

(Pub. L. 107-373, § 4, Dec. 19, 2002, 116 Stat. 3105.)

§ 410iii-3. Establishment of Cedar Creek and Belle Grove National Historical Park

(a) Establishment

There is established the Cedar Creek and Belle Grove National Historical Park, consisting of approximately 3,000 acres, as generally depicted on the Map.

(b) Availability of Map

The Map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(Pub. L. 107-373, § 5, Dec. 19, 2002, 116 Stat. 3106.)

§ 410iii-4. Acquisition of property

(a) Real property

The Secretary may acquire land or interests in land within the boundaries of the Park, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange.

(b) Boundary revision

After acquiring land for the Park, the Secretary shall—

- (1) revise the boundary of the Park to include newly acquired land within the boundary; and
- (2) administer newly acquired land subject to applicable laws (including regulations).

(c) Personal property

The Secretary may acquire personal property associated with, and appropriate for, interpretation of the Park.

(d) Conservation easements and covenants

The Secretary is authorized to acquire conservation easements and enter into covenants regarding lands in or adjacent to the Park from willing sellers only. Such conservation easements and covenants shall have the effect of protecting the scenic, natural, and historic resources on adjacent lands and preserving the natural or historic setting of the Park when viewed from within or outside the Park.

(e) Support facilities

The National Park Service is authorized to acquire from willing sellers, land outside the Park boundary but in close proximity to the Park, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

(Pub. L. 107-373, § 6, Dec. 19, 2002, 116 Stat. 3106.)

§ 410iii-5. Administration

The Secretary shall administer the Park in accordance with this subchapter and the provisions of law generally applicable to units of the National Park System, including—

- (1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.);¹ and
- (2) the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national

significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.).¹

(Pub. L. 107-373, § 7, Dec. 19, 2002, 116 Stat. 3106.)

REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.), referred to in par. (1), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, 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 entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.), referred to in par. (2), 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.

§ 410iii-6. Management of Park

(a) Management plan

The Secretary, in consultation with the Commission, shall prepare a management plan for the Park. In particular, the management plan shall contain provisions to address the needs of owners of non-Federal land, including independent nonprofit organizations within the boundaries of the Park.

(b) Submission of plan to Congress

Not later than 3 years after December 19, 2002, the Secretary shall submit the management plan for the Park to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(Pub. L. 107-373, § 8, Dec. 19, 2002, 116 Stat. 3106.)

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 410iii-7. Cedar Creek and Belle Grove National Historical Park Advisory Commission

(a) Establishment

There is established the Cedar Creek and Belle Grove National Historical Park Advisory Commission.

(b) Duties

The Commission shall—

¹ See References in Text note below.

(1) advise the Secretary in the preparation and implementation of a general management plan described in section 410iii-6 of this title; and

(2) advise the Secretary with respect to the identification of sites of significance outside the Park boundary deemed necessary to fulfill the purposes of this subchapter.

(c) Membership

(1) Composition

The Commission shall be composed of 15 members appointed by the Secretary so as to include the following:

(A) 1 representative from the Commonwealth of Virginia.

(B) 1 representative each from the local governments of Strasburg, Middletown, Frederick County, Shenandoah County, and Warren County.

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

(D) 1 representative from a citizen interest group.

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

(F) 1 representative from Belle Grove, Incorporated.

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

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

(I) 1 ex-officio representative from the National Park Service.

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

(2) Chairperson

The Chairperson of the Commission shall be elected by the members to serve a term of one year renewable for one additional year.

(3) Vacancies

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

(4) Terms of service

(A) In general

Each member shall be appointed for a term of 3 years and may be reappointed for not more than 2 successive terms.

(B) Initial members

Of the members first appointed under paragraph (1), the Secretary shall appoint—

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

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

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

(5) Extended service

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

(6) Majority rule

The Commission shall act and advise by affirmative vote of a majority of its members.

(7) Meetings

The Commission shall meet at least quarterly at the call of the chairperson or a majority of the members of the Commission.

(8) Quorum

8 members shall constitute a quorum.

(d) Compensation

Members shall serve without pay. Members who are full-time officers or employees of the United States, the Commonwealth of Virginia, or any political subdivision thereof shall receive no additional pay on account of their service on the Commission.

(e) Travel expenses

While away from their homes or regular places of business in the performance of service for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

(f) Hearings; public involvement

The Commission may, for purposes of carrying out this subchapter, hold such hearings, sit and act at such times and places, take such public testimony, and receive such evidence, as the Commission considers appropriate. The Commission may not issue subpoenas or exercise any subpoena authority.

(Pub. L. 107-373, § 9, Dec. 19, 2002, 116 Stat. 3107.)

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 410iii-8. Conservation of Cedar Creek and Belle Grove National Historical Park

(a) Encouragement of conservation

The Secretary and the Commission shall encourage conservation of the historic and natural resources within and in proximity of the Park by landowners, local governments, organizations, and businesses.

(b) Provision of technical assistance

The Secretary may provide technical assistance to local governments, in cooperative efforts which complement the values of the Park.

(c) Cooperation by Federal agencies

Any Federal entity conducting or supporting activities directly affecting the Park shall consult, cooperate, and, to the maximum extent practicable, coordinate its activities with the Secretary in a manner that—

(1) is consistent with the purposes of this subchapter and the standards and criteria established pursuant to the general management plan developed pursuant to section 410iii-6 of this title;

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

(3) is likely to provide for full public participation in order to consider the views of all interested parties.