

# Calendar No. 650

107<sup>TH</sup> CONGRESS  
2D SESSION

# S. 2623

To designate the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park as a unit of the National Park System, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 13, 2002

Mr. WARNER (for himself and Mr. ALLEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 8, 2002

Reported by Mr. BINGAMAN, 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 designate the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park as a unit of the National Park System, 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 “Cedar Creek Battle-  
3 field and Belle Grove Plantation National Historical Park  
4 Act”.

5 **SEC. 2. PURPOSE.**

6 The purpose of this Act is to establish the Cedar  
7 Creek Battlefield and Belle Grove Plantation National  
8 Historical Park in order to—

9 (1) help preserve, protect, and interpret a na-  
10 tionally significant Civil War landscape and ante-  
11 bellum plantation for the education, inspiration, and  
12 benefit of present and future generations;

13 (2) serve as a focal point to recognize and inter-  
14 pret important events and geographic locations rep-  
15 resenting key Civil War battles in the Shenandoah  
16 Valley, including those battlefields associated with  
17 the Thomas J. (Stonewall) Jackson campaign of  
18 1862 and the decisive campaigns of 1864;

19 (3) tell the rich story of the Battle of Cedar  
20 Creek and its significance in the conduct of the war  
21 in the Shenandoah Valley; and

22 (4) preserve the significant historic, natural,  
23 cultural, military, and scenic resources found in the  
24 Cedar Creek Battlefield and Belle Grove Plantation  
25 areas through partnerships with local landowners  
26 and the community.

1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) The Battle of Cedar Creek, also known as  
4 the battle of Belle Grove, was a major event of the  
5 Civil War and the history of this country. It rep-  
6 resented the end of the Civil War's Shenandoah Val-  
7 ley campaign of 1864 and contributed to the reelec-  
8 tion of President Abraham Lincoln and the eventual  
9 outcome of the war.

10 (2) 2,500 acres of the Cedar Creek Battlefield  
11 and Belle Grove Plantation were designated a na-  
12 tional historic landmark in 1969 because of their  
13 ability to illustrate and interpret important eras and  
14 events in the history of the United States. The  
15 Cedar Creek Battlefield, Belle Grove Manor House,  
16 the Heater House, and Harmony Hall (a National  
17 Historic Landmark) are also listed on the Virginia  
18 Landmarks Register.

19 (3) The Secretary of the Interior has approved  
20 the Shenandoah Valley Battlefields National His-  
21 toric District Management Plan, September 2000,  
22 which preserves the District's historic character, and  
23 protects and interprets 10 significant Civil War bat-  
24 tlefields within the District, including the Cedar  
25 Creek battlefield.

1           (4) The Shenandoah Valley Battlefields Na-  
2           tional Historic District Management Plan and the  
3           National Park Service Special Resource Study recog-  
4           nize the Cedar Creek battlefield as the most signifi-  
5           cant Civil War resource within the Historic District.

6           (5) The Shenandoah Valley Battlefields Na-  
7           tional Historic District Management Plan, which  
8           was developed with extensive public participation  
9           over a 3-year period and is administered by the  
10          Shenandoah Valley Battlefields Foundation, rec-  
11          ommends that Cedar Creek Battlefield be estab-  
12          lished as a new unit of the National Park System to  
13          provide permanent protection for the battlefield and  
14          to serve as the central site to increase the public's  
15          education and awareness of the War's legacy  
16          throughout the Historic District.

17          (6) The Cedar Creek Battlefield Foundation,  
18          organized in 1988 to preserve and interpret the  
19          Cedar Creek Battlefield and the 1864 Valley Cam-  
20          paign, has acquired 308 acres of land within the  
21          boundaries of the National Historic Landmark. The  
22          foundation annually hosts a major reenactment and  
23          living history event on the Cedar Creek Battlefield.

24          (7) Belle Grove Plantation is a Historic Site of  
25          the National Trust for Historic Preservation that oc-

1 cupies 383 acres within the National Historic Land-  
2 mark. The Belle Grove Manor House was built by  
3 Isaac Hite, a Revolutionary War patriot married to  
4 the sister of President James Madison, who was a  
5 frequent visitor at Belle Grove. President Thomas  
6 Jefferson assisted with the design of the house. Dur-  
7 ing the Civil War Belle Grove was at the center of  
8 the decisive battle of Cedar Creek. Belle Grove is  
9 managed locally by Belle Grove, Incorporated, and  
10 has been open to the public since 1967. The house  
11 has remained virtually unchanged since it was built  
12 in 1797, offering visitors an experience of the life  
13 and times of the people who lived there in the 18th  
14 and 19th centuries.

15 (8) The panoramic views of the mountains, nat-  
16 ural areas, and waterways provide visitors with an  
17 inspiring setting of great natural beauty. The his-  
18 toric, natural, cultural, military, and scenic re-  
19 sources found in the Cedar Creek Battlefield and  
20 Belle Grove Plantation areas are nationally and re-  
21 gionally significant.

