

L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note set out under section 410kkk of this title and Tables.

§ 410kkk-5. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 108-387, title I, §107, Oct. 30, 2004, 118 Stat. 2236.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note set out under section 410kkk of this title and Tables.

SUBCHAPTER LIX-JJ—PATERSON GREAT FALLS NATIONAL HISTORICAL PARK

§ 410III. Paterson Great Falls National Historical Park, New Jersey

(a) Definitions

In this section:

(1) City

The term “City” means the City of Paterson, New Jersey.

(2) Commission

The term “Commission” means the Paterson Great Falls National Historical Park Advisory Commission established by subsection (e)(1).

(3) Historic District

The term “Historic District” means the Great Falls Historic District in the State.

(4) Management plan

The term “management plan” means the management plan for the Park developed under subsection (d).

(5) Map

The term “Map” means the map entitled “Paterson Great Falls National Historical Park—Proposed Boundary”, numbered T03/80,001, and dated May 2008.

(6) Park

The term “Park” means the Paterson Great Falls National Historical Park established by subsection (b)(1)(A).

(7) Secretary

The term “Secretary” means the Secretary of the Interior.

(8) State

The term “State” means the State of New Jersey.

(b) Paterson Great Falls National Historical Park

(1) Establishment

(A) In general

Subject to subparagraph (B), there is established in the State a unit of the National Park System to be known as the “Paterson Great Falls National Historical Park”.

(B) Conditions for establishment

The Park shall not be established until the date on which the Secretary determines that—

(i)(I) the Secretary has acquired sufficient land or an interest in land within the boundary of the Park to constitute a manageable unit; or

(II) the State or City, as appropriate, has entered into a written agreement with the Secretary to donate—

(aa) the Great Falls State Park, including facilities for Park administration and visitor services; or

(bb) any portion of the Great Falls State Park agreed to between the Secretary and the State or City; and

(ii) the Secretary has entered into a written agreement with the State, City, or other public entity, as appropriate, providing that—

(I) land owned by the State, City, or other public entity within the Historic District will be managed consistent with this section; and

(II) future uses of land within the Historic District will be compatible with the designation of the Park.

(2) Purpose

The purpose of the Park is to preserve and interpret for the benefit of present and future generations certain historical, cultural, and natural resources associated with the Historic District.

(3) Boundaries

(A) The Park shall include the following sites, as generally depicted on the Map:

(i) The upper, middle, and lower raceways.

(ii) Mary Ellen Kramer (Great Falls) Park and adjacent land owned by the City.

(iii) A portion of Upper Raceway Park, including the Ivanhoe Wheelhouse and the Society for Establishing Useful Manufactures Gatehouse.

(iv) Overlook Park and adjacent land, including the Society for Establishing Useful Manufactures Hydroelectric Plant and Administration Building.

(v) The Allied Textile Printing site, including the Colt Gun Mill ruins, Mallory Mill ruins, Waverly Mill ruins, and Todd Mill ruins.

(vi) The Rogers Locomotive Company Erecting Shop, including the Paterson Museum.

(vii) The Great Falls Visitor Center.

(B) In addition to the lands described in subparagraph (A), the Park shall include the approximately 6 acres of land containing Hinchliffe Stadium and generally depicted as the “Boundary Modification Area” on the map entitled “Paterson Great Falls National Historical Park, Proposed Boundary Modification”, numbered T03/120,155A, and dated August 2015, which shall be administered as part of the Park in accordance with subsection (c)(1) and section 3 of the Hinchliffe Stadium Heritage Act.

(4) Availability of map

The Map and the map referred to in paragraph (3)(B) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(5) Publication of notice

Not later than 60 days after the date on which the conditions in clauses (i) and (ii) of paragraph (1)(B) are satisfied, the Secretary shall publish in the Federal Register notice of the establishment of the Park, including an official boundary map for the Park.

(c) Administration**(1) In general**

The Secretary shall administer the Park in accordance with—

- (A) this section; and
- (B) the laws generally applicable to units of the National Park System, including—
 - (i) the National Park Service Organic Act (16 U.S.C. 1 et seq.);¹ and
 - (ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).¹

(2) State and local jurisdiction

Nothing in this section enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the City)—

- (A) to exercise civil and criminal jurisdiction; or
- (B) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the Park.

(3) Cooperative agreements**(A) In general**

As the Secretary determines to be appropriate to carry out this section, the Secretary may enter into cooperative agreements with the owner of the Great Falls Visitor Center or any nationally significant properties within the boundary of the Park under which the Secretary may identify, interpret, restore, and provide technical assistance for the preservation of the properties.

