

104TH CONGRESS
2D SESSION

H. R. 3099

To establish the Washita Battlefield National Historic Site in the State
of Oklahoma.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 1996

Mr. LUCAS of Oklahoma (for himself and Mr. BREWSTER) introduced the
following bill; which was referred to the Committee on Resources

A BILL

To establish the Washita Battlefield National Historic Site
in the State of Oklahoma.

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 “Washita Battlefield
5 National Historic Site Act of 1996”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the Battle of the Washita, November 27,
9 1868, was one of the largest engagements between
10 Plains tribes and the United States Army on the

1 Southern Great Plains. The site is a registered Na-
2 tional Historic Landmark;

3 (2) Lt. Colonel George A. Custer, leading the
4 7th United States Cavalry, attacked the sleeping
5 Cheyenne village of peace chief Black Kettle. Cus-
6 ter's attack resulted in more than 150 Indian cas-
7 ualties, many of them women and children;

8 (3) the Battle of the Washita symbolizes the
9 struggle of the Southern Great Plains tribes to
10 maintain their traditional lifeways and not to submit
11 to reservation confinement; and

12 (4) the Washita battle site possesses a high de-
13 gree of integrity and the cultural landscape is essen-
14 tially intact. The Cheyenne village site has not been
15 altered substantially except by periodic flooding of
16 the Washita River.

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

18 (1) recognize the importance of the Battle of
19 the Washita as a nationally significant element of
20 frontier military history and as a symbol of the
21 struggles of the Southern Great Plains tribes to
22 maintain control of their traditional use areas; and

23 (2) establish the site of the Battle of the
24 Washita as a national historic site and provide op-
25 portunities for American Indian groups including the

1 Cheyenne-Arapaho Tribe to be involved in the for-
2 mulation of plans and educational programs for the
3 national historic site.

4 **SEC. 3. ESTABLISHMENT.**

5 (a) IN GENERAL.—In order to provide for the preser-
6 vation and interpretation of the Battle of the Washita,
7 there is hereby established the Washita Battlefield Na-
8 tional Historic Site in the State of Oklahoma (hereafter
9 in this Act referred to as the “national historic site”).

10 (b) BOUNDARY.—

11 (1) IN GENERAL.—The national historic site
12 shall consist of—

13 (A) approximately 326 acres, as generally
14 depicted on the map entitled “Washita Battle-
15 field National Historic Site”, numbered
16 20,000A and dated 12/95; and

17 (B) the private lands subject to conserva-
18 tion easements referred to in section 5(b).

19 (2) MAP.—The map referred to in paragraph
20 (1) shall be on file in the offices of the Director of
21 the National Park Service, Department of the Inte-
22 rior, and other appropriate offices of the National
23 Park Service. The Secretary of the Interior (here-
24 after in this Act referred to as the “Secretary”)
25 may, from time to time, make minor revisions in the

1 boundary of the national historic site in accordance
2 with section 7(e) of the Land and Water Conserva-
3 tion Act of 1965 (16 U.S.C. 460l–4 and following).

4 **SEC. 4. ADMINISTRATION.**

5 (a) IN GENERAL.—The Secretary, acting through the
6 Director of the National Park Service, shall manage the
7 national historic site in accordance with this Act and the
8 provisions of law generally applicable to units of the Na-
9 tional Park System, including “An Act to establish a Na-
10 tional Park Service, and for other purposes”, approved
11 August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and
12 the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–
13 467).

14 (b) MANAGEMENT PURPOSES.—The Secretary shall
15 manage the national historic site for the following pur-
16 poses, among others:

17 (1) To protect and preserve the national his-
18 toric site, including the topographic features impor-
19 tant to the battle site, artifacts and other physical
20 remains of the battle, and the visual scene as closely
21 as possible as it was at the time of the battle.

22 (2) To interpret the cultural and natural re-
23 sources of the historic site, providing for public un-
24 derstanding and appreciation of the area in such

1 manner as to perpetuate these qualities and values
2 for future generations.

3 (c) CONSULTATION AND TRAINING.—The Secretary,
4 acting through the Director of the National Park Service,
5 shall consult regularly with the Cheyenne-Arapaho Tribe
6 on the formulation of the management plan provisions re-
7 ferred to in section 6(5) and on preparation of educational
8 programs provided to the public. The Secretary is author-
9 ized to enter into cooperative agreements with the Chey-
10 enne-Arapaho Tribe, its subordinate boards, committees,
11 enterprises, and traditional leaders to further the purposes
12 of this Act.

13 **SEC. 5. ACQUISITION OF PROPERTY.**

14 (a) PARK BOUNDARIES.—Within the boundaries of
15 the national historic site, the Secretary is authorized to
16 acquire lands and interest in lands by donation, purchase
17 with donated or appropriated funds, or exchange, except
18 that—

19 (1) no lands or interest in lands within the his-
20 toric site may be acquired without the consent of the
21 owner thereof, and

22 (2) lands and interests in lands owned by the
23 State of Oklahoma or any political subdivision there-
24 of may be acquired only by donation.

1 (b) CONSERVATION EASEMENTS.—The Congress
2 finds that the State of Oklahoma, acting through the
3 Oklahoma Historical Society, will work with local land
4 owners to acquire and hold in perpetuity conservation
5 easements in the vicinity of the national historic site as
6 deemed necessary for the visual and interpretive integrity
7 of the site. The intent of the easements will be to keep
8 occupancy of the land in private ownership and use of the
9 land in general agriculture.

10 **SEC. 6. MANAGEMENT PLAN.**

11 Within five years after the date funds are made avail-
12 able for purposes of this Act, the Secretary, acting
13 through the Director of the National Park Service, shall
14 prepare a general management plan for the national his-
15 toric site. The plan shall address, but not be limited to,
16 each of the following:

17 (1) A resource protection program.

18 (2) A visitor use plan including programs and
19 facilities that will be provided for public use, includ-
20 ing the location and cost of public facilities.

21 (3) A research and curation plan.

22 (4) A highway signing program.

23 (5) Involvement by the Cheyenne-Arapaho
24 Tribe in the formulation of educational programs for
25 the national historic site.

1 (6) Involvement by the State of Oklahoma and
2 other local and national entities willing to share in
3 the responsibilities of developing and supporting the
4 national historic site.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to carry out
7 this Act \$5,000,000.

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