

107TH CONGRESS
2D SESSION

H. R. 4944

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

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cedar Creek Battle-
5 field and Belle Grove Plantation National Historical Park
6 Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to establish the Cedar
3 Creek Battlefield and Belle Grove Plantation National
4 Historical Park in order to—

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

9 (2) tell the rich story of Shenandoah Valley his-
10 tory from early settlement through the Civil War
11 and beyond, and the Battle of Cedar Creek and its
12 significance in the conduct of the war in the Shen-
13 andoah Valley; and

14 (3) preserve the significant historic, natural,
15 cultural, military, and scenic resources found in the
16 Cedar Creek Battlefield and Belle Grove Plantation
17 areas through partnerships with local landowners
18 and the community.

19 **SEC. 3. FINDINGS.**

20 Congress finds the following:

21 (1) The Battle of Cedar Creek, also known as
22 the battle of Belle Grove, was a major event of the
23 Civil War and the history of this country. It rep-
24 resented the end of the Civil War's Shenandoah Val-
25 ley campaign of 1864 and contributed to the reelec-

1 tion of President Abraham Lincoln and the eventual
2 outcome of the war.

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

12 (3) The Secretary of the Interior has approved
13 the Shenandoah Valley Battlefields National His-
14 toric District Management Plan and the National
15 Park Service Special Resource Study, both of which
16 recognized Cedar Creek Battlefield as the most sig-
17 nificant Civil War resource within the historic dis-
18 trict. The management plan, which was developed
19 with extensive public participation over a 3-year pe-
20 riod and is administered by the Shenandoah Valley
21 Battlefields Foundation, recommends that Cedar
22 Creek Battlefield be established as a new unit of the
23 National Park System.

24 (4) The Cedar Creek Battlefield Foundation,
25 organized in 1988 to preserve and interpret the

1 Cedar Creek Battlefield and the 1864 Valley Cam-
2 paign, has acquired 308 acres of land within the
3 boundaries of the National Historic Landmark. The
4 foundation annually hosts a major reenactment and
5 living history event on the Cedar Creek Battlefield.

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

22 (6) The panoramic views of the mountains, nat-
23 ural areas, and waterways provide visitors with an
24 inspiring setting of great natural beauty. The his-
25 toric, natural, cultural, military, and scenic re-

1 sources found in the Cedar Creek Battlefield and
2 Belle Grove Plantation areas are nationally and re-
3 gionally significant.

4 (7) The existing, independent, not-for-profit or-
5 ganizations dedicated to the protection and interpre-
6 tation of the resources described above provide the
7 foundation for public-private partnerships to further
8 the success of protecting, preserving, and inter-
9 preting these resources.

10 (8) None of these resources, sites, or stories of
11 the Shenandoah Valley are protected by or inter-
12 preted within the National Park System.

13 **SEC. 4. DEFINITIONS.**

14 In this Act:

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

19 (2) MAP.—The term “Map” means the map en-
20 titled “Cedar Creek Battlefield and Belle Grove
21 Plantation National Historical Park”, numbered
22 CECR–80,000, and dated June 12, 2002.

23 (3) PARK.—The term “Park” means the Cedar
24 Creek Battlefield and Belle Grove Plantation Na-

1 tional Historical Park established under section 5
2 and depicted on the Map.

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

5 **SEC. 5. ESTABLISHMENT OF CEDAR CREEK BATTLEFIELD**
6 **AND BELLE GROVE PLANTATION NATIONAL**
7 **HISTORICAL PARK.**

8 (a) ESTABLISHMENT.—There is established the
9 Cedar Creek Battlefield and Belle Grove Plantation Na-
10 tional Historical Park, consisting of approximately 3,000
11 acres, as generally depicted on the Map.

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

15 **SEC. 6. ACQUISITION OF PROPERTY.**

16 (a) REAL PROPERTY.—The Secretary may acquire
17 land or interests in land within the boundaries of the
18 Park, from willing sellers only, by donation, purchase with
19 donated or appropriated funds, or exchange.

20 (b) BOUNDARY REVISION.—After acquiring land for
21 the Park, the Secretary shall—

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

24 (2) administer newly acquired land subject to
25 applicable laws (including regulations).

1 (c) PERSONAL PROPERTY.—The Secretary may ac-
2 quire personal property associated with, and appropriate
3 for, interpretation of the Park.

4 (d) CONSERVATION EASEMENTS AND COVENANTS.—
5 The Secretary is authorized to acquire conservation ease-
6 ments and enter into covenants regarding lands in or adja-
7 cent to the Park from willing sellers only. Such conserva-
8 tion easements and covenants shall have the effect of pro-
9 tecting the scenic, natural, and historic resources on adja-
10 cent lands and preserving the natural or historic setting
11 of the Park when viewed from within or outside the Park.

12 (e) SUPPORT FACILITIES.—The National Park Serv-
13 ice is authorized to acquire from willing sellers up to 50
14 acres of land outside the park boundary, but in close prox-
15 imity to the park, to develop facilities for one or more of
16 the following:

- 17 (1) Visitors.
- 18 (2) Administrative functions.
- 19 (3) Museums.
- 20 (4) Curatorial functions.
- 21 (5) Maintenance.

