

## Calendar No. 225

106TH CONGRESS  
1ST SESSION**S. 581****[Report No. 106–117]**

To protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 10, 1999

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JULY 21, 1999

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pennsylvania Battle-  
3 fields Protection Act of 1999”.

4 **TITLE I—PAOLI AND**  
5 **BRANDYWINE BATTLEFIELDS**

6 **SEC. 101. DEFINITIONS.**

7 In this title:

8 (1) **BRANDYWINE BATTLEFIELD.**—The term  
9 “Brandywine Battlefield” means land in an area  
10 generally known as the Meetinghouse Road Corridor,  
11 located in Chester County, Pennsylvania, as depicted  
12 on the Brandywine map.

13 (2) **BRANDYWINE MAP.**—The term “Brandy-  
14 wine map” means the map entitled “Brandywine  
15 Battlefield-Meetinghouse Road Corridor”, numbered  
16 \_\_\_\_\_ and dated \_\_\_\_\_.

17 (3) **PAOLI BATTLEFIELD.**—The term “Paoli  
18 Battlefield” means the area located in the borough  
19 of Malvern, Pennsylvania, as generally depicted on  
20 the Paoli map.

21 (4) **PAOLI MAP.**—The term “Paoli map” means  
22 the map entitled “Paoli Battlefield”, numbered  
23 71572 and dated February 17, 1998.

24 (5) **SECRETARY.**—The term “Secretary” means  
25 the Secretary of the Interior.

1           (6) STATE.—The term “State” means the State  
2       of Pennsylvania.

3   **SEC. 102. PAOLI BATTLEFIELD PROTECTION.**

4       (a) PAOLI BATTLEFIELD.—

5           (1) FUNDING.—The Secretary may provide  
6       funds to the borough of Malvern, Pennsylvania for  
7       the protection and preservation of the Paoli Battle-  
8       field.

9           (2) AVAILABILITY OF PAOLI MAP.—The Paoli  
10      map shall be on file in the appropriate offices of the  
11      National Park Service.

12      (b) COOPERATIVE AGREEMENT AND TECHNICAL AS-  
13      SISTANCE.—

14           (1) COOPERATIVE AGREEMENT.—The Secretary  
15      shall enter into a cooperative agreement with the  
16      borough of Malvern, Pennsylvania for management  
17      of the Paoli Battlefield by the borough.

18           (2) TECHNICAL ASSISTANCE.—The Secretary  
19      may provide technical assistance to the borough of  
20      Malvern to ensure the preservation and interpreta-  
21      tion of the resources of the Paoli battlefield.

22      (c) AUTHORIZATION OF APPROPRIATIONS.—

23           (1) IN GENERAL.—There is authorized to be  
24      appropriated \$2,500,000 to carry out this section.

1           ~~(2) USE OF APPROPRIATED FUNDS.—~~Amounts  
 2           made available under paragraph ~~(1)~~ shall be pro-  
 3           vided to the borough of Malvern, Pennsylvania only  
 4           to the extent that the funds are matched, on an ~~1-~~  
 5           to-1 basis, with contributions from non-Federal  
 6           sources.

7           ~~(3) AGREEMENT ON PROVISION OF FUNDS.—~~  
 8           Any use of funds provided by the Secretary shall be  
 9           in accordance with an agreement that protects the  
 10          resources of the Paoli Battlefield.

11 **SEC. 103. BRANDYWINE BATTLEFIELD PROTECTION.**

12          ~~(a) BRANDYWINE BATTLEFIELD.—~~

13           ~~(1) IN GENERAL.—~~The Secretary is authorized  
 14          to provide funds to the State, a political subdivision  
 15          of the State, or the Brandywine Conservancy for the  
 16          protection and preservation of the Brandywine Bat-  
 17          tlefield.

18           ~~(2) AVAILABILITY OF BRANDYWINE MAP.—~~The  
 19          Brandywine map shall be on file in the appropriate  
 20          offices of the National Park Service.