22 (9) The existing, independent, not-for-profit or-  
23 ganizations dedicated to the protection and interpre-  
24 tation of the resources described above provide the  
25 foundation for public-private partnerships to further

1 the success of protecting, preserving, and inter-  
 2 preting these resources.

3 ~~(10) None of these resources, sites, or stories of~~  
 4 ~~the Shenandoah Valley are protected by or inter-~~  
 5 ~~preted within the National Park System.~~

6 **SEC. 4. DEFINITIONS.**

7 In this Act:

8 (1) COMMISSION.—The term “Commission”  
 9 means the Cedar Creek Battlefield and Belle Grove  
 10 Plantation National Historical Park Advisory Com-  
 11 mission established by section 9.

12 ~~(2) MAP.—The term “Map” means the map en-~~  
 13 ~~titled “Cedar Creek Battlefield and Belle Grove~~  
 14 ~~Plantation National Historic Park”, numbered~~  
 15 ~~CECR-80,000, and dated June 12, 2002.~~

16 ~~(3) PARK.—The term “Park” means the Cedar~~  
 17 ~~Creek Battlefield and Belle Grove Plantation Na-~~  
 18 ~~tional Historical Park established under section 5~~  
 19 ~~and depicted on the Map.~~

20 (4) SECRETARY.—The term “Secretary” means  
 21 the Secretary of the Interior.

1 **SEC. 5. ESTABLISHMENT OF CEDAR CREEK BATTLEFIELD**  
 2 **AND BELLE GROVE PLANTATION NATIONAL**  
 3 **HISTORICAL PARK.**

4 (a) **ESTABLISHMENT.**—There is established the  
 5 Cedar Creek Battlefield and Belle Grove Plantation Na-  
 6 tional Historical Park, consisting of approximately 3,000  
 7 acres, as generally depicted on the Map.

8 (b) **AVAILABILITY OF MAP.**—The Map shall be on file  
 9 and available for public inspection in the offices of the Na-  
 10 tional Park Service of the Department of the Interior.

11 **SEC. 6. ACQUISITION OF PROPERTY.**

12 (a) **REAL PROPERTY.**—The Secretary may acquire  
 13 land or interests in land within the boundaries of the  
 14 Park, from willing sellers only, by donation, purchase with  
 15 donated or appropriated funds, or exchange.

16 (b) **BOUNDARY REVISION.**—After acquiring land for  
 17 the Park, the Secretary shall—

18 (1) revise the boundary map of the Park to in-  
 19 clude newly acquired land within the boundary; and

20 (2) administer newly acquired land subject to  
 21 applicable laws (including regulations).

22 (c) **PERSONAL PROPERTY.**—The Secretary may ac-  
 23 quire personal property associated with, and appropriate  
 24 for, interpretation of the Park.

25 (d) **CONSERVATION EASEMENTS AND COVENANTS.**—  
 26 The Secretary is authorized to acquire conservation ease-

1   ments and enter into covenants regarding lands in or adja-  
 2   cent to the Park from willing sellers only. Such conserva-  
 3   tion easements and covenants shall have the effect of pro-  
 4   tecting the scenic, natural, and historic resources on adja-  
 5   cent lands and preserving the natural or historic setting  
 6   of the park when viewed from within or outside the Park.

7       (e) **SUPPORT FACILITIES.**—The National Park Serv-  
 8   ice is authorized to acquire from willing sellers up to 50  
 9   acres of land outside the park boundary, but in close prox-  
 10   imity to the park, to develop facilities for one or more of  
 11   the following:

- 12           (1) Visitors.
- 13           (2) Administrative functions.
- 14           (3) Museums.
- 15           (4) Curatorial functions.
- 16           (5) Maintenance.

17   **SEC. 7. ADMINISTRATION.**

18       The Secretary shall administer the Park in accord-  
 19   ance with this Act and the provisions of law generally ap-  
 20   plicable to units of the National Park System, including—

- 21           (1) the Act entitled “An Act to establish a Na-  
 22       tional Park Service, and for other purposes”, ap-  
 23       proved August 25, 1916 (16 U.S.C. 1 et seq.); and
- 24           (2) the Act entitled “An Act to provide for the  
 25       preservation of historic American sites, buildings,



1 objects, and antiquities of national significance, and  
2 for other purposes", approved August 21, 1935 (16  
3 U.S.C. 461 et seq.).

4 SEC. 8. MANAGEMENT OF PARK.

(a) **MANAGEMENT PLAN.**—The Secretary, in consultation with the Commission, shall prepare a management plan for the Park. In particular, the management plan shall contain provisions to address the needs of owners of non-Federal land, including independent nonprofit organizations within the boundaries of the Park.

(b) SUBMISSION OF PLAN TO CONGRESS.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit the management plan for the Park to Congress.

