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WILSON'S CREEK NATIONAL BATTLEFIELD ADDITION

OCTOBER 18, 2022.—Ordered to be printed

Filed, under authority of the order of the Senate of October 14, 2022

Mr. MANCHIN, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany S. 3307]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 3307), to modify the boundary of the Wilson's Creek National Battlefield in the State of Missouri, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

The amendments are as follows:

1. On page 2, line 14, strike "624" and insert "25".
2. On page 2, line 18, strike "September 2021" and insert "July 2022".

PURPOSE

The purpose of S. 3307, as ordered reported, is to modify the boundary of the Wilson's Creek National Battlefield in Missouri to include approximately 25 acres of the Newtonia Battlefield site.

BACKGROUND AND NEED

Wilson's Creek National Battlefield was established in 1960 to commemorate and interpret the 1861 Civil War Battle of Wilson's Creek, Missouri. In 2008, Congress authorized the National Park Service to evaluate if the Newtonia Battlefields in Newtonia, Missouri, met the criteria for addition to the National Park System as

an independent unit of the National Park System, or as an addition to the Wilson’s Creek National Battlefield.

Newtonia was the site of two Civil War battles. The First Battle of Newtonia occurred on September 30, 1862, and the military consequences of the battle were minor. However, the battle is distinguished by regiments of American Indian soldiers fighting on both sides. The historic context places the First Battle of Newtonia in the perspective of the complex and tragic history of intertribal violence and the affiliation of the American Indian tribes with the Union or Confederate armies in the Civil War. The Second Battle of Newtonia on October 28, 1864, although minor, was the final full-scale battle of the Civil War in Missouri, and the final battle of General Sterling Price’s Missouri Expedition of 1864. The historic context places the Second Battle of Newtonia in the context of that campaign.

Newtonia is a small, predominantly agricultural town that still strongly resembles the Civil War era in size and land use. Resources such as the Ritchey Mansion, a prominent home that was used during the War as a field hospital and troop headquarters, as well as cemeteries, stone walls, agricultural fields, and other landscape features remain.

As ordered reported, S. 3307 would include 25 acres of the Newtonia Battlefield site, including the Ritchey Mansion, within the boundary of Wilson’s Creek National Battlefield.

LEGISLATIVE HISTORY

S. 3307 was introduced by Senators Blunt and Hawley on December 2, 2021. The Subcommittee on National Parks held a hearing on S. 3307 on May 11, 2022. A companion bill, H.R. 6130 was introduced in the House by Representative Long on December 2, 2021.

COMMITTEE AMENDMENTS

During its consideration of S. 3307, the Committee adopted several clarifying amendments updating the map reference and reducing the acreage of the Newtonia addition from 624 acres to 25 acres.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on July 21, 2022, by a voice vote of a quorum present, recommends that the Senate pass S. 3307, if amended as described herein. Senator Lee asked to be recorded as voting no.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes the short title of the Act as “Wilson’s Creek National Battlefield Boundary Revision Act of 2021.”

Sec. 2. Wilson’s Creek National Battlefield Boundary modification

Section 2 amends Public Law 86–434 (as amended by Public Law 108–394), to include approximately 25 acres of land within the boundaries of the Wilson’s Creek National Battlefield, to allow the

Secretary to correct clerical or typographical errors on the boundary map.

COST AND BUDGETARY CONSIDERATIONS

The Committee has requested, but has not yet received, the Congressional Budget Office's estimate of the cost of S. 3307 as ordered reported. When the Congressional Budget Office completes its cost estimate, it will be posted on the Internet at www.cbo.gov.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 3307. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses. No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 3307, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 3307, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior at the May 11, 2022, subcommittee hearing on S. 3307 follows:

STATEMENT OF MICHAEL A. CALDWELL, ACTING ASSOCIATE
DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL
PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 3307, a bill to modify the boundary of the Wilson's Creek National Battlefield in the State of Missouri, and for other purposes.

The Department opposes S. 3307.

