

Union Calendar No. 444

107TH CONGRESS
2^D SESSION

H. R. 4944

[Report No. 107-713]

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2002

Mr. WOLF (for himself and Mr. GOODLATTE) introduced the following bill;
which was referred to the Committee on Resources

OCTOBER 1, 2002

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on June 13, 2002]

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 and Belle*
3 *Grove National Historical Park Act”.*

4 **SEC. 2. PURPOSE.**

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

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

11 *(2) tell the rich story of Shenandoah Valley his-*
12 *tory from early settlement through the Civil War and*
13 *beyond, and the Battle of Cedar Creek and its signifi-*
14 *cance in the conduct of the war in the Shenandoah*
15 *Valley;*

16 *(3) preserve the significant historic, natural, cul-*
17 *tural, military, and scenic resources found in the*
18 *Cedar Creek Battlefield and Belle Grove Plantation*
19 *areas through partnerships with local landowners and*
20 *the community; and*

21 *(4) serve as a focal point to recognize and inter-*
22 *pret important events and geographic locations with-*
23 *in the Shenandoah Valley Battlefields National His-*
24 *toric District representing key Civil War battles in*
25 *the Shenandoah Valley, including those battlefields as-*
26 *sociated with the Thomas J. (Stonewall) Jackson*

1 *campaign of 1862 and the decisive campaigns of*
2 *1864.*

3 **SEC. 3. FINDINGS.**

4 *Congress finds the following:*

5 *(1) The Battle of Cedar Creek, also known as the*
6 *battle of Belle Grove, was a major event of the Civil*
7 *War and the history of this country. It represented*
8 *the end of the Civil War's Shenandoah Valley cam-*
9 *paign of 1864 and contributed to the reelection of*
10 *President Abraham Lincoln and the eventual outcome*
11 *of the war.*

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

21 *(3) The Secretary of the Interior has approved*
22 *the Shenandoah Valley Battlefields National Historic*
23 *District Management Plan and the National Park*
24 *Service Special Resource Study, both of which recog-*
25 *nized Cedar Creek Battlefield as the most significant*

1 *Civil War resource within the historic district. The*
2 *management plan, which was developed with exten-*
3 *sive public participation over a 3-year period and is*
4 *administered by the Shenandoah Valley Battlefields*
5 *Foundation, recommends that Cedar Creek Battlefield*
6 *be established as a new unit of the National Park*
7 *System.*

8 (4) *The Cedar Creek Battlefield Foundation, or-*
9 *ganized in 1988 to preserve and interpret the Cedar*
10 *Creek Battlefield and the 1864 Valley Campaign, has*
11 *acquired 308 acres of land within the boundaries of*
12 *the National Historic Landmark. The foundation an-*
13 *nually hosts a major reenactment and living history*
14 *event on the Cedar Creek Battlefield.*

15 (5) *Belle Grove Plantation is a Historic Site of*
16 *the National Trust for Historic Preservation that oc-*
17 *cupies 383 acres within the National Historic Land-*
18 *mark. The Belle Grove Manor House was built by*
19 *Isaac Hite, a Revolutionary War patriot married to*
20 *the sister of President James Madison, who was a fre-*
21 *quent visitor at Belle Grove. President Thomas Jeffer-*
22 *son assisted with the design of the house. During the*
23 *Civil War Belle Grove was at the center of the deci-*
24 *sive battle of Cedar Creek. Belle Grove is managed lo-*
25 *cally by Belle Grove, Incorporated, and has been open*

1 to the public since 1967. The house has remained vir-
2 tually unchanged since it was built in 1797, offering
3 visitors an experience of the life and times of the peo-
4 ple who lived there in the 18th and 19th centuries.

5 (6) *The panoramic views of the mountains, nat-
6 ural areas, and waterways provide visitors with an
7 inspiring setting of great natural beauty. The his-
8 toric, natural, cultural, military, and scenic resources
9 found in the Cedar Creek Battlefield and Belle Grove
10 Plantation areas are nationally and regionally sig-
11 nificant.*

12 (7) *The existing, independent, not-for-profit or-
13 ganizations dedicated to the protection and interpre-
14 tation of the resources described above provide the
15 foundation for public-private partnerships to further
16 the success of protecting, preserving, and interpreting
17 these resources.*

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

21 **SEC. 4. DEFINITIONS.**

22 *In this Act:*

23 (1) **COMMISSION.**—*The term “Commission”*
24 *means the Cedar Creek and Belle Grove National His-*

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

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

5 (2) administer newly acquired land subject to
6 applicable laws (including regulations).