15 SEC. 9. CEDAR CREEK BATTLEFIELD AND BELLE GROVE  
16 PLANTATION NATIONAL HISTORICAL PARK  
17 ADVISORY COMMISSION.

(a) ~~ESTABLISHMENT.—There is established the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park Advisory Commission.~~

21 (b) DUTIES.—The Commission shall—

(1) advise the Secretary in the preparation and implementation of a general management plan described in section 8; and

1           ~~(2)~~ advise the Secretary with respect to the  
2           identification of sites of significance outside the  
3           Park boundary deemed necessary to fulfill the pur-  
4           poses of this Act.

5           ~~(c)~~ MEMBERSHIP.—

6           ~~(1)~~ COMPOSITION.—The Commission shall be  
7           composed of ~~15~~ members appointed by the Secretary  
8           so as to include the following:

9                   ~~(A)~~ 1 representative from the Common-  
10                  wealth of Virginia.

11                  ~~(B)~~ 1 representative each from the local  
12                  governments of Strasburg, Middletown, Fred-  
13                  erick County, Shenandoah County, and Warren  
14                  County.

15                  ~~(C)~~ 2 representatives of private landowners  
16                  within the Park.

17                  ~~(D)~~ 1 representative from a citizen interest  
18                  group.

19                  ~~(E)~~ 1 representative from the Cedar Creek  
20                  Battlefield Foundation.

21                  ~~(F)~~ 1 representative from Belle Grove, In-  
22                  corporated.

23                  ~~(G)~~ 1 representative from the National  
24                  Trust for Historic Preservation.

1                   (H) 1 representative from the Shenandoah  
2 Valley Battlefields Foundation.

3                   (I) 1 ex-officio representative from the Na-  
4 tional Park Service.

5                   (J) 1 ex-officio representative from the  
6 United States Forest Service.

7                   (2) CHAIRPERSON.—The Chairperson of the  
8 Commission shall be elected by the members to serve  
9 a term of one year renewable for one additional year.

10                  (3) VACANCIES.—A vacancy on the Commission  
11 shall be filled in the same manner in which the origi-  
12 nal appointment was made.

13                  (4) TERMS OF SERVICE.—

14                   (A) IN GENERAL.—Each member shall be  
15 appointed for a term of 3 years and may be re-  
16 appointed for not more than 2 successive terms.

17                   (B) INITIAL MEMBERS.—Of the members  
18 first appointed under paragraph (1), the Sec-  
19 retary shall appoint—

20                               (i) 4 members for a term of 1 year;

21                               (ii) 5 members for a term of 2 years;

22                               and

23                               (iii) 6 members for a term of 3 years.

1           (5) EXTENDED SERVICE.—A member may  
2       serve after the expiration of that member's term  
3       until a successor has taken office.

4           (6) MAJORITY RULE.—The Commission shall  
5       act and advise by affirmative vote for a majority of  
6       its members.

7           (7) MEETINGS.—The Commission shall meet at  
8       least quarterly at the call of the chairperson or a  
9       majority of the members of the Commission.

10          (8) QUORUM.—8 members shall constitute a  
11       quorum.

12          (d) COMPENSATION.—Members shall serve without  
13       pay. Members who are full-time officers or employees of  
14       the United States, the Commonwealth of Virginia, or any  
15       political subdivision thereof shall receive no additional pay  
16       on account of their service on the Commission.

17          (e) HEARINGS; PUBLIC INVOLVEMENT.—The Com-  
18       mission may, for purposes of carrying out this Act, hold  
19       such hearings, sit and act at such times and places, take  
20       such public testimony, and receive such evidence, as the  
21       Commission considers appropriate. The Commission may  
22       not issue subpoenas or exercise any subpoena authority.

23          (f) FACA NONAPPLICABILITY.—The Federal Advi-  
24       sory Committee Act shall not apply to the Commission.

1 **SEC. 10. CONSERVATION OF CEDAR CREEK BATTLEFIELD**  
2 **AND BELLE GROVE PLANTATION NATIONAL**  
3 **HISTORICAL PARK.**

4 (a) ENCOURAGEMENT OF CONSERVATION.—The Sec-  
5 retary and the Commission shall encourage conservation  
6 of the historic and natural resources within and in prox-  
7 imity of the Park by landowners, local governments, orga-  
8 nizations, and businesses.

9 (b) PROVISION OF TECHNICAL ASSISTANCE.—The  
10 Secretary may provide technical assistance to local govern-  
11 ments, in cooperative efforts which complement the values  
12 of the Park.

13 (c) COOPERATION BY FEDERAL AGENCIES.—Any  
14 Federal entity conducting or supporting activities directly  
15 affecting the Park shall consult, cooperate, and, to the  
16 maximum extent practicable, coordinate its activities with  
17 the Secretary in a manner that—

18 (1) is consistent with the purposes of this Act  
19 and the standards and criteria established pursuant  
20 to the general management plan developed pursuant  
21 to section 8;

22 (2) is not likely to have an adverse effect on the  
23 resources of the Park; and

24 (3) is likely to provide for full public participa-  
25 tion in order to consider the views of all interested  
26 parties.

