

109TH CONGRESS
2D SESSION

H. R. 6192

To establish the Paterson Great Falls National Park in the State of New Jersey, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2006

Mr. PASCARELL (for himself, Mr. ANDREWS, Mr. LOBIONDO, Mr. SAXTON, Mr. GARRETT of New Jersey, Mr. PALLONE, Mr. FERGUSON, Mr. ROTHMAN, Mr. PAYNE, Mr. FRELINGHUYSEN, Mr. HOLT, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Resources

A BILL

To establish the Paterson Great Falls National Park in the State of New Jersey, 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 “Paterson Great Falls
5 National Park Act of 2006”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The Great Falls Historic District in
9 Paterson, New Jersey is the site Alexander Ham-

1 ilton selected to implement his vision of American
2 economic independence and transform a rural agrar-
3 ian society based on slavery into a global economy
4 based on freedom.

5 (2) President Ford announced the designation
6 of the Historic District as a National Historic Land-
7 mark in 1976 and declared it “a symbol of the in-
8 dustrial might which helps to make America the
9 most powerful nation in the world”.

10 (3) The Historic District was established as a
11 National Historic District in 1996.

12 (4) Exceptional natural and cultural resources
13 make the Historic District America’s only National
14 Historic District that contains both a National His-
15 toric Landmark and a National Natural Resource.

16 (5) The Historic District embodies Hamilton’s
17 vision of an American economy based on—

18 (A) diverse industries to avoid excessive re-
19 liance on any single manufactured product;

20 (B) innovative engineering and technology,
21 including the successful use of water, a renew-
22 able energy source, to power industry and man-
23 ufacturing;

1 (C) industrial production of goods not only
2 for domestic consumption but also for inter-
3 national trade; and

4 (D) meritocracy and opportunities for all.

5 (6) Pierre L'Enfant's water power system at
6 Great Falls and the buildings erected around it over
7 two centuries constitute the finest and most exten-
8 sive remaining example of engineering, planning,
9 and architectural works that span the entire period
10 of America's growth into an industrial power.

11 (7) A National Park Service unit in Paterson is
12 necessary to give the American people an oppor-
13 tunity to appreciate the physical beauty and histor-
14 ical importance of the Historic District.

15 (8) Congress and the National Park Service
16 recognized the national significance of the Historic
17 District through listing on the National Register of
18 Historic Places and designation as a National His-
19 toric Landmark and a National Historic District.

20 (9) The Historic District is suitable for addition
21 to the National Park System because—

22 (A) the national park will promote themes
23 not adequately represented in National Park
24 System, including aspects of African-American

1 history and the inspiration Great Falls has been
2 for renowned American writers and artists;

3 (B) the national park will promote civic en-
4 gagement by attracting and engaging people
5 who currently feel little or no connection to Na-
6 tional Parks or the founding fathers;

7 (C) the national park will interpret Amer-
8 ica's developing history in the historical and
9 global context; and

10 (D) the national park will foster partner-
11 ships among federal, state and local govern-
12 ments and private donors and non-profit orga-
13 nizations.

14 (10) The Historic District is a physically and
15 fiscally feasible site for a national park because—

16 (A) all of the required natural and cultural
17 resources are on property largely owned by local
18 government entities;

19 (B) it is of a manageable size; and

20 (C) much of the funding will come from
21 private donors and the State of New Jersey,
22 which has committed substantial sums of money
23 to fund a state park that will assist in the fund-
24 ing of the national park.

1 (11) The national park provides enormous po-
2 tential for public use because its location and urban
3 setting make it easily accessible for millions of
4 Americans.

5 (12) The historic Hinchliffe stadium, adjacent
6 to the Historic District, was home to the New York
7 Black Yankees for many years, including 1933 when
8 it hosted the Colored Championship of the Nation,
9 and it was added to the National Register of His-
10 toric Places by the National Park Service in 2004.

11 (13) Larry Doby played in Hinchliffe Stadium
12 both as a star high school athlete and again as
13 Negro League player, shortly before becoming the
14 first African-American to play in the American
15 League.

16 (14) A National Park Service unit, in partner-
17 ship with private donors and state and local govern-
18 ments, represents the most effective and efficient
19 method of preserving the Historic District for the
20 public.

