8. Definitions.

9 **SEC. 2. FINDINGS AND PURPOSE.**

10 (a) **FINDINGS.**—The Congress finds and declares as
11 follows:

12 (1) As the United States commemorates the
13 150th anniversary of the Civil War, 1861–1865, it
14 is fitting and helpful for Americans to remember, re-
15 flect upon, and learn from the storied history, valor,
16 heartbreak, and suffering of both sides in this tragic
17 war that so divided and scarred the young Nation,
18 but that also served as a crucible for the Nation to
19 secure itself as United States and preserve the
20 Union, abolish the injustice of slavery, and become

1 the beacon of hope as a democracy that it has be-
2 come for the world.

3 (2) The significance of the Civil War to the fu-
4 ture of the United States is incalculable. The war's
5 lessons and meaning to the history of the United
6 States, what it stands for, and its place in the world
7 today must be remembered and conveyed to future
8 generations. The war pitted family against family,
9 brother against brother, friend against friend, Blue
10 against Gray. Its battlegrounds were consecrated
11 with blood that was shed by many who gave their
12 last full measure of devotion. The reunited democ-
13 racy that emerged, after such a heavy loss of life on
14 both sides and the difficult decades of healing that
15 followed, made the United States stronger. It helped
16 the Nation advance toward achieving the inalienable
17 rights and noble goals and values its founders
18 sought, but had not fully achieved, in their lifetimes.

19 (3) The defenses of Washington played a key
20 role in the outcome of the Civil War. They were con-
21 structed at the beginning of the war in 1861 as a
22 ring of fortifications in the District of Columbia,
23 Maryland, and northern Virginia, to protect the Na-
24 tion's Capital. By the end of the war, these defenses
25 included 68 forts, 93 unarmed batteries, 807 mount-

1 ed cannon, 13 miles of rifle trenches, and 32 miles
2 of military roads.

3 (4) The major test of the Civil War defenses of
4 Washington came with the Shenandoah Valley Cam-
5 paign of 1864 when Confederate Lieutenant General
6 Jubal Early marched from Richmond to Lynchburg,
7 Virginia, and through the Shenandoah Valley to
8 Harpers Ferry, West Virginia, and Frederick, Mary-
9 land. His major objective, as directed to him by
10 General Robert E. Lee, was to attack the Nation's
11 Capital from the north, causing Union Forces to be
12 withdrawn from threatening Richmond, the capital
13 of the Confederacy. He was delayed by Union Major
14 General Lew Wallace at the Battle of Monocacy on
15 July 9, 1864, and was stopped at the northern edge
16 of the District of Columbia at the Battle of Fort
17 Stevens on July 11–12, 1864. The Shenandoah Val-
18 ley Campaign ended when Union Lieutenant General
19 Philip Sheridan defeated General Early at the Battle
20 of Cedar Creek, Virginia, on October 19, 1864.

21 (5) The Battle of Fort Stevens was the second
22 and last attempt by the Confederate Army to attack
23 Washington. The first major effort to surround or
24 capture the Nation's Capital ended at Gettysburg in
25 July 1863. After that historic battle, in his address

1 at Gettysburg Cemetery on November 19, 1863,
2 President Abraham Lincoln redefined what was at
3 stake: “a new nation, conceived in liberty, and dedi-
4 cated to the proposition that all men are created
5 equal . . . that this nation, under God, shall have
6 a new birth of freedom—and that government of the
7 people, by the people, and for the people shall not
8 perish from the earth.”.

9 (6) The Battle of Fort Stevens was the only
10 verifiable time that a sitting United States President
11 (Abraham Lincoln) came under hostile fire during a
12 battle while in office. Nearly all the individual forts
13 in the defenses of Washington (on both sides of the
14 Potomac and Anacostia Rivers) were involved in
15 stopping General Early’s attack. Had that one battle
16 at the very edge of Washington been lost, the Na-
17 tion’s Capital, the Presidency, the Union Govern-
18 ment, and emancipation all would have been poten-
19 tially lost and the history of the United States dra-
20 matically changed. The victory at Fort Stevens not
21 only saved the city and the national government, but
22 also led to the October 1864 victories for the Union
23 in the Shenandoah Valley, which ensured Lincoln’s
24 re-election and preservation of the Union at that
25 critical moment.

1 (7) After the end of the war, most of the Civil
2 War defenses of Washington were returned to pri-
3 vate land owners, but many were retained by the
4 military or the lands were repurchased later by the
5 United States. Of the remaining fortifications in
6 public ownership, 19 sites (including Battleground
7 Cemetery) are owned by the Federal Government
8 and managed by the National Park Service, four are
9 owned by local units of government in northern Vir-
10 ginia, and one is owned by Montgomery County,
11 Maryland.

12 (8) In 1902, the Senate McMillan Commission
13 issued a Report on the Improvement of the Park
14 System of Washington. (U.S. Senate Committee on
15 the District of Columbia, Senate Report No. 166,
16 57th Congress, 1st Session). The Report called for
17 development of a “Fort Drive” to connect the Civil
18 War defenses of Washington in the Nation’s Capital.
19 Congress appropriated funds to purchase lands for
20 the Fort Drive during the 1930s, but it was never
21 fully completed.

