

107TH CONGRESS
2D SESSION

H. R. 4944

IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 2002

Received

AN ACT

To designate the Cedar Creek and Belle Grove 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
6 Creek and Belle Grove National Historical Park in order
7 to—

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

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

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

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

1 associated with the Thomas J. (Stonewall) Jackson
2 campaign of 1862 and the decisive campaigns of
3 1864.

4 **SEC. 3. FINDINGS.**

5 Congress finds the following:

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

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

22 (3) The Secretary of the Interior has approved
23 the Shenandoah Valley Battlefields National His-
24 toric District Management Plan and the National
25 Park Service Special Resource Study, both of which

1 recognized Cedar Creek Battlefield as the most sig-
2 nificant Civil War resource within the historic dis-
3 trict. The management plan, which was developed
4 with extensive public participation over a 3-year pe-
5 riod and is administered by the Shenandoah Valley
6 Battlefields Foundation, recommends that Cedar
7 Creek Battlefield be established as a new unit of the
8 National Park System.

9 (4) The Cedar Creek Battlefield Foundation,
10 organized in 1988 to preserve and interpret the
11 Cedar Creek Battlefield and the 1864 Valley Cam-
12 paign, has acquired 308 acres of land within the
13 boundaries of the National Historic Landmark. The
14 foundation annually hosts a major reenactment and
15 living history event on the Cedar Creek Battlefield.

16 (5) Belle Grove Plantation is a Historic Site of
17 the National Trust for Historic Preservation that oc-
18 cupies 383 acres within the National Historic Land-
19 mark. The Belle Grove Manor House was built by
20 Isaac Hite, a Revolutionary War patriot married to
21 the sister of President James Madison, who was a
22 frequent visitor at Belle Grove. President Thomas
23 Jefferson assisted with the design of the house. Dur-
24 ing the Civil War Belle Grove was at the center of
25 the decisive battle of Cedar Creek. Belle Grove is

1 managed locally by Belle Grove, Incorporated, and
2 has been open to the public since 1967. The house
3 has remained virtually unchanged since it was built
4 in 1797, offering visitors an experience of the life
5 and times of the people who lived there in the 18th
6 and 19th centuries.

7 (6) The panoramic views of the mountains, nat-
8 ural areas, and waterways provide visitors with an
9 inspiring setting of great natural beauty. The his-
10 toric, natural, cultural, military, and scenic re-
11 sources found in the Cedar Creek Battlefield and
12 Belle Grove Plantation areas are nationally and re-
13 gionally significant.

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

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

23 **SEC. 4. DEFINITIONS.**

24 In this Act:

1 (1) COMMISSION.—The term “Commission”
2 means the Cedar Creek and Belle Grove National
3 Historical Park Advisory Commission established by
4 section 9.

5 (2) MAP.—The term “Map” means the map en-
6 titled “Boundary Map Cedar Creek and Belle Grove
7 National Historical Park”, numbered CEBE-
8 80,001, and dated September 2002.

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

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

14 **SEC. 5. ESTABLISHMENT OF CEDAR CREEK AND BELLE**
15 **GROVE NATIONAL HISTORICAL PARK.**

16 (a) ESTABLISHMENT.—There is established the
17 Cedar Creek and Belle Grove National Historical Park,
18 consisting of approximately 3,000 acres, as generally de-
19 picted on the Map.

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

23 **SEC. 6. ACQUISITION OF PROPERTY.**

24 (a) REAL PROPERTY.—The Secretary may acquire
25 land or interests in land within the boundaries of the

1 Park, from willing sellers only, by donation, purchase with
2 donated or appropriated funds, or exchange.

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

5 (1) revise the boundary of the Park to include
6 newly acquired land within the boundary; and

7 (2) administer newly acquired land subject to
8 applicable laws (including regulations).

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

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

20 (e) SUPPORT FACILITIES.—The National Park Serv-
21 ice is authorized to acquire from willing sellers, land out-
22 side the Park boundary but in close proximity to the Park,
23 for the development of visitor, administrative, museum,
24 curatorial, and maintenance facilities.

1 **SEC. 7. ADMINISTRATION.**

2 The Secretary shall administer the Park in accord-
3 ance with this Act and the provisions of law generally ap-
4 plicable 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,
10 objects, and antiquities of national significance, and
11 for 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 con-
15 sultation with the Commission, shall prepare a manage-
16 ment plan for the Park. In particular, the management
17 plan shall contain provisions to address the needs of own-
18 ers of non-Federal land, including independent nonprofit
19 organizations 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
25 Resources 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
4 Cedar Creek and Belle Grove National Historical Park
5 Advisory 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
11 identification of sites of significance outside the
12 Park boundary deemed necessary to fulfill the pur-
13 poses of 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
21 governments of Strasburg, Middletown, Fred-
22 erick County, Shenandoah County, and Warren
23 County.

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
9 serve after the expiration of that member's term
10 until a successor has taken office.

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

14 (7) MEETINGS.—The Commission shall meet at
15 least quarterly at the call of the chairperson or a
16 majority 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
21 the United States, the Commonwealth of Virginia, or any
22 political subdivision thereof shall receive no additional pay
23 on account of their service on the Commission.

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

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

6 (f) HEARINGS; PUBLIC INVOLVEMENT.—The Com-
7 mission may, for purposes of carrying out this Act, hold
8 such hearings, sit and act at such times and places, take
9 such public testimony, and receive such evidence, as the
10 Commission considers appropriate. The Commission may
11 not issue 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
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 of 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 related to the Park.

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

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

1 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

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

 Passed the House of Representatives October 1,
2002.

Attest:

JEFF TRANDAHL,
Clerk.