21          ~~(b) COOPERATIVE AGREEMENT AND TECHNICAL AS-~~  
 22          SISTANCE.—

23           ~~(1) COOPERATIVE AGREEMENT.—~~The Secretary  
 24          shall enter into a cooperative agreement with the en-  
 25          tity that is provided funds under subsection (a) for

1 management of the Brandywine Battlefield by the  
2 entity.

3 ~~(2) TECHNICAL ASSISTANCE.—~~The Secretary  
4 may provide technical assistance to the entity de-  
5 scribed in paragraph (1) to ensure the preservation  
6 and interpretation of the resources of the Brandy-  
7 wine Battlefield.

8 ~~(c) AUTHORIZATION OF APPROPRIATIONS.—~~

9 ~~(1) IN GENERAL.—~~There is authorized to be  
10 appropriated \$3,000,000 to carry out this section.

11 ~~(2) USE OF APPROPRIATED FUNDS.—~~Amounts  
12 made available under paragraph (1) shall be pro-  
13 vided to the entity described in subsection (a) only  
14 to the extent that the funds are matched, on an 1-  
15 to-1 basis, with contributions from non-Federal  
16 sources.

17 ~~(3) AGREEMENT ON PROVISION OF FUNDS.—~~  
18 Any use of funds provided by the Secretary shall be  
19 in accordance with an agreement that protects the  
20 resources of the Brandywine Battlefield.

21 **SEC. 104. STUDY OF BATTLEFIELDS.**

22 ~~(a) IN GENERAL.—~~Not later than 18 months after  
23 the date on which funds are made available to carry out  
24 this section, the Secretary shall submit a resource study  
25 of the property described in sections 101 and 102 to—

1           (1) the Committee on Energy and Natural Re-  
2       sources of the Senate; and

3           ~~(2) the Committee on Resources of the House~~  
4       ~~of Representatives.~~

5       (b) CONTENTS.—The resource study described in  
6 subsection (a) shall—

7           (1) identify the full range of resources and his-  
8       toric themes associated with the Paoli Battlefield  
9       and the Brandywine Battlefield, including the rela-  
10      tionship of the resources and historic themes to the  
11      American Revolutionary War and the Valley Forge  
12      National Historical Park; and

13          (2) identify alternatives for National Park Serv-  
14      ice involvement at the sites, including cost estimates  
15      for any necessary acquisition, development, interpre-  
16      tation, operation, and maintenance associated with  
17      the alternatives identified.

18      (c) AUTHORIZATION OF APPROPRIATIONS.—There  
19      are authorized to be appropriated such sums as are nec-  
20      essary to carry out this section.

## 21           **TITLE II—VALLEY FORGE** 22           **NATIONAL HISTORICAL PARK**

### 23      **SEC. 201. FINDINGS AND PURPOSE.**

24      (a) FINDINGS.—Congress finds that—

1           (1) Valley Forge National Historical Park was  
2       established as a unit of the National Park System  
3       in 1976;

4           (2) the National Park Service acquired various  
5       land and structures associated with the Park, includ-  
6       ing a visitor center, from the State of Pennsylvania;

7           (3) the Park maintains an extensive collection  
8       of—

9           (A) artifacts, books, and other documents  
10       associated with the Continental Army's winter  
11       encampment during 1777 and 1778 at Valley  
12       Forge;

13          (B) Revolutionary War-era artifacts of  
14       military life;

15          (C) important archaeological resources;  
16       and

17          (D) numerous structures and associated  
18       artifacts;

19       (4) during the period 1982 through 1997, the  
20       National Park Service completed a general manage-  
21       ment plan, a long-range interpretive plan, and a  
22       strategic business plan that established goals and  
23       priorities for management of the Park;

24       (5) the plans described in paragraph (4)—

1           (A) identify inadequacies in the visitor cen-  
2           ter and interpretive programs of the Park;