22 (9) Most of the remaining Civil War defenses of
23 Washington contain significant natural and rec-
24 reational resources, and some offer sweeping vistas
25 overlooking the Nation’s Capital. With the lands ac-

1 quired for the Fort Drive, they provide a linkage of
2 urban green spaces that contribute to the history,
3 character, and scenic values of the Nation's Capital
4 and offer educational and recreational opportunities
5 along with their natural and important historical
6 values.

7 (10) Sites associated with the Civil War de-
8 fenses of Washington that are in Federal ownership
9 within the District of Columbia, the Commonwealth
10 of Virginia, and the State of Maryland are managed
11 under three separate units of the National Park
12 Service (Rock Creek Park, National Capital Parks-
13 East, and the George Washington Memorial Park-
14 way). Action by Congress is needed to protect and
15 aid the educational benefits of the unique place in
16 history of these sites through proper management,
17 stabilization, maintenance, development, use, and,
18 importantly, interpretation.

19 (11) It is fitting and proper that, as Americans
20 reflect upon the legacy of the Civil War, we more
21 fully understand and appreciate the roles of the bat-
22 tles in the District of Columbia, Virginia, West Vir-
23 ginia, and Maryland related to the defenses of
24 Washington. Taken together, these battles were piv-
25 otal to the outcome of the war and therefore to its

1 impact on the promise of the United States. It is
2 therefore in the national interest that these histori-
3 cally important sites and resources be protected
4 from further damage or loss and that they be pre-
5 served, enhanced, and interpreted for the use, enjoy-
6 ment, and education of present and future genera-
7 tions.

8 (12) There is a genuine need and compelling
9 reason for the United States to rededicate itself to
10 and honor the vision and ideals of democracy as re-
11 flected in the Constitution by commemorating and
12 interpreting through this National Historical Park
13 the epic story of the American Civil War and the
14 profound and lasting impact of the war on the val-
15 ues, capabilities, and strengths that the United
16 States reflects through the ideals that it stands for
17 in the world today.

18 (b) PURPOSES.—The purposes of this Act are—

19 (1) to protect, preserve, enhance, and interpret
20 for the benefit and use of present and future genera-
21 tions the cultural, historical, natural, and rec-
22 reational resources of the Civil War defenses of
23 Washington located in the District of Columbia, Vir-
24 ginia, and Maryland; and

1 (2) to study and consider creative and cost-ef-
2 fective ways that the storied history of the Civil
3 War, including the defenses of Washington and the
4 Shenandoah Valley Campaign of 1864, can be as-
5 sembled, arrayed, and effectively conveyed to and for
6 the benefit of the public.

7 **SEC. 3. REDESIGNATION.**

8 The Civil War defenses of Washington are hereby re-
9 designated as the Civil War Defenses of Washington Na-
10 tional Historical Park.

11 **SEC. 4. AREAS INCLUDED IN CIVIL WAR DEFENSES OF**
12 **WASHINGTON NATIONAL HISTORICAL PARK.**

13 (a) AREAS UNDER THE ADMINISTRATION OF THE
14 NATIONAL PARK SERVICE.—The National Historical
15 Park shall include all areas associated with the Civil War
16 defenses of Washington that are currently owned by the
17 Federal Government and under the administration of the
18 National Park Service, each as depicted on appropriate
19 maps maintained by the Secretary, including the following:

20 (1) The following fortifications and associated
21 lands:

22 (A) Battery Kemble.

23 (B) Fort Bayard.

24 (C) Fort Bunker Hill.

25 (D) Fort Carroll.

1 (E) Fort Chaplin.

2 (F) Fort Davis.

3 (G) Fort DeRussy.

4 (H) Fort Dupont.

5 (I) Fort Foote.

6 (J) Fort Greble.

7 (K) Fort Mahan.

8 (L) Fort Marcy.

9 (M) Fort Reno.

10 (N) Fort Ricketts.

11 (O) Fort Slocum.

12 (P) Fort Stanton.

13 (Q) Fort Stevens.

14 (R) Fort Totten.

15 (2) The following affiliated National Park

16 Areas:

17 (A) Fort Circle Drive.

18 (B) Battleground National Cemetery.

19 (C) Fort Washington.

20 (D) Oxon Cove Park and Oxon Hill Farm.

21 (b) POTENTIAL AFFILIATION OF ELIGIBLE AREAS

22 OWNED BY LOCAL GOVERNMENTS.—Any site associated

23 with the Civil War defenses of Washington that is owned

24 by a unit of local government in Virginia, Maryland, or

25 the District of Columbia, may become affiliated with the

1 National Historical Park pursuant to a cooperative agree-
2 ment entered into between the unit of local government
3 concerned and the Secretary, including the following:

4 (1) In Virginia:

5 (A) Fort Ward, City of Alexandria.