1 **SEC. 11. ENDOWMENT.**

2       (a) **IN GENERAL.**—In accordance with the provisions  
3 of subsection (b), the Secretary is authorized to receive  
4 and expend funds from an endowment to be established  
5 with the National Park Foundation, or its successors and  
6 assigns.

7       (b) **CONDITIONS.**—Funds from the endowment re-  
8 ferred to in subsection (a) shall be expended exclusively  
9 as the Secretary, in consultation with the Commission,  
10 may designate for the interpretation, preservation, and  
11 maintenance of the Park resources and public access  
12 areas. No expenditure shall be made pursuant to this sec-  
13 tion unless the Secretary determines that such an expendi-  
14 ture is consistent with the purposes of this Act.

15 **SEC. 12. COOPERATIVE AGREEMENTS.**

16       (a) **IN GENERAL.**—In order to further the purposes  
17 of this Act, the Secretary is authorized to enter into coop-  
18 erative agreements with interested public and private enti-  
19 ties and individuals (including the National Trust for His-  
20 toric Preservation, Belle Grove, Inc., the Cedar Creek Bat-  
21 tlefield Foundation, the Shenandoah Valley Battlefields  
22 Foundation, and the Counties of Frederick, Shenandoah,  
23 and Warren), through technical and financial assistance,  
24 including encouraging the conservation of historic and  
25 natural resources within and near the Park.

1       (b) ~~TECHNICAL AND FINANCIAL ASSISTANCE.~~—The  
 2 Secretary may provide to any person, organization, or gov-  
 3 ernmental entity technical and financial assistance for the  
 4 purposes of this Act, including the following:

5           (1) Preserving historic structures within the  
 6 Park.

7           (2) Maintaining the natural or cultural land-  
 8 scape of the Park.

9           (3) Local preservation planning, interpretation,  
 10 and management of public visitation for the Park.

11           (4) Furthering the goals of the Shenandoah  
 12 Valley Battlefields Foundation and National His-  
 13 toric District Management Plan.

14 **SEC. 13. ROLES OF KEY PARTNER ORGANIZATIONS.**

15       (a) ~~IN GENERAL.~~—In recognition that central por-  
 16 tions of the Park are presently owned and operated for  
 17 the benefit of the public by key partner organizations, the  
 18 Secretary shall acknowledge and support the continued  
 19 participation of these partner organizations in the man-  
 20 agement of the Park.

21       (b) ~~PARK PARTNERS.~~—Roles of the current key part-  
 22 ners include the following:

23           (1) CEDAR CREEK BATTLEFIELD FOUNDA-  
 24 TION.—The Cedar Creek Battlefield Foundation  
 25 may—

1           (A) continue to own, operate, and manage  
2           the lands acquired by the Foundation within  
3           the Park;

4           (B) continue to conduct reenactments and  
5           other events within the Park; and

6           (C) transfer ownership interest in portions  
7           of their land to the National Park Service by  
8           donation, sale, or other means that meet the  
9           legal requirements of National Park Service  
10          land acquisitions.

11          (2) NATIONAL TRUST FOR HISTORIC PRESERVA-  
12          TION AND BELLE GROVE INCORPORATED.—The Na-  
13          tional Trust for Historic Preservation and Bell  
14          Grove Incorporated may continue to own, operate,  
15          and manage Belle Grove Plantation and its struc-  
16          tures and grounds within the Park boundary. Belle  
17          Grove Incorporated may continue to own the house  
18          and grounds known as Bowman's Fort or Harmony  
19          Hall for the purpose of permanent preservation, with  
20          a long-term goal of opening the property to the pub-  
21          lic.

22          (3) SHENANDOAH COUNTY.—Shenandoah  
23          County may continue to own, operate, and manage  
24          the Keister park site within the Park for the benefit  
25          of the public.



1           (4) GATEWAY COMMUNITIES.—The adjacent  
 2       historic towns of Strasburg and Middletown shall be  
 3       acknowledged as Gateway Communities to the Park.

4           (5) SHENANDOAH VALLEY BATTLEFIELDS  
 5       FOUNDATION.—The Shenandoah Valley Battlefields  
 6       Foundation may continue to administer and manage  
 7       the Shenandoah Valley Battlefields National His-  
 8       toric District in partnership with the National Park  
 9       Service and in accordance with the Management  
 10      Plan for the District in which the Park is located.