21 (15) A National Park Service unit in Paterson
22 is necessary to give the Historic District the con-
23 tinuity and professionalism required to attract pri-
24 vate donors from across the country.

1 (16) Though the State of New Jersey will be a
2 strong partner with a significant financial commit-
3 ment, the State alone cannot preserve the Historic
4 District and present it to the public without a Na-
5 tional Park System unit in Paterson.

6 (b) PURPOSES.—The purposes of this Act are—

7 (1) to establish a unit of the National Park
8 System in Paterson, New Jersey, consisting of the
9 Historic District and historic Hinchliffe Stadium;
10 and

11 (2) to create partnerships among Federal,
12 State, and local governments, non-profit organiza-
13 tions, and private donors to preserve, enhance, inter-
14 pret, and promote the cultural sites, historic struc-
15 tures, and natural beauty of the Historic District
16 and the historic Hinchliffe Stadium for the benefit
17 of present and future generations.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) HISTORIC DISTRICT.—The term “Historic
21 District” means the Great Falls National Historic
22 District in Paterson, New Jersey, consisting of ap-
23 proximately 118 acres, as specified in the National
24 Register of Historic Places.

1 (2) NATIONAL PARK.—The term “national
2 park” means the Paterson Great Falls National
3 Park established by section 4.

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

6 (4) MANAGEMENT PLAN.—The term “manage-
7 ment plan” means the integrated resource manage-
8 ment plan prepared pursuant to section 6.

9 (5) PARTNERSHIP.—The term “Partnership”
10 means the Paterson Great Falls National Park Part-
11 nership established in section 7.

12 (6) ADVISORY COUNCIL.—The term “Advisory
13 Council” means the Paterson Great Falls National
14 Park Advisory Council established pursuant to sec-
15 tion 8.

16 **SEC. 4. PATERSON GREAT FALLS NATIONAL PARK.**

17 (a) ESTABLISHMENT.—There is established in
18 Paterson, New Jersey, the Paterson Great Falls National
19 Park as a unit of the National Park System.

20 (b) BOUNDARIES.—The boundaries of the national
21 park shall be—

22 (1) the Historic District as listed on the Na-
23 tional Register of Historic Places; and

24 (2) the historic Hinchliffe Stadium as listed on
25 the National Register of Historic Places.

1 **SEC. 5. ADMINISTRATION.**

2 (a) **IN GENERAL.**—The national park shall be admin-
3 istered in partnership by the Secretary, the State of New
4 Jersey, City of Paterson and its applicable subdivisions,
5 and others in accordance with the provisions of law gen-
6 erally applicable to units of the National Park System (in-
7 cluding the Act of August 25, 1916 (16 U.S.C. 1 et seq.)
8 and the Act of August 21, 1935 (16 U.S.C. 461 et seq.)),
9 and in accordance with the management plan.

10 (b) **STATE AND LOCAL JURISDICTION.**—Nothing in
11 this section shall be construed to diminish, enlarge, or
12 modify any right of the State of New Jersey or any polit-
13 ical subdivision thereof to exercise civil and criminal juris-
14 diction or to carry out State laws, rules, and regulations
15 within the national park.

16 (c) **COOPERATIVE AGREEMENTS.**—

17 (1) The Secretary may consult and enter into
18 cooperative agreements with the State of New Jersey
19 or its political subdivisions to acquire from and pro-
20 vide to the State or its political subdivisions goods
21 and services to be used in the cooperative manage-
22 ment of lands within the national park, if the Sec-
23 retary determines that appropriations for that pur-
24 pose are available and the agreement is in the best
25 interest of the United States.

1 (2) The Secretary, after consultation with the
2 Partnership, may enter into cooperative agreements
3 with owners of property of nationally significant his-
4 toric or other cultural resources within the national
5 park in order to provide for interpretive exhibits or
6 programs. Such agreements shall provide, whenever
7 appropriate, that—

8 (A) the public may have access to such
9 property at specified, reasonable times for pur-
10 poses of viewing property or exhibits or attend-
11 ing programs established by the Secretary
12 under this subsection; and

13 (B) no changes or alterations shall be
14 made in the properties, except by mutual agree-
15 ments between the Secretary and the other par-
16 ties to the agreements.