6 (B) Fort C.F. Smith, Arlington County.

7 (C) Fort Ethan Allen, Arlington County.

8 (D) Fort Willard, Fairfax County.

9 (2) In Maryland: Battery Bailey, Montgomery
10 County.

11 **SEC. 5. POSSIBLE INCLUSION OF ADDITIONAL AREAS.**

12 (a) AFFILIATION AUTHORITY.—Any site associated
13 with the Civil War defenses of Washington that is owned
14 by a private individual or organization or a unit of local
15 government in the District of Columbia, Virginia, or
16 Maryland, other than those listed in section 4, that the
17 Secretary determines is eligible for affiliation with the Na-
18 tional Historical Park, may be affiliated with the National
19 Historical Park pursuant to a cooperative agreement en-
20 tered into between the site owner and the Secretary. The
21 Secretary may purchase such properties from willing sell-
22 ers, subject to the availability of private sector donated
23 funding or appropriations.

1 (b) CONSENT REQUIRED.—No non-Federal property
2 may be included in the National Historical Park without
3 the written consent of the owner of the property.

4 (c) PROHIBITION ON USE OF CONDEMNATION.—The
5 Secretary may not acquire by condemnation any land or
6 interest in land under this Act or for the purposes of this
7 Act.

8 (d) CONSULTATION AND PUBLIC PARTICIPATION.—
9 The Secretary shall consult with interested officials of
10 State governments and units of local government, rep-
11 resentatives of interested organizations, and interested
12 members of the public before executing a cooperative
13 agreement under this section or section 7(d).

14 **SEC. 6. NATIONAL CIVIL WAR HISTORY EDUCATION CEN-**
15 **TER REPORT.**

16 (a) IN GENERAL.—In furtherance of and consistent
17 with section 2, the Secretary shall study and consider cre-
18 ative and cost-effective ways to facilitate the storied his-
19 tory of the Civil War for both the North and the South,
20 including the history of the defenses of Washington and
21 the Shenandoah Valley Campaign of 1864, being assem-
22 bled, arrayed, and conveyed for the benefit of the public
23 for the knowledge, education, and inspiration of this and
24 future generations about the impact of that war on the
25 United States and its fledgling democracy, abolition of

1 slavery, free enterprise economic system, culture, art,
2 music, and national security capabilities.

3 (b) ASSISTANCE.—In conducting the study, the Sec-
4 retary shall seek and coordinate the assistance of a wide
5 array of expertise of individuals and organizations regard-
6 ing Civil War history, potential locations where this sto-
7 ried history may be shared, including adaptive reuse of
8 existing structures, and donated funding resources to help
9 facilitate carrying out this section.

10 (c) REPORT.—Not later than one year after the date
11 of the enactment of this Act, the Secretary shall submit
12 a report with recommendations regarding the study re-
13 quired by subsection (a) to the Committee on Natural Re-
14 sources of the House of Representatives and the Com-
15 mittee on Energy and Natural Resources of the Senate.

16 **SEC. 7. ADMINISTRATION.**

17 (a) IN GENERAL.—The Secretary shall administer
18 the National Historical Park in accordance with this Act
19 and the laws generally applicable to units of the National
20 Park System, including the National Park System Organic
21 Act (16 U.S.C. 1 et seq.) and the Act of August 21, 1935
22 (16 U.S.C. 461 et seq.).

23 (b) TECHNICAL ASSISTANCE.—The Secretary may
24 provide technical assistance to local governments and pri-
25 vate individuals and organizations for the management,

1 interpretation, and preservation of historically significant
2 resources associated with the Civil War defenses of Wash-
3 ington.

4 (c) DONATIONS.—The Secretary may accept, hold,
5 administer, and use gifts, bequests, devises, and other do-
6 nations, including labor and services, for purposes of this
7 Act, including preserving or providing access to sites and
8 other resources relating to the Civil War defenses of
9 Washington.

10 (d) OTHER COOPERATIVE AGREEMENTS.—In addi-
11 tion to the authority provided by section 5(a), the Sec-
12 retary may enter into cooperative agreements with State
13 governments, units of local government, organizations, or
14 individuals to further the purposes of the Act, including
15 to provide visitor services and administrative facilities
16 within reasonable proximity to the National Historical
17 Park.

18 (e) MARKING OF HISTORICAL SITES.—The Secretary
19 may identify significant federally or non-Federally owned
20 sites relating to the Civil War history in Washington and
21 adjacent environs in northern Virginia and Montgomery
22 County, Maryland, and, with the consent of the owner or
23 owners thereof, mark them appropriately and make ref-
24 erence to them in any interpretive literature.

1 **SEC. 8. DEFINITIONS.**

2 For the purposes of this Act, the following definitions
3 apply:

4 (1) NATIONAL HISTORICAL PARK.—The term
5 “National Historical Park” means the Civil War De-
6 fenses of Washington National Historical Park des-
7 ignated by section 3.

8 (2) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (3) WASHINGTON.—The term “Washington”
11 means Washington, the District of Columbia.

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