11 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

12       There is authorized to be appropriated such sums as  
 13      are necessary to carry out this Act.

14 **SECTION 1. SHORT TITLE.**

15       *This Act may be cited as the “Cedar Creek and Belle*  
 16 *Grove National Historical Park Act”.*

17 **SEC. 2. PURPOSE.**

18       *The purpose of this Act is to establish the Cedar Creek*  
 19 *and Belle Grove National Historical Park in order to—*

20           (1) *help preserve, protect, and interpret a na-*  
 21 *tionally significant Civil War landscape and ante-*  
 22 *bellum plantation for the education, inspiration, and*  
 23 *benefit of present and future generations;*

24           (2) *tell the rich story of Shenandoah Valley his-*  
 25 *tory from early settlement through the Civil War and*

1       *beyond, and the Battle of Cedar Creek and its signifi-*  
 2       *cance in the conduct of the war in the Shenandoah*  
 3       *Valley;*

4               *(3) preserve the significant historic, natural, cul-*  
 5       *tural, military, and scenic resources found in the*  
 6       *Cedar Creek Battlefield and Belle Grove Plantation*  
 7       *areas through partnerships with local landowners and*  
 8       *the community; and*

9               *(4) serve as a focal point to recognize and inter-*  
 10       *pret important events and geographic locations with-*  
 11       *in the Shenandoah Valley Battlefields National His-*  
 12       *toric District representing key Civil War battles in*  
 13       *the Shenandoah Valley, including those battlefields as-*  
 14       *sociated with the Thomas J. (Stonewall) Jackson*  
 15       *campaign of 1862 and the decisive campaigns of*  
 16       *1864.*

17   **SEC. 3. FINDINGS.**

18       *Congress finds the following:*

19               *(1) The Battle of Cedar Creek, also known as the*  
 20       *battle of Belle Grove, was a major event of the Civil*  
 21       *War and the history of this country. It represented*  
 22       *the end of the Civil War's Shenandoah Valley cam-*  
 23       *paign of 1864 and contributed to the reelection of*  
 24       *President Abraham Lincoln and the eventual outcome*  
 25       *of the war.*

1           (2) 2,500 acres of the Cedar Creek Battlefield  
2           and Belle Grove Plantation were designated a na-  
3           tional historic landmark in 1969 because of their  
4           ability to illustrate and interpret important eras and  
5           events in the history of the United States. The Cedar  
6           Creek Battlefield, Belle Grove Manor House, the Heat-  
7           er House, and Harmony Hall (a National Historic  
8           Landmark) are also listed on the Virginia Landmarks  
9           Register.

10          (3) The Secretary of the Interior has approved  
11          the Shenandoah Valley Battlefields National Historic  
12          District Management Plan and the National Park  
13          Service Special Resource Study, both of which recog-  
14          nized Cedar Creek Battlefield as the most significant  
15          Civil War resource within the historic district. The  
16          management plan, which was developed with exten-  
17          sive public participation over a 3-year period and is  
18          administered by the Shenandoah Valley Battlefields  
19          Foundation, recommends that Cedar Creek Battlefield  
20          be established as a new unit of the National Park  
21          System.

22          (4) The Cedar Creek Battlefield Foundation, or-  
23          ganized in 1988 to preserve and interpret the Cedar  
24          Creek Battlefield and the 1864 Valley Campaign, has  
25          acquired 308 acres of land within the boundaries of

1     *the National Historic Landmark. The foundation an-*  
2     *nually hosts a major re-enactment and living history*  
3     *event on the Cedar Creek Battlefield.*

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5     *the National Trust for Historic Preservation that oc-*  
6     *cupies 383 acres within the National Historic Land-*  
7     *mark. The Belle Grove Manor House was built by*  
8     *Isaac Hite, a Revolutionary War patriot married to*  
9     *the sister of President James Madison, who was a fre-*  
10    *quent visitor at Belle Grove. President Thomas Jeffer-*  
11    *son assisted with the design of the house. During the*  
12    *Civil War Belle Grove was at the center of the deci-*  
13    *sive battle of Cedar Creek. Belle Grove is managed lo-*  
14    *cally by Belle Grove, Incorporated, and has been open*  
15    *to the public since 1967. The house has remained vir-*  
16    *tually unchanged since it was built in 1797, offering*  
17    *visitors an experience of the life and times of the peo-*  
18    *ple who lived there in the 18th and 19th centuries.*

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20    *ural areas, and waterways provide visitors with an*  
21    *inspiring setting of great natural beauty. The his-*  
22    *toric, natural, cultural, military, and scenic resources*  
23    *found in the Cedar Creek Battlefield and Belle Grove*  
24    *Plantation areas are nationally and regionally sig-*  
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 3           *tation of the resources described above provide the*  
 4           *foundation for public-private partnerships to further*  
 5           *the success of protecting, preserving, and interpreting*  
 6           *these resources.*

7           (8) *None of these resources, sites, or stories of the*  
 8           *Shenandoah Valley are protected by or interpreted*  
 9           *within the National Park System.*

10 **SEC. 4. DEFINITIONS.**

11       *In this Act:*

12           (1) **COMMISSION.**—*The term “Commission”*  
 13           *means the Cedar Creek and Belle Grove National His-*  
 14           *torical Park Advisory Commission established by sec-*  
 15           *tion 9.*

16           (2) **MAP.**—*The term “Map” means the map enti-*  
 17           *tled “Boundary Map Cedar Creek and Belle Grove*  
 18           *National Historical Park”, numbered CEBE–80,001,*  
 19           *and dated September 2002.*