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

10 (d) *CONSERVATION EASEMENTS AND COVENANTS.*—
11 The Secretary is authorized to acquire conservation ease-
12 ments and enter into covenants regarding lands in or adja-
13 cent to the Park from willing sellers only. Such conservation
14 easements and covenants shall have the effect of protecting
15 the scenic, natural, and historic resources on adjacent lands
16 and preserving the natural or historic setting of the Park
17 when viewed from within or outside the Park.

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

1 **SEC. 7. ADMINISTRATION.**

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

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

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

13 **SEC. 8. MANAGEMENT OF PARK.**

14 *(a) MANAGEMENT PLAN.—The Secretary, in consulta-*
15 *tion with the Commission, shall prepare a management*
16 *plan for the Park. In particular, the management plan*
17 *shall contain provisions to address the needs of owners of*
18 *non-Federal land, including independent nonprofit organi-*
19 *zations within the boundaries of the Park.*

20 *(b) SUBMISSION OF PLAN TO CONGRESS.—Not later*
21 *than 3 years after the date of the enactment of this Act,*
22 *the Secretary shall submit the management plan for the*
23 *Park to the Committee on Resources of the House of Rep-*
24 *resentatives and the Committee on Energy and Natural Re-*
25 *sources of the Senate.*

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

3 (a) *ESTABLISHMENT.*—*There is established the Cedar*
4 *Creek and Belle Grove National Historical Park Advisory*
5 *Commission.*

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

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

10 (2) *advise the Secretary with respect to the iden-*
11 *tification of sites of significance outside the Park*
12 *boundary deemed necessary to fulfill the purposes of*
13 *this Act.*

14 (c) *MEMBERSHIP.*—

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

18 (A) *1 representative from the Common-*
19 *wealth of Virginia.*

20 (B) *1 representative each from the local gov-*
21 *ernments of Strasburg, Middletown, Frederick*
22 *County, Shenandoah County, and Warren Coun-*
23 *ty.*

24 (C) *2 representatives of private landowners*
25 *within the Park.*

1 (D) 1 representative from a citizen interest
2 group.

3 (E) 1 representative from the Cedar Creek
4 Battlefield Foundation.

5 (F) 1 representative from Belle Grove, In-
6 corporated.

7 (G) 1 representative from the National
8 Trust for Historic Preservation.

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

11 (I) 1 ex-officio representative from the Na-
12 tional Park Service.

13 (J) 1 ex-officio representative from the
14 United States Forest Service.

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

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

21 (4) TERMS OF SERVICE.—

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

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

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

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

6 and

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

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

11 (6) *MAJORITY RULE.*—The Commission shall act
12 and advise by affirmative vote of a majority of its
13 members.

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

17 (8) *QUORUM.*—8 members shall constitute a
18 quorum.

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

24 (e) *TRAVEL EXPENSES.*—While away from their homes
25 or regular places of business in the performance of service

1 *for the Commission, members shall be allowed travel ex-*
2 *penses, including per diem in lieu of subsistence, in the*
3 *same manner as persons employed intermittently in the*
4 *Government service are allowed expenses under section 5703*
5 *of title 5, United States Code.*

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

12 **SEC. 10. CONSERVATION OF CEDAR CREEK AND BELLE**
13 **GROVE NATIONAL HISTORICAL PARK.**

14 *(a) ENCOURAGEMENT OF CONSERVATION.—The Sec-*
15 *retary and the Commission shall encourage conservation of*
16 *the historic and natural resources within and in proximity*
17 *of the Park by landowners, local governments, organiza-*
18 *tions, and businesses.*

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

23 *(c) COOPERATION BY FEDERAL AGENCIES.—Any Fed-*
24 *eral entity conducting or supporting activities directly af-*
25 *fecting the Park shall consult, cooperate, and, to the max-*