(B) Right of access

A cooperative agreement entered into under subparagraph (A) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

- (i) conducting visitors through the properties; and
- (ii) interpreting the properties for the public.

(C) Changes or alterations

No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under subparagraph (A) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(D) Conversion, use, or disposal

Any payment made by the Secretary under this paragraph shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the pur-

poses of this section, as determined by the Secretary, shall entitle the United States to reimbursement in amount equal to the greater of—

- (i) the amounts made available to the project by the United States; or
- (ii) the portion of the increased value of the project attributable to the amounts made available under this paragraph, as determined at the time of the conversion, use, or, disposal.

(E) Matching funds**(i) In general**

As a condition of the receipt of funds under this paragraph, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(ii) Form

With the approval of the Secretary, the non-Federal share required under clause (i) may be in the form of donated property, goods, or services from a non-Federal source.

(4) Acquisition of land**(A) In general**

Except as provided in subparagraphs (B) and (C), the Secretary may acquire land or interests in land within the boundary of the Park by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(B) Donation of State owned land

Land or interests in land owned by the State or any political subdivision of the State may only be acquired by donation.

(C) Hinchliffe Stadium

The Secretary may not acquire fee title to Hinchliffe Stadium, but may acquire a preservation easement in Hinchliffe Stadium if the Secretary determines that doing so will facilitate resource protection of the stadium.

(5) Technical assistance and public interpretation

The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the Historic District.

(d) Management plan**(1) In general**

Not later than 3 fiscal years after the date on which funds are made available to carry out this subsection, the Secretary, in consultation with the Commission, shall complete a management plan for the Park in accordance with—

- (A) section 100502 of title 54; and
- (B) other applicable laws.

(2) Cost share

The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the City, and other public or private entities or individ-

¹ See References in Text note below.

uals for necessary capital improvements to, and maintenance and operations of, the Park.

(3) Submission to Congress

On completion of the management plan, the Secretary shall submit the management plan to—

- (A) the Committee on Energy and Natural Resources of the Senate; and
- (B) the Committee on Natural Resources of the House of Representatives.

(e) Paterson Great Falls National Historical Park Advisory Commission

(1) Establishment

There is established a commission to be known as the “Paterson Great Falls National Historical Park Advisory Commission”.

(2) Duties

The duties of the Commission shall be to advise the Secretary in the development and implementation of the management plan.

(3) Membership

(A) Composition

The Commission shall be composed of 9 members, to be appointed by the Secretary, of whom—

- (i) 4 members shall be appointed after consideration of recommendations submitted by the Governor of the State;
- (ii) 2 members shall be appointed after consideration of recommendations submitted by the City Council of Paterson, New Jersey;
- (iii) 1 member shall be appointed after consideration of recommendations submitted by the Board of Chosen Freeholders of Passaic County, New Jersey; and
- (iv) 2 members shall have experience with national parks and historic preservation.

(B) Initial appointments

The Secretary shall appoint the initial members of the Commission not later than the earlier of—

- (i) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under subparagraph (A); or
- (ii) the date that is 30 days after the Park is established in accordance with subsection (b).

(4) Term; vacancies

(A) Term

(i) In general

A member shall be appointed for a term of 3 years.

(ii) Reappointment

A member may be reappointed for not more than 1 additional term.

(B) Vacancies

A vacancy on the Commission shall be filled in the same manner as the original appointment was made.

(5) Meetings

The Commission shall meet at the call of—

- (A) the Chairperson; or
- (B) a majority of the members of the Commission.

(6) Quorum

A majority of the Commission shall constitute a quorum.

(7) Chairperson and Vice Chairperson

(A) In general

The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(B) Vice Chairperson

The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(C) Term

A member may serve as Chairperson or Vice Chairman for not more than 1 year in each office.

(8) Commission personnel matters

(A) Compensation of members

(i) In general

Members of the Commission shall serve without compensation.

(ii) Travel expenses

Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(B) Staff

(i) In general

The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duties of the Commission.

(ii) Detail of employees

The Secretary may accept the services of personnel detailed from—

- (I) the State;
- (II) any political subdivision of the State; or
- (III) any entity represented on the Commission.

(9) FACA nonapplicability

Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(10) Termination

The Commission shall terminate 10 years after March 30, 2009.

(f) Study of Hinchliffe Stadium

(1) In general

Not later than 3 fiscal years after the date on which funds are made available to carry out this section, the Secretary shall complete a study regarding the preservation and inter-

pretation of Hinchliffe Stadium, which is listed on the National Register of Historic Places.

(2) Inclusions

The study shall include an assessment of—

(A) the potential for listing the stadium as a National Historic Landmark; and

(B) options for maintaining the historic integrity of Hinchliffe Stadium.

(g) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section.

