

109TH CONGRESS
1ST SESSION

S. 825

To establish the Crossroads of the American Revolution National Heritage Area in the State of New Jersey, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2005

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

A BILL

To establish the Crossroads of the American Revolution National Heritage Area in the State of New Jersey, 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.**

4 This Act may be cited as the “Crossroads of the
5 American Revolution National Heritage Area Act of
6 2005”.

7 **SEC. 2. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—Congress finds that—

1 (1) the State of New Jersey was critically im-
2 portant during the American Revolution because of
3 the strategic location of the State between the Brit-
4 ish armies headquartered in New York City, New
5 York, and the Continental Congress in the city of
6 Philadelphia, Pennsylvania;

7 (2) General George Washington spent almost
8 half of the period of the American Revolution per-
9 sonally commanding troops of the Continental Army
10 in the State of New Jersey, including 2 severe win-
11 ters spent in encampments in the area that is now
12 Morristown National Historical Park, a unit of the
13 National Park System;

14 (3) it was during the 10 crucial days of the
15 American Revolution between December 25, 1776,
16 and January 3, 1777, that General Washington,
17 after retreating across the State of New Jersey from
18 the State of New York to the State of Pennsylvania
19 in the face of total defeat, recrossed the Delaware
20 River on the night of December 25, 1776, and went
21 on to win crucial battles at Trenton and Princeton
22 in the State of New Jersey;

23 (4) Thomas Paine, who accompanied the troops
24 during the retreat, described the events during those
25 days as “the times that try men’s souls”;

1 (5) the sites of 296 military engagements are
2 located in the State of New Jersey, including—

3 (A) several important battles of the Amer-
4 ican Revolution that were significant to—

5 (i) the outcome of the American Revo-
6 lution; and

7 (ii) the history of the United States;
8 and

9 (B) several national historic landmarks, in-
10 cluding Washington’s Crossing, the Old Tren-
11 ton Barracks, and Princeton, Monmouth, and
12 Red Bank Battlefields;

13 (6) additional national historic landmarks in
14 the State of New Jersey include the homes of—

15 (A) Richard Stockton, Joseph Hewes, John
16 Witherspoon, and Francis Hopkinson, signers
17 of the Declaration of Independence;

18 (B) Elias Boudinout, President of the Con-
19 tinental Congress; and

20 (C) William Livingston, patriot and Gov-
21 ernor of the State of New Jersey from 1776 to
22 1790;

23 (7) portions of the landscapes important to the
24 strategies of the British and Continental armies, in-

cluding waterways, mountains, farms, wetlands, villages, and roadways—

(A) retain the integrity of the period of the American Revolution; and

(B) offer outstanding opportunities for conservation, education, and recreation;

(8) the National Register of Historic Places lists 251 buildings and sites in the National Park Service study area for the Crossroads of the American Revolution that are associated with the period of the American Revolution;

(9) civilian populations residing in the State of New Jersey during the American Revolution suffered extreme hardships because of—

(A) the continuous conflict in the State;

(B) foraging armies; and

(C) marauding contingents of loyalist Tories and rebel sympathizers;

(10) because of the important role that the State of New Jersey played in the successful outcome of the American Revolution, there is a Federal interest in developing a regional framework to assist the State of New Jersey, local governments and organizations, and private citizens in—

1 (A) preserving and protecting cultural, his-
2 toric, and natural resources of the period; and

3 (B) bringing recognition to those resources
4 for the educational and recreational benefit of
5 the present and future generations of citizens of
6 the United States; and

7 (11) the National Park Service has conducted a
8 national heritage area feasibility study in the State
9 of New Jersey that demonstrates that there is a suf-
10 ficient assemblage of nationally distinctive cultural,
11 historic, and natural resources necessary to establish
12 the Crossroads of the American Revolution National
13 Heritage Area.