22 **SEC. 7. ADMINISTRATION.**

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

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

4 (2) the Act entitled “An Act to provide for the
5 preservation of historic American sites, buildings,
6 objects, and antiquities of national significance, and
7 for other purposes”, approved August 21, 1935 (16
8 U.S.C. 461 et seq.).

9 **SEC. 8. MANAGEMENT OF PARK.**

10 (a) **MANAGEMENT PLAN.**—The Secretary, in con-
11 sultation with the Commission, shall prepare a manage-
12 ment plan for the Park. In particular, the management
13 plan shall contain provisions to address the needs of own-
14 ers of non-Federal land, including independent nonprofit
15 organizations within the boundaries of the Park.

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

20 **SEC. 9. CEDAR CREEK BATTLEFIELD AND BELLE GROVE**
21 **PLANTATION NATIONAL HISTORICAL PARK**
22 **ADVISORY COMMISSION.**

23 (a) **ESTABLISHMENT.**—There is established the
24 Cedar Creek Battlefield and Belle Grove Plantation Na-
25 tional Historical Park Advisory Commission.

1 (b) DUTIES.—The Commission shall—

2 (1) advise the Secretary in the preparation and
3 implementation of a general management plan de-
4 scribed in section 8; and

5 (2) advise the Secretary with respect to the
6 identification of sites of significance outside the
7 Park boundary deemed necessary to fulfill the pur-
8 poses of this Act.

9 (c) MEMBERSHIP.—

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

13 (A) 1 representative from the Common-
14 wealth of Virginia.

15 (B) 1 representative each from the local
16 governments of Strasburg, Middletown, Fred-
17 erick County, Shenandoah County, and Warren
18 County.

19 (C) 2 representatives of private landowners
20 within the Park.

21 (D) 1 representative from a citizen interest
22 group.

23 (E) 1 representative from the Cedar Creek
24 Battlefield Foundation.

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

3 (G) 1 representative from the National
4 Trust for Historic Preservation.

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

7 (I) 1 ex-officio representative from the Na-
8 tional Park Service.

9 (J) 1 ex-officio representative from the
10 United States Forest Service.

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

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

17 (4) TERMS OF SERVICE.—

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

21 (B) INITIAL MEMBERS.—Of the members
22 first appointed under paragraph (1), the Sec-
23 retary shall appoint—

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

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

2 and

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

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

7 (6) MAJORITY RULE.—The Commission shall
8 act and advise by affirmative vote of a majority of
9 its members.

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

13 (8) QUORUM.—8 members shall constitute a
14 quorum.

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

20 (e) TRAVEL EXPENSES.—While away from their
21 homes or regular places of business in the performance
22 of service for the Commission, members shall be allowed
23 travel expenses, including per diem in lieu of subsistence,
24 in the same manner as persons employed intermittently

1 in the Government service are allowed expenses under sec-
2 tion 5703 of title 5, United States Code.

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

9 (g) FACA NONAPPLICABILITY.—The Federal Advi-
10 sory Committee Act shall not apply to the Commission.

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

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

19 (b) PROVISION OF TECHNICAL ASSISTANCE.—The
20 Secretary 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
24 Federal entity conducting or supporting activities directly
25 affecting the Park shall consult, cooperate, and, to the

1 maximum extent practicable, coordinate its activities with
2 the 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
15 and expend funds from an endowment to be established
16 with the National Park Foundation, or its successors and
17 assigns.

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

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

2 (a) IN GENERAL.—In order to further the purposes
3 of this Act, the Secretary is authorized to enter into coop-
4 erative agreements with interested public and private enti-
5 ties and individuals (including the National Trust for His-
6 toric Preservation, Belle Grove, Inc., the Cedar Creek Bat-
7 tlefield Foundation, the Shenandoah Valley Battlefields
8 Foundation, and the Counties of Frederick, Shenandoah,
9 and Warren), through technical and financial assistance,
10 including encouraging the conservation of historic and
11 natural resources 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
23 Valley Battlefields Foundation.

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

25 (a) IN GENERAL.—In recognition that central por-
26 tions of the Park are presently owned and operated for

1 the benefit of the public by key partner organizations, the
2 Secretary shall acknowledge and support the continued
3 participation of these partner organizations in the man-
4 agement of the Park.

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

7 (1) CEDAR CREEK BATTLEFIELD FOUNDA-
8 TION.—The Cedar Creek Battlefield Foundation
9 may—

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

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

15 (C) transfer ownership interest in portions
16 of their land to the National Park Service by
17 donation, sale, or other means that meet the
18 legal requirements of National Park Service
19 land acquisitions.

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

1 Grove Incorporated may continue to own the house
 2 and grounds known as Bowman's Fort or Harmony
 3 Hall for the purpose of permanent preservation, with
 4 a long-term goal of opening the property to the pub-
 5 lic.

6 (3) SHENANDOAH COUNTY.—Shenandoah
 7 County may continue to own, operate, and manage
 8 the Keister park site within the Park for the benefit
 9 of the public.

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

13 (5) SHENANDOAH VALLEY BATTLEFIELDS
 14 FOUNDATION.—The Shenandoah Valley Battlefields
 15 Foundation may continue to administer and manage
 16 the Shenandoah Valley Battlefields National His-
 17 toric District in partnership with the National Park
 18 Service and in accordance with the Management
 19 Plan for 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.

○