3           (B) call for the development of a new or  
4           significantly renovated visitor center that would  
5           make the Park's collection accessible to the  
6           public through exhibits and research facilities;  
7           and

8           (C) call for improvements to the interpre-  
9           tation of the landscape and the circulation into  
10          and through the Park;

11          (6) the Valley Forge Historical Society was es-  
12          tablished in 1918 as a nonprofit organization to pre-  
13          serve and interpret for future generations the sig-  
14          nificant history and artifacts of the American Revo-  
15          lution in their historic setting at Valley Forge;

16          (7) the Society has amassed valuable holdings  
17          of artifacts, art, books, and other documents relating  
18          to the encampment of Washington's Continental  
19          Army at Valley Forge during 1777 and 1778, the  
20          American Revolution, and the American colonial era;

21          (8) the Society continues to acquire additional  
22          important collections through bequests, exchanges,  
23          and other acquisitions;



1           (9) the Society's collection is housed in a facil-  
2           ity that is inadequate to properly maintain, preserve,  
3           and display the ever-growing collection;

4           (10) the Society would like to develop an up-to-  
5           date museum and education facility;

6           (11) the Society and the National Park Service  
7           have discussed the idea of a joint museum, edu-  
8           cation, and visitor facility that would directly sup-  
9           port the historical, educational, and interpretive ac-  
10          tivities and needs of the Park and the Society;

11          (12) the joint facility described in paragraph  
12          (11) would—

13                (A) combine 2 outstanding museum collec-  
14                tions; and

15                (B) provide an enhanced experience at Val-  
16                ley Forge for visitors, scholars, and researchers;  
17                and

18          (13) the Society has submitted a proposal to  
19          raise funds to construct a new museum, education,  
20          and visitor center on Park property that would be  
21          planned, developed, and operated jointly with the  
22          Park.

23          (b) PURPOSE.—The purpose of this Act is to author-  
24          ize the Secretary of the Interior to enter into an agree-

1 ment with the Society to construct and operate a museum  
 2 within the boundary of the Park.

3 **SEC. 202. DEFINITIONS.**

4 In this title:

5 (1) MUSEUM.—The term “Museum” means the  
 6 Valley Forge Museum of the American Revolution  
 7 established under section 203(a).

8 (2) PARK.—The term “Park” means the Valley  
 9 Forge National Historic Park.

10 (3) SECRETARY.—The term “Secretary” means  
 11 the Secretary of the Interior.

12 (4) SOCIETY.—The term “Society” means the  
 13 Valley Forge Historical Society.

14 **SEC. 203. VALLEY FORGE MUSEUM OF THE AMERICAN REV-**  
 15 **OLUTION AUTHORIZATION.**

16 (a) VALLEY FORGE MUSEUM AGREEMENT.—The  
 17 Secretary, in administering the Park, is authorized to  
 18 enter into an agreement with the Society to facilitate the  
 19 planning, construction, and operation of the Museum on  
 20 Federal land within the Park.

21 (b) SPECIFIC PURPOSES OF AGREEMENT.—The  
 22 agreement described in subsection (a) shall—

23 (1) authorize the Society—

24 (A) to operate the Museum in cooperation  
 25 with the Secretary;

1           (B) to provide Museum programs and serv-  
2           ices related to the story of Valley Forge and the  
3           American Revolution to visitors to the Park;

4           (C) to engage, as a nonprofit organization,  
5           in activities appropriate for operation of a mu-  
6           seum that may include—

7                   (i) charging fees;

8                   (ii) conducting events; and

9                   (iii) selling merchandise, tickets, and  
10           food to visitors to the Museum; and

11          (D) to occupy any structure constructed  
12          for the term specified in the agreement de-  
13          scribed in subsection (a), subject to—

14                   (i) the conveyance by the Society to  
15                   the United States of the right, title, and  
16                   interest in any structure to be constructed  
17                   at the Park; and