17 (d) CONSTRUCTION OF FACILITIES ON NON-FED-
18 ERAL LANDS.—In order to facilitate the administration of
19 the national park, the Secretary is authorized, subject to
20 the availability of appropriated funds, to construct essen-
21 tial administrative or visitor use facilities on non-Federal
22 public lands within the national park. Such facilities and
23 the use thereof shall be in conformance with applicable
24 plans

1 (e) OTHER PROPERTY, FUNDS, AND SERVICES.—The
2 Secretary may accept and use donated funds, property,
3 and services to carry out this section.

4 (f) MANAGEMENT IN ACCORDANCE WITH INTE-
5 GRATED MANAGEMENT PLAN.—The Secretary shall pre-
6 serve, interpret, manage, and provide educational and rec-
7 reational uses for the national park, in consultation with
8 the owners and managers of lands in the national park,
9 in accordance with the management plan.

10 **SEC. 6. INTEGRATED RESOURCE MANAGEMENT PLAN.**

11 (a) IN GENERAL.—Not later than 3 years after the
12 date of the enactment of this Act, the Partnership shall
13 submit to the Secretary a management plan for the na-
14 tional park to be developed and implemented by the Part-
15 nership.

16 (b) CONTENTS.—The management plan shall include,
17 at a minimum, each of the following:

18 (1) A program providing for coordinated admin-
19 istration of the national park with proposed assign-
20 ment of responsibilities to the appropriate govern-
21 mental unit at the Federal, State, and local levels,
22 and nonprofit organizations, including each of the
23 following:

24 (A) A plan to finance and support the pub-
25 lic improvements and services recommended in

1 the management plan, including allocation of
2 non-Federal matching requirements and a de-
3 lineation of profit sector roles and responsibil-
4 ities.

5 (B) A program for the coordination and
6 consolidation, to the extent feasible, of activities
7 that may be carried out by Federal, State, and
8 local agencies having jurisdiction over land
9 within the national park, including planning
10 and regulatory responsibilities.

11 (2) Policies and programs for the following pur-
12 poses:

13 (A) Enhancing public recreational and cul-
14 tural opportunities in the national park.

15 (B) Conserving, protecting, and maintain-
16 ing the scenic, historical, cultural, and natural
17 values of the national park.

18 (C) Developing educational opportunities
19 in the national park.

20 (D) Enhancing public access to the na-
21 tional park, including development of transpor-
22 tation networks.

23 (E) Identifying potential sources of rev-
24 enue from programs or activities carried out
25 within the national park.

1 (F) Protecting and preserving sites with
2 historical, cultural, natural, Native American
3 and African American significance.

4 (3) A policy statement that recognizes existing
5 economic activities within the national park.

6 (c) CONSULTATION AND PUBLIC HEARINGS.—In de-
7 veloping the management plan, the Partnership shall:

8 (1) Consult on a regular basis with appropriate
9 officials of any local government or Federal or State
10 agency which has jurisdiction over lands within the
11 national park.

12 (2) Consult with interested conservation, busi-
13 ness, professional, and citizen organizations.

14 (3) Conduct public hearings or meetings for the
15 purposes of providing interested persons with the op-
16 portunity to testify with respect to matters to be ad-
17 dressed by the management plan.

18 (d) APPROVAL OF THE MANAGEMENT PLAN.—

19 (1) IN GENERAL.—The Partnership shall sub-
20 mit the management plan to the Governor of New
21 Jersey for review. The Governor shall have 90 days
22 to review and make any recommendations regarding
23 the management plan. After considering the Gov-
24 ernor's recommendations, if any, the Partnership
25 shall submit the plan to the Secretary, who shall ap-

1 prove or disapprove the plan not later than 90 days
2 after receiving the management plan from the Part-
3 nership. In reviewing the management plan, the Sec-
4 retary shall consider each of the following:

5 (A) The adequacy of public participation.

6 (B) Assurances from State and local offi-
7 cials regarding implementation of the manage-
8 ment plan.

9 (C) The adequacy of regulatory and finan-
10 cial tools that are in place to implement the
11 management plan.

12 (2) DISAPPROVAL.—If the Secretary dis-
13 approves the management plan, the Secretary shall,
14 not later than 60 days after the date of such dis-
15 approval, submit to the Partnership in writing the
16 reasons for the disapproval and recommendations for
17 revision. Not later than 90 days after receipt of such
18 notice of disapproval and recommendations, the
19 Partnership shall revise and resubmit the manage-
20 ment plan to the Secretary who shall approve or dis-
21 approve the revision not later than 60 days after re-
22 ceiving the revised management plan.