1 *imum extent practicable, coordinate its activities with the*
2 *Secretary in a manner that—*

3 *(1) is consistent with the purposes of this Act*
4 *and the standards and criteria established pursuant*
5 *to the general management plan developed pursuant*
6 *to section 8;*

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

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

12 **SEC. 11. ENDOWMENT.**

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

17 *(b) CONDITIONS.—Funds from the endowment referred*
18 *to in subsection (a) shall be expended exclusively as the Sec-*
19 *retary, in consultation with the Commission, may designate*
20 *for the interpretation, preservation, and maintenance of the*
21 *Park resources and public access areas. No expenditure*
22 *shall be made pursuant to this section unless the Secretary*
23 *determines that such expenditure is consistent with the pur-*
24 *poses of this Act.*

1 **SEC. 12. COOPERATIVE AGREEMENTS.**

2 (a) *IN GENERAL.*—*In order to further the purposes of*
3 *this Act, the Secretary is authorized to enter into coopera-*
4 *tive agreements with interested public and private entities*
5 *and individuals (including the National Trust for Historic*
6 *Preservation, Belle Grove, Inc., the Cedar Creek Battlefield*
7 *Foundation, the Shenandoah Valley Battlefields Founda-*
8 *tion, and the Counties of Frederick, Shenandoah, and War-*
9 *ren), through technical and financial assistance, including*
10 *encouraging the conservation of historic and natural re-*
11 *sources within and near the Park.*

12 (b) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*
13 *Secretary may provide to any person, organization, or gov-*
14 *ernmental entity technical and financial assistance for the*
15 *purposes of this Act, including the following:*

16 (1) *Preserving historic structures within the*
17 *Park.*

18 (2) *Maintaining the natural or cultural land-*
19 *scape of the Park.*

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

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

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

25 (a) *IN GENERAL.*—*In recognition that central portions*
26 *of the Park are presently owned and operated for the benefit*

1 *of the public by key partner organizations, the Secretary*
2 *shall acknowledge and support the continued participation*
3 *of these partner organizations in the management of the*
4 *Park.*

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

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

9 *(A) continue to own, operate, and manage*
10 *the lands acquired by the Foundation within the*
11 *Park;*

12 *(B) continue to conduct reenactments and*
13 *other events within the Park; and*

14 *(C) transfer ownership interest in portions*
15 *of their land to the National Park Service by do-*
16 *nation, sale, or other means that meet the legal*
17 *requirements of National Park Service land ac-*
18 *quisitions.*

19 *(2) NATIONAL TRUST FOR HISTORIC PRESERVA-*
20 *TION AND BELLE GROVE INCORPORATED.—The Na-*
21 *tional Trust for Historic Preservation and Belle*
22 *Grove Incorporated may continue to own, operate,*
23 *and manage Belle Grove Plantation and its structures*
24 *and grounds within the Park boundary. Belle Grove*
25 *Incorporated may continue to own the house and*

1 *grounds known as Bowman's Fort or Harmony Hall*
2 *for the purpose of permanent preservation, with a*
3 *long-term goal of opening the property to the public.*

4 (3) *SHENANDOAH COUNTY.*—*Shenandoah County*
5 *may continue to own, operate, and manage the Keis-*
6 *ter park site within the Park for the benefit of the*
7 *public.*

8 (4) *PARK COMMUNITY PARTNERS.*—*The Sec-*
9 *retary shall cooperate with the Park's adjacent his-*
10 *toric towns of Strasburg and Middletown, Virginia,*
11 *as well as Frederick, Shenandoah, and Warren coun-*
12 *ties in furthering the purposes of the Park.*

13 (5) *SHENANDOAH VALLEY BATTLEFIELDS FOUN-*
14 *DATION.*—*The Shenandoah Valley Battlefields Foun-*
15 *dation may continue to administer and manage the*
16 *Shenandoah Valley Battlefields National Historic*
17 *District in partnership with the National Park Serv-*
18 *ice and in accordance with the Management Plan for*
19 *the District in which the Park is located.*

20 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

21 *There is authorized to be appropriated such sums as*
22 *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.”.

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