18                   (ii) the right of the Society, that shall  
19                   not be transferred or conveyed without the  
20                   express consent of the Secretary, to occupy  
21                   and use any structure—

22                   (H) for the exhibition, preserva-  
23                   tion, and interpretation of artifacts  
24                   associated with the Valley Forge story  
25                   and the American Revolution;

1                   (II) to enhance visitor experience  
2                   to the Park;

3                   (III) to conduct appropriately re-  
4                   lated activities of the Society con-  
5                   sistent with its mission; and

6                   (IV) any other terms and condi-  
7                   tions as may be determined by the  
8                   Secretary;

9                (2) authorize the Secretary to undertake at the  
10           Museum activities related to the management of the  
11           Park, including the provision of appropriate visitor  
12           information, interpretive facilities, and programs re-  
13           lated to the Park; and

14           (3) provide that the Society's revenues from the  
15           Museum's facilities and services shall be used to off-  
16           set the expenses of the operation of the Museum.

17   **SEC. 204. PRESERVATION AND PROTECTION.**

18           Nothing in this Act authorizes the Secretary or the  
19           Society to act in derogation of the preservation and protec-  
20           tion of the values and resources of the Park.

21   **SECTION 1. SHORT TITLE.**

22           *This Act may be cited as the "Pennsylvania Battle-*  
23           *fields Protection Act of 1999".*

**TITLE I—PAOLI AND  
BRANDYWINE BATTLEFIELDS**

**SEC. 101. DEFINITIONS.**

*In this title:*

(1) *BRANDYWINE BATTLEFIELD.*—The term “Brandywine Battlefield” means land in an area generally known as the Meetinghouse Road Corridor, located in Chester County, Pennsylvania, as depicted on the Brandywine map.

(2) *BRANDYWINE MAP.*—The term “Brandywine Map” means the map entitled “Brandywine-Meetinghouse Road Corridor”, numbered 80,000 and dated April 1999.

(3) *PAOLI BATTLEFIELD.*—The term “Paoli Battlefield” means the area located in the borough of Malvern, Pennsylvania, as generally depicted on the Paoli map.

(4) *PAOLI MAP.*—The term “Paoli map” means the map entitled “Paoli Battlefield”, numbered 80,000 and dated April 1999.

(5) *SECRETARY.*—The term “Secretary” means the Secretary of the Interior.

(6) *STATE.*—The term “State” means the State of Pennsylvania.

1           (7) *PARK.*—*The term “Park” means the Valley*  
 2           *Forge National Historical Park.*

3   **SEC. 102. SPECIAL RESOURCE STUDY.**

4           (a) *IN GENERAL.*—*Not later than 6 months after the*  
 5           *date funds are made available, the Secretary shall complete*  
 6           *a special resource study on the Paoli Battlefield and not*  
 7           *later than 18 months after the date funds are made avail-*  
 8           *able, the Secretary shall complete a special resource study*  
 9           *on the Brandywine Battlefield, as described in subsection*  
 10          (b). *In conducting the studies, the Secretary shall consult*  
 11          *with the State, the borough of Malvern, the Brandywine*  
 12          *Conservancy and other interested groups and organizations.*

13          (b) *COMPONENTS.*—*The resource studies described in*  
 14          *subsection (a) shall—*

15               (1) *identify the full range of resources and his-*  
 16               *toric themes associated with the Brandywine Battle-*  
 17               *field and the Paoli Battlefield, including the relation-*  
 18               *ship of resources and historic themes to the American*  
 19               *Revolutionary War and the Valley Forge National*  
 20               *Historic Park; and*

21               (2) *identify the alternatives for National Park*  
 22               *Service involvement at the sites, including cost esti-*  
 23               *mates for any necessary acquisition, development, in-*  
 24               *terpretation, operation, and maintenance associated*  
 25               *with the alternatives identified.*

1       (c) *REPORT*.—Not later than 10 days after the comple-  
 2       tion of the studies, the Secretary shall submit a report de-  
 3       scribing the findings and recommendations of the study to  
 4       the Committee on Energy and Natural Resources of the Sen-  
 5       ate and the Committee on Resources of the United States  
 6       House of Representatives.