(Pub. L. 111–11, title VII, §7001, Mar. 30, 2009, 123 Stat. 1183; Pub. L. 113–291, div. B, title XXX, §3037(a), Dec. 19, 2014, 128 Stat. 3782; Pub. L. 114–289, title VI, §601(i), Dec. 16, 2016, 130 Stat. 1491.)

REFERENCES IN TEXT

No act with the title “Hinchliffe Stadium Heritage Act”, referred to in subsec. (b)(3)(B), has been enacted. However, a bill, H.R. 2430, entitled the “Hinchliffe Stadium Heritage Act”, was passed by the House of Representatives on July 22, 2014, during the 113th Congress. Section 3 of that bill contained provisions similar to section 3037(b) of Pub. L. 113–291, set out as a note below.

The National Park Service Organic Act (16 U.S.C. 1 et seq.), referred to in subsec. (c)(1)(B)(i), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113–287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Act of August 21, 1935 (16 U.S.C. 461 et seq.), referred to in subsec. (c)(1)(B)(ii), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

Section 14(b) of the Federal Advisory Committee Act, referred to in subsec. (e)(9), is section 14(b) of Pub. L. 92–463, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

In subsec. (d)(1)(A), “section 100502 of title 54” substituted for “section 12(b) of Public Law 91–383 (commonly known as the ‘National Park Service General Authorities Act’) (16 U.S.C. 1a–7(b))” on authority of Pub. L. 113–287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

AMENDMENTS

2016—Subsec. (b)(3). Pub. L. 114–289, §601(i), amended Pub. L. 113–291, §3037(a)(1). See 2014 Amendment note below.

2014—Subsec. (b)(3). Pub. L. 113–291, §3037(a)(1), as amended by Pub. L. 114–289, §601(i), designated existing provisions as subpar. (A), redesignated former subpars.

(A) to (G) as cls. (i) to (vii), respectively, of subpar. (A), and added subpar. (B).

Subsec. (b)(4). Pub. L. 113–291, §3037(a)(2), substituted “‘The Map and the map referred to in paragraph (3)(B)’” for “‘The Map’”.

Subsec. (c)(4)(A). Pub. L. 113–291, §3037(a)(3)(A), substituted “‘Except as provided in subparagraphs (B) and (C), the Secretary’” for “‘The Secretary’”.

Subsec. (c)(4)(C). Pub. L. 113–291, §3037(a)(3)(B), added subpar. (C).

ADDITIONAL CONSIDERATIONS FOR HINCHLIFFE STADIUM

Pub. L. 113–291, div. B, title XXX, §3037(b), Dec. 19, 2014, 128 Stat. 3783, provided that:

“(1) IN GENERAL.—In administering the approximately 6 acres of land containing Hinchliffe Stadium and generally depicted as the ‘Boundary Modification Area’ on the map entitled ‘Paterson Great Falls National Historical Park, Proposed Boundary Modification’, numbered T03/120,155, and dated April 2014, the Secretary of the Interior—

“(A) may not include non-Federal property within the approximately 6 acres of land as part of Paterson Great Falls National Historical Park without the written consent of the owner;

“(B) may not acquire by condemnation any land or interests in land within the approximately 6 acres of land; and

“(C) shall not construe the inclusion of Hinchliffe Stadium made by this section to create buffer zones outside the boundaries of the Paterson Great Falls National Historical Park.

“(2) OUTSIDE ACTIVITIES.—The fact that activities can be seen or heard [sic, probably should be “heard”] from within the approximately 6 acres of land described in paragraph (1) shall not preclude such activities outside the boundary of the Paterson Great Falls National Historical Park.”

SUBCHAPTER LIX-KK—THOMAS EDISON NATIONAL HISTORICAL PARK

§ 410mmm. Thomas Edison National Historical Park, New Jersey

(a) Purposes

The purposes of this section are—

(1) to recognize and pay tribute to Thomas Alva Edison and his innovations; and

(2) to preserve, protect, restore, and enhance the Edison National Historic Site to ensure public use and enjoyment of the Site as an educational, scientific, and cultural center.

(b) Establishment

(1) In general

There is established the Thomas Edison National Historical Park as a unit of the National Park System (referred to in this section as the “Historical Park”).

(2) Boundaries

The Historical Park shall be comprised of all property owned by the United States in the Edison National Historic Site as well as all property authorized to be acquired by the Secretary of the Interior (referred to in this section as the “Secretary”) for inclusion in the Edison National Historic Site before March 30, 2009, as generally depicted on the map entitled the “Thomas Edison National Historical Park”, numbered 403/80,000, and dated April 2008.

(3) Map

The map of the Historical Park shall be on file and available for public inspection in the