20           (3) **PARK.**—*The term “Park” means the Cedar*  
 21           *Creek and Belle Grove National Historical Park es-*  
 22           *tablished under section 5 and depicted on the Map.*

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

1 **SEC. 5. ESTABLISHMENT OF CEDAR CREEK AND BELLE**  
 2 **GROVE NATIONAL HISTORICAL PARK.**

3 (a) *ESTABLISHMENT.*—*There is established the Cedar*  
 4 *Creek and Belle Grove National Historical Park, consisting*  
 5 *of approximately 3,000 acres, as generally depicted on the*  
 6 *Map.*

7 (b) *AVAILABILITY OF MAP.*—*The Map shall be on file*  
 8 *and available for public inspection in the offices of the Na-*  
 9 *tional Park Service, Department of the Interior.*

10 **SEC. 6. ACQUISITION OF PROPERTY.**

11 (a) *REAL PROPERTY.*—*The Secretary may acquire*  
 12 *land or interests in land within the boundaries of the Park,*  
 13 *from willing sellers only, by donation, purchase with do-*  
 14 *nated or appropriated funds, or exchange.*

15 (b) *BOUNDARY REVISION.*—*After acquiring land for*  
 16 *the Park, the Secretary shall—*

17 (1) *revise the boundary of the Park to include*  
 18 *newly acquired land within the boundary; and*

19 (2) *administer newly acquired land subject to*  
 20 *applicable laws (including regulations).*

21 (c) *PERSONAL PROPERTY.*—*The Secretary may ac-*  
 22 *quire personal property associated with, and appropriate*  
 23 *for, interpretation of the Park.*

24 (d) *CONSERVATION EASEMENTS AND COVENANTS.*—  
 25 *The Secretary is authorized to acquire conservation ease-*  
 26 *ments and enter into covenants regarding lands in or adja-*

1 *cent to the Park from willing sellers only. Such conservation*  
 2 *easements and covenants shall have the effect of protecting*  
 3 *the scenic, natural, and historic resources on adjacent lands*  
 4 *and preserving the natural or historic setting of the Park*  
 5 *when viewed from within or outside the Park.*

6 *(e) SUPPORT FACILITIES.—The National Park Service*  
 7 *is authorized to acquire from willing sellers, land outside*  
 8 *the Park boundary but in close proximity to the Park, for*  
 9 *the development of visitor, administrative, museum, curato-*  
 10 *rial, and maintenance facilities.*

11 **SEC. 7. ADMINISTRATION.**

12 *The Secretary shall administer the Park in accordance*  
 13 *with this Act and the provisions of law generally applicable*  
 14 *to units of the National Park System, including—*

15 *(1) the Act entitled “An Act to establish a Na-*  
 16 *tional Park Service, and for other purposes”, ap-*  
 17 *proved August 25, 1916 (16 U.S.C. 1 et seq.); and*

18 *(2) the Act entitled “An Act to provide for the*  
 19 *preservation of historic American sites, buildings, ob-*  
 20 *jects, and antiquities of national significance, and for*  
 21 *other purposes”, approved August 21, 1935 (16*  
 22 *U.S.C. 461 et seq.).*

23 **SEC. 8. MANAGEMENT OF PARK.**

24 *(a) MANAGEMENT PLAN.—The Secretary, in consulta-*  
 25 *tion with the Commission, shall prepare a management*

1 *plan for the Park. In particular, the management plan*  
 2 *shall contain provisions to address the needs of owners of*  
 3 *non-Federal land, including independent nonprofit organi-*  
 4 *zations within the boundaries of the Park.*

5 (b) *SUBMISSION OF PLAN TO CONGRESS.*—*Not later*  
 6 *than 3 years after the date of the enactment of this Act,*  
 7 *the Secretary shall submit the management plan for the*  
 8 *Park to the Committee on Resources of the House of Rep-*  
 9 *resentatives and the Committee on Energy and Natural Re-*  
 10 *sources of the Senate.*

11 **SEC. 9. CEDAR CREEK AND BELLE GROVE NATIONAL HIS-**  
 12 **TORICAL PARK ADVISORY COMMISSION.**

13 (a) *ESTABLISHMENT.*—*There is established the Cedar*  
 14 *Creek and Belle Grove National Historical Park Advisory*  
 15 *Commission.*

16 (b) *DUTIES.*—*The Commission shall—*

17 (1) *advise the Secretary in the preparation and*  
 18 *implementation of a general management plan de-*  
 19 *scribed in section 8; and*

20 (2) *advise the Secretary with respect to the iden-*  
 21 *tification of sites of significance outside the Park*  
 22 *boundary deemed necessary to fulfill the purposes of*  
 23 *this Act.*

24 (c) *MEMBERSHIP.*—



1           (1) *COMPOSITION.—The Commission shall be*  
2           *composed of 15 members appointed by the Secretary*  
3           *so as to include the following:*

4                   (A) *1 representative from the Common-*  
5                   *wealth of Virginia.*