7       (d) *AUTHORIZATION OF APPROPRIATIONS*.—There are  
 8       authorized to be appropriated such sums as are necessary  
 9       to carry out this title.

## 10               **TITLE II—VALLEY FORGE** 11               **NATIONAL HISTORICAL PARK**

### 12       **SEC. 201. FINDINGS AND PURPOSE.**

13       (a) *FINDINGS*.—Congress finds that—

14               (1) Valley Forge National Historical Park was  
 15       established as a unit of the National Park System in  
 16       1976;

17               (2) the National Park Service acquired various  
 18       land and structures associated with the Park, includ-  
 19       ing a visitor center, from the State of Pennsylvania;

20               (3) the Park maintains an extensive collection  
 21       of—

22               (A) artifacts, books, and other documents  
 23       associated with the Continental Army's winter  
 24       encampment during 1777 and 1778 at Valley  
 25       Forge;

1                   (B) *Revolutionary War-era artifacts of*  
2                   *military life;*

3                   (C) *important archaeological resources; and*

4                   (D) *numerous structures and associated ar-*  
5                   *tifacts;*

6                   (4) *during the period 1982 and 1997, the Na-*  
7                   *tional Park Service completed a general management*  
8                   *plan, a long-range interpretive plan, and a strategic*  
9                   *business plan that established goals and priorities for*  
10                  *management of the Park;*

11                  (5) *the plans described in paragraph (4)—*

12                   (A) *identify inadequacies in the visitor cen-*  
13                   *ter and interpretive programs of the Park;*

14                   (B) *call for the development of a new or sig-*  
15                   *nificantly renovated visitor center that would*  
16                   *make the Park's collection accessible to the public*  
17                   *through exhibits and research facilities; and*

18                   (C) *call for improvements to the interpreta-*  
19                   *tion of the landscape and the circulation into*  
20                   *and through the Park;*

21                  (6) *the Valley Forge Historical Society was es-*  
22                   *tablished in 1918 as a nonprofit organization to pre-*  
23                   *serve and interpret for future generations the signifi-*  
24                   *cant history and artifacts of the American Revolution*  
25                   *in their historic setting at Valley Forge;*



1           (7) *the Society has amassed valuable holdings of*  
 2           *artifacts, art, books, and other document relating to*  
 3           *the encampment of Washington's Continental Army*  
 4           *at Valley Forge during 1777 and 1778, the American*  
 5           *Revolution, and the American colonial era;*

6           (8) *the Society continues to acquire additional*  
 7           *important collections through bequests, exchanges, and*  
 8           *other acquisitions;*

9           (9) *the Society's collection is housed in a facility*  
 10          *that is inadequate to properly maintain, preserve,*  
 11          *and display the ever growing collection;*

12          (10) *the Society would like to develop an up-to-*  
 13          *date museum and education facility;*

14          (11) *the Society and the National Park Service*  
 15          *have discussed the idea of a joint museum, education,*  
 16          *and visitor facility that would directly support the*  
 17          *historical, educational, and interpretive activities and*  
 18          *needs of the Park and the Society;*

19          (12) *the joint facility described in paragraph*  
 20          (11) *would—*

21                (A) *combine 2 outstanding museum collec-*  
 22                *tions; and*

23                (B) *provide an enhanced experience at Val-*  
 24                *ley Forge for visitors, scholars, and researchers;*  
 25                *and*

1           (13) *the Society has submitted a proposal to*  
 2           *raise funds to construct a new museum, education,*  
 3           *and visitor center on Park property that would be*  
 4           *planned, developed, and operated jointly with the*  
 5           *Park.*