23 (3) RESULT OF FAILURE TO APPROVE OR DIS-
24 APPROVE.—If the Secretary does not take action

1 within the deadlines set forth in paragraphs (1) or
2 (2), the plan shall be deemed to have been approved.

3 (e) Prior to adoption of the Partnership's plan, the
4 Secretary and the Partnership shall assist the owners and
5 managers of lands within the national park to ensure that
6 existing programs, services, and activities that promote
7 the purposes of this section are supported.

8 **SEC. 7. PATERSON GREAT FALLS NATIONAL PARK PART-**
9 **nership.**

10 (a) ESTABLISHMENT.—There is hereby established
11 the Paterson Great Falls National Historical Park Part-
12 nership whose purpose shall be to coordinate the activities
13 of Federal, State, and local authorities and the private
14 sector in the development and implementation of the man-
15 agement plan.

16 (b) MEMBERSHIP.—

17 (1) IN GENERAL.—The Commission shall be
18 composed of 13 members appointed by the Sec-
19 retary, of whom—

20 (A) 4 members shall be appointed by the
21 Secretary from nominees submitted by the Gov-
22 ernor of the State of New Jersey;

23 (B) 2 members shall be appointed by the
24 Secretary from nominees submitted by the City
25 Council of Paterson;

1 (C) 2 members shall be appointed by the
2 Secretary from the Paterson Great Falls Na-
3 tional Park Advisory Board; and

4 (D) 1 member shall be appointed by the
5 Secretary from nominees submitted by the
6 Board of Chosen Freeholders of Passaic Coun-
7 ty, New Jersey.

8 (2) CHAIRPERSON; VICE CHAIRPERSON.—The
9 Partnership shall elect one of its members as Chair-
10 person and one as Vice Chairperson. The term of of-
11 fice of the Chairperson and Vice Chairperson shall
12 be one year. The Vice Chairperson shall serve as
13 chairperson in the absence of the Chairperson.

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

17 (4) TERMS.—Terms of service—

18 (A) members of the Partnership shall serve
19 for terms of 3 years and may be reappointed
20 not more than once; and

21 (B) a member may serve after the expira-
22 tion of his or her term until a successor has
23 been appointed.

24 (5) DEADLINE.—The Secretary shall appoint
25 the first members of the Partnership within 30 days

1 after the date on which the Secretary has received
2 all of the recommendations for appointment pursu-
3 ant to subsection (b)(1).

4 (c) COMPENSATION.—Members of the Partnership
5 shall serve without pay, but while away from their homes
6 or regular places of business in the performance of services
7 for the Partnership, members shall be allowed travel ex-
8 penses, including per diem in lieu of subsistence, in the
9 same manner as persons employed intermittently in Fed-
10 eral Government service are allowed expenses under sec-
11 tion 5703 of title 5, United States Code.

12 (d) MEETINGS.—The Partnership shall meet at the
13 call of the Chairperson or a majority of its members.

14 (e) QUORUM.—A majority of the Partnership shall
15 constitute a quorum.

16 (f) STAFF.—The Secretary shall provide the Partner-
17 ship with such staff and technical assistance as the Sec-
18 retary, after consultation with the Partnership, considers
19 appropriate to enable the Partnership to carry out its du-
20 ties. The Secretary may accept the services of personnel
21 detailed from the State of New Jersey, any political sub-
22 division of the State, or any entity represented on the
23 Partnership.

24 (g) HEARINGS.—The Partnership may hold such
25 hearings, sit and act at such times and places, take such

1 testimony, and receive such evidence as the Partnership
2 may deem appropriate.

3 (h) DONATIONS.—Notwithstanding any other provi-
4 sion of law, the Partnership may seek and accept dona-
5 tions of funds, property, or services from individuals, foun-
6 dations, corporations, and other private and public entities
7 for the purpose of carrying out this section.

8 (i) USE OF FUNDS TO OBTAIN MONEY.—The Part-
9 nership may use its funds to obtain money from any
10 source under any program or law requiring the recipient
11 of such money to make a contribution in order to receive
12 such money.