6                   (B) *1 representative each from the local 20*  
7                   *governments of Strasburg, Middletown, Frederick*  
8                   *County, Shenandoah County, and Warren Coun-*  
9                   *ty.*

10                  (C) *2 representatives of private landowners*  
11                  *within the Park.*

12                  (D) *1 representative from a citizen interest*  
13                  *group.*

14                  (E) *1 representative from the Cedar Creek*  
15                  *Battlefield Foundation.*

16                  (F) *1 representative from Belle Grove, In-*  
17                  *corporated.*

18                  (G) *1 representative from the National*  
19                  *Trust for Historic Preservation.*

20                  (H) *1 representative from the Shenandoah*  
21                  *Valley Battlefields Foundation.*

22                  (I) *1 ex-officio representative from the Na-*  
23                  *tional Park Service.*

24                  (J) *1 ex-officio representative from the*  
25                  *United States Forest Service.*

1           (2) *CHAIRPERSON.*—*The Chairperson of the*  
 2           *Commission shall be elected by the members to serve*  
 3           *a term of one year renewable for one additional year.*

4           (3) *VACANCIES.*—*A vacancy on the Commission*  
 5           *shall be filled in the same manner in which the origi-*  
 6           *nal appointment was made.*

7           (4) *TERMS OF SERVICE.*—

8                   (A) *IN GENERAL.*—*Each member shall be*  
 9                   *appointed for a term of 3 years and may be re-*  
 10                  *appointed for not more than 2 successive terms.*

11                  (B) *INITIAL MEMBERS.*—*Of the members*  
 12                  *first appointed under paragraph (1), the Sec-*  
 13                  *retary shall appoint—*

14                               (i) *4 members for a term of 1 year;*

15                               (ii) *5 members for a term of 2 years;*

16                               *and*

17                               (iii) *6 members for a term of 3 years.*

18           (5) *EXTENDED SERVICE.*—*A member may serve*  
 19           *after the expiration of that member's term until a*  
 20           *successor has taken office.*

21           (6) *MAJORITY RULE.*—*The Commission shall act*  
 22           *and advise by affirmative vote of a majority of its*  
 23           *members.*

1           (7) *MEETINGS.*—*The Commission shall meet at*  
2           *least quarterly at the call of the chairperson or a ma-*  
3           *jority of the members of the Commission.*

4           (8) *QUORUM.*—*8 members shall constitute a*  
5           *quorum.*

6           (d) *COMPENSATION.*—*Members shall serve without*  
7           *pay. Members who are full-time officers or employees of the*  
8           *United States, the Commonwealth of Virginia, or any polit-*  
9           *ical subdivision thereof shall receive no additional pay on*  
10          *account of their service on the Commission.*

11          (e) *TRAVEL EXPENSES.*—*While away from their homes*  
12          *or regular places of business in the performance of service*  
13          *for the Commission, members shall be allowed travel ex-*  
14          *penses, including per diem in lieu of subsistence, in the*  
15          *same manner as persons employed intermittently in the*  
16          *Government service are allowed expenses under section 5703*  
17          *of title 5, United States Code.*

18          (f) *HEARINGS; PUBLIC INVOLVEMENT.*—*The Commis-*  
19          *sion may, for purposes of carrying out this Act, hold such*  
20          *hearings, sit and act at such times and places, take such*  
21          *public testimony, and receive such evidence, as the Commis-*  
22          *sion considers appropriate. The Commission may not issue*  
23          *subpoenas or exercise any subpoena authority.*

1 **SEC. 10. CONSERVATION OF CEDAR CREEK AND BELLE**  
2 **GROVE NATIONAL HISTORICAL PARK.**

3 (a) *ENCOURAGEMENT OF CONSERVATION.*—The Sec-  
4 retary and the Commission shall encourage conservation of  
5 the historic and natural resources within and in proximity  
6 of the Park by landowners, local governments, organiza-  
7 tions, and businesses.

8 (b) *PROVISION OF TECHNICAL ASSISTANCE.*—The Sec-  
9 retary may provide technical assistance to local govern-  
10 ments, in cooperative efforts which complement the values  
11 of the Park.

12 (c) *COOPERATION BY FEDERAL AGENCIES.*—Any Fed-  
13 eral entity conducting or supporting activities directly af-  
14 fecting the Park shall consult, cooperate, and, to the max-  
15 imum extent practicable, coordinate its activities with the  
16 Secretary in a manner that—

17 (1) *is consistent with the purposes of this Act*  
18 *and the standards and criteria established pursuant*  
19 *to the general management plan developed pursuant*  
20 *to section 8;*

21 (2) *is not likely to have an adverse effect on the*  
22 *resources of the Park; and*

23 (3) *is likely to provide for full public participa-*  
24 *tion in order to consider the views of all interested*  
25 *parties.*

1 **SEC. 11. ENDOWMENT.**

2 (a) *IN GENERAL.*—*In accordance with the provisions*  
 3 *of subsection (b), the Secretary is authorized to receive and*  
 4 *expend funds from an endowment to be established with the*  
 5 *National Park Foundation, or its successors and assigns.*