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

15 (1) to assist communities, organizations, and
16 citizens in the State of New Jersey in preserving—

17 (A) the special historic identity of the
18 State; and

19 (B) the importance of the State to the
20 United States;

21 (2) to foster a close working relationship among
22 all levels of government, the private sector, and local
23 communities in the State;

24 (3) to provide for the management, preserva-
25 tion, protection, and interpretation of the cultural,

1 historic, and natural resources of the State for the
 2 educational and inspirational benefit of future gen-
 3 erations;

4 (4) to strengthen the value of Morristown Na-
 5 tional Historical Park as an asset to the State by—

6 (A) establishing a network of related his-
 7 toric resources, protected landscapes, edu-
 8 cational opportunities, and events depicting the
 9 landscape of the State of New Jersey during
 10 the American Revolution; and

11 (B) establishing partnerships between Mor-
 12 ristown National Historical Park and other
 13 public and privately owned resources in the
 14 Heritage Area that represent the strategic ful-
 15 crum of the American Revolution; and

16 (5) to authorize Federal financial and technical
 17 assistance for the purposes described in paragraphs
 18 (1) through (4).

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) ASSOCIATION.—The term “Association”
 22 means the Crossroads of the American Revolution
 23 Association, Inc., a nonprofit corporation in the
 24 State.

1 (2) HERITAGE AREA.—The term “Heritage
2 Area” means the Crossroads of the American Revo-
3 lution National Heritage Area established by section
4 4(a).

5 (3) MANAGEMENT ENTITY.—The term “man-
6 agement entity” means the management entity for
7 the Heritage Area designated by section 4(d).

8 (4) MANAGEMENT PLAN.—The term “manage-
9 ment plan” means the management plan for the
10 Heritage Area developed under section 5.

11 (5) MAP.—The term “map” means the map en-
12 titled “Crossroads of the American Revolution Na-
13 tional Heritage Area”, numbered CRREL80,000,
14 and dated April 2002.

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior.

17 (7) STATE.—The term “State” means the State
18 of New Jersey.

19 **SEC. 4. CROSSROADS OF THE AMERICAN REVOLUTION NA-**
20 **TIONAL HERITAGE AREA.**

21 (a) ESTABLISHMENT.—There is established in the
22 State the Crossroads of the American Revolution National
23 Heritage Area.

1 (b) BOUNDARIES.—The Heritage Area shall consist
 2 of the land and water within the boundaries of the Herit-
 3 age Area, as depicted on the map.

4 (c) AVAILABILITY OF MAP.—The map shall be on file
 5 and available for public inspection in the appropriate of-
 6 fices of the National Park Service.

7 (d) MANAGEMENT ENTITY.—The Association shall
 8 be the management entity for the Heritage Area.

9 **SEC. 5. MANAGEMENT PLAN.**

10 (a) IN GENERAL.—Not later than 3 years after the
 11 date on which funds are first made available to carry out
 12 this Act, the management entity shall submit to the Sec-
 13 retary for approval a management plan for the Heritage
 14 Area.

15 (b) REQUIREMENTS.—The management plan shall—

16 (1) include comprehensive policies, strategies,
 17 and recommendations for conservation, funding,
 18 management, and development of the Heritage Area;

19 (2) take into consideration existing State, coun-
 20 ty, and local plans;

21 (3) describe actions that units of local govern-
 22 ment, private organizations, and individuals have
 23 agreed to take to protect the cultural, historic, and
 24 natural resources of the Heritage Area;

1 (4) identify existing and potential sources of
2 funding for the protection, management, and devel-
3 opment of the Heritage Area during the first 5 years
4 of implementation of the management plan; and

5 (5) include—

6 (A) an inventory of the cultural, edu-
7 cational, historic, natural, recreational, and sce-
8 nic resources of the Heritage Area relating to
9 the themes of the Heritage Area that should be
10 restored, managed, or developed;

11 (B) recommendations of policies and strat-
12 egies for resource management that result in—

13 (i) application of appropriate land and
14 water management techniques; and

15 (ii) development of intergovernmental
16 and interagency cooperative agreements to
17 protect the cultural, educational, historic,
18 natural, recreational, and scenic resources
19 of the Heritage Area;

20 (C) a program of implementation of the
21 management plan that includes for the first 5
22 years of implementation—

23 (i) plans for resource protection, res-
24 toration, construction; and

1 (ii) specific commitments for imple-
2 mentation that have been made by the
3 management entity or any government, or-
4 ganization, or individual;

5 (D) an analysis of and recommendations
6 for ways in which Federal, State, and local pro-
7 grams, including programs of the National
8 Park Service, may be best coordinated to pro-
9 mote the purposes of this Act; and

10 (E) an interpretive plan for the Heritage
11 Area.