13 (j) MAILS.—The Partnership may use the United
14 States mails in the same manner and upon the same con-
15 ditions as other departments and agencies of the United
16 States.

17 (k) OBTAINING PROPERTY.—The Partnership may
18 obtain by purchase, rental, donation, or otherwise, such
19 property, facilities, and services as may be needed to carry
20 out its duties, except that the Partnership may not acquire
21 any real property or interest in real property.

22 (l) COOPERATIVE AGREEMENTS.—For purposes of
23 carrying out the management plan, the Partnership may
24 enter into cooperative agreements with the State of New

1 Jersey, any political subdivision thereof, or with any orga-
2 nization or person.

3 **SEC. 8. PATERSON GREAT FALLS NATIONAL PARK ADVI-**
4 **SORY COUNCIL.**

5 (a) ESTABLISHMENT.—The Secretary, acting
6 through the Director of the National Park Service, shall
7 establish an advisory committee to be known as the
8 Paterson Great Falls National Park Advisory Council.
9 The purpose of the Advisory Council shall be to represent
10 various groups with interests in the National Park and
11 make recommendations to the Partnership on issues re-
12 lated to the development and implementation of the man-
13 agement plan. The Advisory Council is encouraged to es-
14 tablish committees relating to specific National Park man-
15 agement issues, such as education, tourism, transpor-
16 tation, natural resources, cultural and historic resources,
17 and revenue raising activities. Participation on any such
18 committee shall not be limited to members of the Advisory
19 Council.

20 (b) MEMBERSHIP.—The Advisory Council shall con-
21 sist of not fewer than 15 individuals, to be appointed by
22 the Secretary, acting through the Director of the National
23 Park Service. The Secretary shall appoint no fewer than
24 3 individuals to represent each of the following categories
25 of entities:

1 (1) Municipalities.

2 (2) Educational and cultural institutions.

3 (3) Environmental organizations.

4 (4) Business and commercial entities, including
5 those related to transportation and tourism.

6 (5) Organizations representing African Amer-
7 ican and Native American interests in the Historic
8 District.

9 (c) PROCEDURES.—Each meeting of the Advisory
10 Council and its committees shall be open to the public.

11 (d) FACA.—The provisions of section 14 of the Fed-
12 eral Advisory Committee Act (5 U.S.C. App.) are hereby
13 waived with respect to the Advisory Council.

14 **SEC. 9. FINANCIAL AND TECHNICAL ASSISTANCE.**

15 The Secretary may provide to any owner of property
16 within the National Park containing nationally significant
17 historic or cultural resources, in accordance with coopera-
18 tive agreements or grant agreements, as appropriate, such
19 financial and technical assistance to mark, interpret, and
20 restore non-Federal properties within the National Park
21 as the Secretary determines appropriate to carry out the
22 purposes of this Act, provided that—

23 (1) the Secretary, acting through the National
24 Park Service, shall have right of access at reason-
25 able times to public portions of the property covered

1 by such agreements for the purpose of conducting
2 visitors through such properties and interpreting
3 them to the public; and

4 (2) no changes or alterations shall be made in
5 such properties except by mutual agreement between
6 the Secretary and the other parties to the agree-
7 ments.

8 **SEC. 10. ACQUISITION OF LAND.**

9 (a) GENERAL AUTHORITY.—The Secretary may ac-
10 quire land or interests in land within the boundaries of
11 the National Park by donation, purchase with donated or
12 appropriated funds, or exchange.

13 (b) STATE PROPERTY.—Property owned by the State
14 of New Jersey or any political subdivision of the State may
15 be acquired only by donation.

16 (c) CONSENT.—No lands or interests therein within
17 the boundaries of the park may be acquired without the
18 consent of the owner, unless the Secretary determines that
19 the land is being developed, or is proposed to be developed,
20 in a manner which is detrimental to the natural, scenic,
21 historic, and other values for which the park is established.

22 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There are authorized to be appro-
24 priated such sums as may be necessary to carry out this

1 section, provided that no funds may be appropriated for
2 land acquisition.

3 (b) MATCHING REQUIREMENT.—Amounts appro-
4 priated in any fiscal year to carry out this section may
5 only be expended on a matching basis in a ration of at
6 least 3 non-Federal dollars to every Federal dollar. The
7 non-Federal share of the match may be in the form of
8 cash, services, or in-kind contributions, fairly valued.

○