6 (b) *CONDITIONS.*—*Funds from the endowment referred*  
 7 *to in subsection (a) shall be expended exclusively as the Sec-*  
 8 *retary, in consultation with the Commission, may designate*  
 9 *for the interpretation, preservation, and maintenance of the*  
 10 *Park resources and public access areas. No expenditure*  
 11 *shall be made pursuant to this section unless the Secretary*  
 12 *determines that such expenditure is consistent with the pur-*  
 13 *poses of this Act.*

14 **SEC. 12. COOPERATIVE AGREEMENTS.**

15 (a) *IN GENERAL.*—*In order to further the purposes of*  
 16 *this Act, the Secretary is authorized to enter into coopera-*  
 17 *tive agreements with interested public and private entities*  
 18 *and individuals (including the National Trust for Historic*  
 19 *Preservation, Belle Grove, Inc., the Cedar Creek Battlefield*  
 20 *Foundation, the Shenandoah Valley Battlefields Founda-*  
 21 *tion, and the Counties of Frederick, Shenandoah, and War-*  
 22 *ren), through technical and financial assistance, including*  
 23 *encouraging the conservation of historic and natural re-*  
 24 *sources of the Park.*

25 (b) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*  
 26 *Secretary may provide to any person, organization, or gov-*

1 *ernmental entity technical and financial assistance for the*  
 2 *purposes of this Act, including the following:*

3 *(1) Preserving historic structures within the*  
 4 *Park.*

5 *(2) Maintaining the natural or cultural land-*  
 6 *scape of the Park.*

7 *(3) Local preservation planning, interpretation,*  
 8 *and management of public visitation for the Park.*

9 *(4) Furthering the goals of the Shenandoah Val-*  
 10 *ley Battlefields Foundation related to the Park.*

11 **SEC. 13. ROLES OF KEY PARTNER ORGANIZATIONS.**

12 *(a) IN GENERAL.—In recognition that central portions*  
 13 *of the Park are presently owned and operated for the benefit*  
 14 *of the public by key partner organizations, the Secretary*  
 15 *shall acknowledge and support the continued participation*  
 16 *of these partner organizations in the management of the*  
 17 *Park.*

18 *(b) PARK PARTNERS.—Roles of the current key part-*  
 19 *ners include the following:*

20 *(1) CEDAR CREEK BATTLEFIELD FOUNDATION.—*  
 21 *The Cedar Creek Battlefield Foundation may—*

22 *(A) continue to own, operate, and manage*  
 23 *the lands acquired by the Foundation with the*  
 24 *Park;*

1           (B) continue to conduct re-enactments and  
2           other events within the Park; and

3           (C) transfer ownership interest in portions  
4           of their land to the National Park Service by do-  
5           nation, sale, or other means that meet the legal  
6           requirements of National Park Service land ac-  
7           quisitions.

8           (2) NATIONAL TRUST FOR HISTORIC PRESERVA-  
9           TION AND BELLE GROVE INCORPORATED.—The Na-  
10          tional Trust for Historic Preservation and Belle  
11          Grove Incorporated may continue to own, operate,  
12          and manage Belle Grove Plantation and its structures  
13          and grounds within the Park boundary. Belle Grove  
14          Incorporated may continue to own the house and  
15          grounds known as Bowman's Fort or Harmony Hall  
16          for the purpose of permanent preservation, with a  
17          long-term goal of opening the property to the public.

18          (3) SHENANDOAH COUNTY.—Shenandoah County  
19          may continue to own, operate, and manage the Keis-  
20          ter park site within the Park for the benefit of the  
21          public.

22          (4) PARK COMMUNITY PARTNERS.—The Sec-  
23          retary shall cooperate with the Park's adjacent his-  
24          toric towns of Strasburg and Middletown, Virginia,

1       *as well as Frederick, Shenandoah, and Warren coun-*  
 2       *ties in furthering the purposes of the Park.*

3               (5) *SHENANDOAH VALLEY BATTLEFIELDS FOUN-*  
 4       *DATION.—The Shenandoah Valley Battlefields Foun-*  
 5       *dation may continue to administer and manage the*  
 6       *Shenandoah Valley Battlefields National Historic*  
 7       *District in partnership with the National Park Serv-*  
 8       *ice and in accordance with the Management Plan for*  
 9       *the District in which the Park is located.*

10   **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

11       *There is authorized to be appropriated such sums as*  
 12    *are necessary to carry out this Act.*

Amend the title so as to read: “A bill to designate the Cedar Creek and Belle Grove National Historical Park as a unit of the National Park System, and for other purposes.”.





**Calendar No. 650**

107TH CONGRESS  
2D SESSION

**S. 2623**

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**A BILL**

To designate the Cedar Creek Battlefield and Belle  
Grove Plantation National Historical Park as a  
unit of the National Park System, and for other  
purposes.

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OCTOBER 8, 2002

Reported with an amendment and an amendment to the  
title