12 (c) APPROVAL OR DISAPPROVAL OF MANAGEMENT
13 PLAN.—

14 (1) IN GENERAL.—Not later than 90 days after
15 the date of receipt of the management plan under
16 subsection (a), the Secretary shall approve or dis-
17 approve the management plan.

18 (2) CRITERIA.—In determining whether to ap-
19 prove the management plan, the Secretary shall con-
20 sider whether—

21 (A) the Board of Directors of the manage-
22 ment entity is representative of the diverse in-
23 terests of the Heritage Area, including—

24 (i) governments;

1 (ii) natural and historic resource pro-
2 tection organizations;

3 (iii) educational institutions;

4 (iv) businesses; and

5 (v) recreational organizations;

6 (B) the management entity provided ade-
7 quate opportunity for public and governmental
8 involvement in the preparation of the manage-
9 ment plan, including public hearings;

10 (C) the resource protection and interpreta-
11 tion strategies in the management plan would
12 adequately protect the cultural, historic, and
13 natural resources of the Heritage Area; and

14 (D) the Secretary has received adequate
15 assurances from the appropriate State and local
16 officials whose support is needed to ensure the
17 effective implementation of the State and local
18 aspects of the management plan.

19 (3) ACTION FOLLOWING DISAPPROVAL.—If the
20 Secretary disapproves the management plan under
21 paragraph (1), the Secretary shall—

22 (A) advise the management entity in writ-
23 ing of the reasons for the disapproval;

24 (B) make recommendations for revisions to
25 the management plan; and

1 (C) not later than 60 days after the receipt
2 of any proposed revision of the management
3 plan from the management entity, approve or
4 disapprove the proposed revision.

5 (d) AMENDMENTS.—

6 (1) IN GENERAL.—The Secretary shall approve
7 or disapprove each amendment to the management
8 plan that the Secretary determines may make a sub-
9 stantial change to the management plan.

10 (2) USE OF FUNDS.—Funds made available
11 under this Act shall not be expended by the manage-
12 ment entity to implement an amendment described
13 in paragraph (1) until the Secretary approves the
14 amendment.

15 (e) IMPLEMENTATION.—On completion of the 3-year
16 period described in subsection (a), any funding made
17 available under this Act shall be made available to the
18 management entity only for implementation of the ap-
19 proved management plan.

20 **SEC. 6. AUTHORITIES, DUTIES, AND PROHIBITIONS APPLI-**
21 **CABLE TO THE MANAGEMENT ENTITY.**

22 (a) AUTHORITIES.—For purposes of preparing and
23 implementing the management plan, the management en-
24 tity may use funds made available under this Act to—

1 (1) make grants to, provide technical assistance
2 to, and enter into cooperative agreements with, the
3 State (including a political subdivision), a nonprofit
4 organization, or any other person;

5 (2) hire and compensate staff, including individ-
6 uals with expertise in—

7 (A) cultural, historic, or natural resource
8 protection; or

9 (B) heritage programming;

10 (3) obtain funds or services from any source
11 (including a Federal law or program);

12 (4) contract for goods or services; and

13 (5) support any other activity—

14 (A) that furthers the purposes of the Her-
15 itage Area; and

16 (B) that is consistent with the manage-
17 ment plan.

18 (b) DUTIES.—In addition to developing the manage-
19 ment plan, the management entity shall—

20 (1) assist units of local government, regional
21 planning organizations, and nonprofit organizations
22 in implementing the approved management plan
23 by—

1 (A) carrying out programs and projects
2 that recognize, protect, and enhance important
3 resource values in the Heritage Area;

4 (B) establishing and maintaining interpre-
5 tive exhibits and programs in the Heritage
6 Area;

7 (C) developing recreational and educational
8 opportunities in the Heritage Area;

9 (D) increasing public awareness of and ap-
10 preciation for cultural, historic, and natural re-
11 sources of the Heritage Area;

12 (E) protecting and restoring historic sites
13 and buildings that are—

14 (i) located in the Heritage Area; and

15 (ii) related to the themes of the Herit-
16 age Area;

17 (F) ensuring that clear, consistent, and ap-
18 propriate signs identifying points of public ac-
19 cess and sites of interest are installed through-
20 out the Heritage Area; and

21 (G) promoting a wide range of partner-
22 ships among governments, organizations, and
23 individuals to further the purposes of the Herit-
24 age Area;