The bill would amend the boundary of the Wilson's Creek National Battlefield to include approximately 624 acres that include the site of the first and second battles of Newtonia. The precise location of the boundary revision is identified on a map numbered 410/117,379 and dated September 2021.

Pursuant to public law 110-229, a special resource study was conducted to evaluate if the Newtonia Battlefields in Newtonia, Missouri, met the criteria for addition to the National Park System as an independent unit of the system or as an addition to the Wilson's Creek National Bat-

tlefield in Republic, Missouri. The study found that the Newtonia Battlefields did not meet the significance or suitability criteria as an independent unit of the system. In evaluating the boundary of Wilson's Creek National Battlefield, the study found that the Newtonia Battlefields are only tangentially related to the existing unit and the boundary modification would not protect significant resources, enhance opportunities for public enjoyment, address operational and management issues for the existing park site, or protect critical park resources. Given these findings, the Department does not support modifying the boundary of Wilson's Creek National Battlefield as described in S. 3307.

Currently the Newtonia Battlefields Protection Association (Association) owns and maintains 25 plus acres of the Battlefields. This includes the Ritchey Mansion and the "Old Newtonia Cemetery" or the "Civil War Cemetery" as it is locally known, with an unspecified number of unmarked graves. Nine markers have been identified as belonging to Union soldiers, including that of Captain Robert F. Christian, who was killed during the Second Battle of Newtonia.

The Association was instrumental in having the sites of the 1862 and the 1864 battles listed on the National Register of Historic Places. The Ritchey Mansion was previously listed on the National Register, and the Association revised that application after they purchased the Mansion in 2002 to include the battlefields. The Association applied for and received multiple grants from the American Battlefield Protection Program of the National Park Service to learn more about the site and improve its management, and can continue to compete for additional grants in the future if desired.

Chairman King, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 3307, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 86-434 (as amended by Public Law 108-394)

AN ACT To provide for the establishment of the Wilson Creek Battlefield National Park in the State of Missouri.

* * * * *

SECTION 1. WILSON CREEK NATIONAL BATTLEFIELD: ESTABLISHMENT AND ACQUISITION OF LANDS.

(a) **ESTABLISHMENT, INITIAL BOUNDARIES.**—The Secretary of the Interior shall acquire, by gift, purchase, condemnation, or otherwise, the lands (together with any improvements thereon) com-

prising the Wilson's Creek Battlefield site near Springfield, Missouri, and any other lands adjacent to such site which in his opinion are necessary or desirable to carry out the purposes of this Act.

(b) EXPANSION OF BOUNDARIES.—

[(1) The boundaries] (1) *ADDITIONAL LAND*.—

(A) *IN GENERAL*.—*The boundaries of the Wilson's Creek National Battlefield are revised to include lands and interests therein consisting of six parcels totaling 615 acres and identified as parcels "1, 2, 3, 4, 5, and 6" on the map entitled "Wilson's Creek National Battlefield Proposed Boundary", numbered 410/80,037 and dated January 27, 2004.*

(B) *NEWTONIA BATTLEFIELD ADDITION*.—*The boundary of the Wilson's Creek National Battlefield is revised to include the approximately 25 acres of land identified as "Proposed Addition" on the map entitled "Wilson's Creek National Battlefield Proposed Boundary Modification", numbered 410/177,379, and dated July 2022.*

[(The map] (C) *AVAILABILITY OF MAPS*.—*The maps described in subparagraphs (A) and (B) shall be on file and available for public inspection in the appropriate offices of the National Park Service.*

(D) *ERRORS*.—*The Secretary of the Interior may correct any clerical or typographical error in a map described in subparagraph (A) or (B).*

[(2) The Secretary is authorized to acquire the lands referred to in paragraph (1)] (2) *METHOD OF ACQUISITION*.—*The Secretary of the Interior may acquire the land described in subparagraphs (A) and (B) of paragraph (1) by donation, by purchase from willing sellers with donated or appropriated funds, or by exchange. The Secretary may acquire by the same methods personal property associated with, and appropriate for, interpretation of the [park] Wilson's Creek National Battlefield.*

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