6           (b) *PURPOSE.—The purpose of this title is to authorize*  
 7           *the Secretary of the Interior to enter into an agreement with*  
 8           *the Society to construct and operate a museum within the*  
 9           *boundary of the Park.*

10   **SEC. 202. DEFINITIONS.**

11       *In this title:*

12           (1) *MUSEUM.—The term “Museum” means the*  
 13           *Valley Forge Museum of the American Revolution.*

14           (2) *PARK.—The term “Park” means the Valley*  
 15           *Forge National Historical Park.*

16           (3) *SECRETARY.—The term “Secretary” means*  
 17           *the Secretary of the Interior.*

18           (4) *SOCIETY.—The term “Society” means the*  
 19           *Valley Forge Historical Society.*

20   **SEC. 203. VALLEY FORGE MUSEUM OF THE AMERICAN REV-**  
 21                           **OLUTION AUTHORIZATION.**

22           (a) *VALLEY FORGE MUSEUM AGREEMENT.—The Sec-*  
 23           *retary, in administering the Park, is authorized to enter*  
 24           *into an agreement with the Society to facilitate the plan-*

1 *ning, construction, and operation of the Museum on Federal*  
 2 *land within the Park.*

3 *(b) SPECIFIC PURPOSES OF AGREEMENT.—The agree-*  
 4 *ment described in subsection (a) shall—*

5 *(1) authorize the Society—*

6 *(A) to operate the Museum in cooperation*  
 7 *with the Secretary;*

8 *(B) to provide Museum programs and serv-*  
 9 *ices related to the story of Valley Forge and the*  
 10 *American Revolution to visitors to the Park;*

11 *(C) to engage, as a nonprofit organization,*  
 12 *in activities appropriate for the operation of a*  
 13 *museum that may include—*

14 *(i) charging fees;*

15 *(ii) conducting events; and*

16 *(iii) selling merchandise, tickets, and*  
 17 *food to visitors to the Museum; and*

18 *(D) to occupy any structure constructed for*  
 19 *the term specified in the agreement described in*  
 20 *subsection (a), subject to—*

21 *(i) the conveyance by the Society to the*  
 22 *United States of the right, title, and interest*  
 23 *in any structure to be constructed at the*  
 24 *Park; and*

1                   (ii) *the right of the Society, that shall*  
 2                   *not be transferred or conveyed without the*  
 3                   *express consent of the Secretary, to occupy*  
 4                   *and use the structure—*

5                   (I) *for the exhibit, preservation,*  
 6                   *and interpretation of artifacts associ-*  
 7                   *ated with the Valley Forge story and*  
 8                   *the American Revolution;*

9                   (II) *to enhance visitor experience*  
 10                  *to the Park;*

11                  (III) *to conduct appropriately re-*  
 12                  *lated activities of the Society consistent*  
 13                  *with its mission; and*

14                  (iii) *any other terms and conditions as*  
 15                  *may be determined by the Secretary;*

16                  (2) *authorize the Secretary to undertake at the*  
 17                  *Museum activities related to the management of the*  
 18                  *Park, including the provision of appropriate visitor*  
 19                  *information, interpretive facilities, and programs re-*  
 20                  *lated to the Park; and*

21                  (3) *provide that the Society's revenues from the*  
 22                  *Museum's facilities and services shall be used to offset*  
 23                  *the expenses of the operation of the Museum.*

1 **SEC. 204. PRESERVATION AND PROTECTION.**

2       *Nothing in the title authorizes the Secretary or the So-*  
3 *ciety to act in derogation of the preservation and protection*  
4 *of the values and resources of the Park.*

Amend the title so as to read: “A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of the inclusion of the Brandywine Battlefield and the Paoli Battlefield in the National Park System as part of the Valley Forge National Historical Park, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.”.

Calendar No. 225

106TH CONGRESS  
1ST Session

**S. 581**

[Report No. 106-117]

**A BILL**

To protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

JULY 21, 1999

Reported with an amendment and an amendment to the title