1 (2) in preparing and implementing the manage-
2 ment plan, consider the interests of diverse units of
3 government, businesses, organizations, and individ-
4 uals in the Heritage Area;

5 (3) conduct public meetings at least semiannu-
6 ally regarding the development and implementation
7 of the management plan;

8 (4) for any fiscal year for which Federal funds
9 are received under this Act—

10 (A) submit to the Secretary a report that
11 describes for the year—

12 (i) the accomplishments of the man-
13 agement entity;

14 (ii) the expenses and income of the
15 management entity; and

16 (iii) each entity to which a grant was
17 made;

18 (B) make available for audit all informa-
19 tion relating to the expenditure of the funds
20 and any matching funds; and

21 (C) require, for all agreements authorizing
22 expenditures of Federal funds by any entity,
23 that the receiving entity make available for
24 audit all records and other information relating
25 to the expenditure of the funds;

1 (5) encourage, by appropriate means, economic
2 viability that is consistent with the purposes of the
3 Heritage Area; and

4 (6) maintain headquarters for the management
5 entity at Morristown National Historical Park and
6 in Mercer County.

7 (c) PROHIBITION ON THE ACQUISITION OF REAL
8 PROPERTY.—

9 (1) FEDERAL FUNDS.—The management entity
10 shall not use Federal funds made available under
11 this Act to acquire real property or any interest in
12 real property.

13 (2) OTHER FUNDS.—Notwithstanding para-
14 graph (1), the management entity may acquire real
15 property or an interest in real property using any
16 other source of funding, including other Federal
17 funding.

18 **SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**
19 **FEDERAL AGENCIES.**

20 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

21 (1) IN GENERAL.—On the request of the man-
22 agement entity, the Secretary may provide technical
23 and financial assistance to the Heritage Area for the
24 development and implementation of the management
25 plan.

1 (2) PRIORITY FOR ASSISTANCE.—In providing
2 assistance under paragraph (1), the Secretary shall
3 give priority to actions that assist in—

4 (A) conserving the significant cultural, his-
5 toric, natural, and scenic resources of the Her-
6 itage Area; and

7 (B) providing educational, interpretive, and
8 recreational opportunities consistent with the
9 purposes of the Heritage Area.

10 (3) OPERATIONAL ASSISTANCE.—Subject to the
11 availability of appropriations, the Superintendent of
12 Morristown National Historical Park may, on re-
13 quest, provide to public and private organizations in
14 the Heritage Area, including the management entity,
15 any operational assistance that is appropriate for the
16 purpose of supporting the implementation of the
17 management plan.

18 (4) PRESERVATION OF HISTORIC PROP-
19 ERTIES.—To carry out the purposes of this Act, the
20 Secretary may provide assistance to a State or local
21 government or nonprofit organization to provide for
22 the appropriate treatment of—

23 (A) historic objects; or

1 (B) structures that are listed or eligible for
 2 listing on the National Register of Historic
 3 Places.

4 (5) COOPERATIVE AGREEMENTS.—The Sec-
 5 retary may enter into cooperative agreements with
 6 the management entity and other public or private
 7 entities to carry out this subsection.

8 (b) OTHER FEDERAL AGENCIES.—Any Federal
 9 agency conducting or supporting an activity that directly
 10 affects the Heritage Area shall—

11 (1) consult with the Secretary and the manage-
 12 ment entity regarding the activity;

13 (2)(A) cooperate with the Secretary and the
 14 management entity in carrying out the of the Fed-
 15 eral agency under this Act; and

16 (B) to the maximum extent practicable, coordi-
 17 nate the activity with the carrying out of those du-
 18 ties; and

19 (3) to the maximum extent practicable, conduct
 20 the activity to avoid adverse effects on the Heritage
 21 Area.

22 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-
 24 priated to carry out this Act \$10,000,000, of which not

1 more than \$1,000,000 may be authorized to be appro-
2 priated for any fiscal year.

3 (b) COST-SHARING REQUIREMENT.—The Federal
4 share of the cost of any activity assisted under this Act
5 shall be not more than 50 percent.

6 **SEC. 9. TERMINATION OF AUTHORITY.**

7 The authority of the Secretary to provide assistance
8 under this Act terminates on the date that is 15 years
9 after the date of enactment of this Act.

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