

110TH CONGRESS
1ST SESSION

H. R. 189

To establish the Paterson Great Falls National Park in the State of New Jersey.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. PASCRELL (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, Mr. SMITH of New Jersey, and Mr. SIRES) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Paterson Great Falls National Park in the State of New Jersey.

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 2007”.

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 that Alexander

1 Hamilton selected to implement his vision of Amer-
2 ican economic independence and transform a rural
3 agrarian society based on slavery into a global econ-
4 omy based on freedom.

5 (2) President Ford announced the designation
6 of the Great Falls Historic District as a National
7 Historic Landmark in 1976 and declared it “a sym-
8 bol of the industrial might which helps to make
9 America the most powerful nation in the world”.

10 (3) Congress made the Great Falls Historic
11 District a National Historic District in 1996.

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

17 (5) The Great Falls Historic District embodies
18 Hamilton’s vision of an American economy based
19 on—

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

22 (B) innovative engineering and technology,
23 including the successful use of water, a renew-
24 able energy source, to power industry and man-
25 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 the Great Falls and the buildings erected around it
7 over two centuries constitute the finest and most ex-
8 tensive 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 Great Falls Historic District.

15 (8) Congress and the National Park Service
16 recognized the national significance of the Paterson
17 Great Falls National Historic District through list-
18 ing on the National Register of Historic Places and
19 designation as a National Historic Landmark and a
20 National Historic District.

21 (9) The Paterson Great Falls National Historic
22 District is suitable for addition to the National Park
23 System because—

24 (A) the national park will promote themes
25 not adequately represented in National Park

1 System, including aspects of African-American
2 history and the inspiration Great Falls has been
3 for renowned American writers and artists;

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

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

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

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

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

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

21 (C) much of the funding will come from
22 private donors and the State of New Jersey,
23 which has committed substantial sums of money
24 to fund a State park that will assist in the
25 funding 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 Great Falls Historic District and historic Hinchliffe
10 Stadium; and

11 (2) to create partnerships among Federal, State
12 and local governments, non-profit organizations and
13 private donors to preserve, enhance, interpret and
14 promote the cultural sites, historic structures, and
15 natural beauty of the Great Falls 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 established in section 6.

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

12 (5) ADVISORY COUNCIL.—The term “Advisory
13 Council” means the Paterson Great Falls National
14 Park Advisory Council established in section 8.

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

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

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

22 (1) the boundaries of the Historic District as
23 listed on the National Register of Historic Places;
24 and

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

3 **SEC. 5. ADMINISTRATION.**

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

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

19 (c) COOPERATIVE AGREEMENTS.—

20 (1) The Secretary may consult and enter into
21 cooperative agreements with the State of New Jersey
22 or its political subdivisions to acquire from and pro-
23 vide to the State or its political subdivisions goods
24 and services to be used in the cooperative manage-
25 ment of lands within the national park, if the Sec-

1 retary determines that appropriations for that pur-
2 pose are available and the agreement is in the best
3 interest of the United States.

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

11 (A) the public may have access to such
12 property at specified, reasonable times for pur-
13 poses of viewing such property or exhibits, or
14 attending the programs established by the Sec-
15 retary under this subsection; and

16 (B) no changes or alterations shall be
17 made in such properties except by mutual
18 agreements between the Secretary and the other
19 parties to the agreements.

20 (d) CONSTRUCTION OF FACILITIES ON NON-FED-
21 ERAL LANDS.—In order to facilitate the administration of
22 the national park, the Secretary is authorized, subject to
23 the appropriation of necessary funds in advance, to con-
24 struct essential administrative or visitor use facilities on
25 non-Federal public lands within the national park. Such

1 facilities and the use thereof shall be in conformance with
2 applicable plans.

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

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

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

13 (a) IN GENERAL.—Not later than 3 years after the
14 date of enactment of this Act, the Partnership shall sub-
15 mit to the Secretary a management plan for the national
16 park to be developed and implemented by the Partnership.

17 (b) CONTENTS.—The plan shall include 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 plan, including allocation of non-Federal
2 matching requirements set forth in section 11
3 and a delineation of profit sector roles and re-
4 sponsibilities.

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; and

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 plan.

18 (d) APPROVAL OF THE MANAGEMENT PLAN.—

19 (1) The Partnership shall submit the manage-
20 ment plan to the Governor of New Jersey for review.
21 The Governor shall have 90 days to review and
22 make any recommendations. After considering the
23 Governor's recommendations, the Partnership shall
24 submit the plan to the Secretary, who shall approve
25 or disapprove the plan within 90 days. In reviewing

1 the plan the Secretary shall consider each of the fol-
2 lowing:

3 (A) The adequacy of public participation.

4 (B) Assurances of plan implementation
5 from State and local officials.

6 (C) The adequacy of regulatory and finan-
7 cial tools that are in place to implement the
8 plan.

9 (2) If the Secretary disapproves the plan, the
10 Secretary shall, within 60 days after the date of
11 such disapproval, advise the Partnership in writing
12 of the reasons therefore, together with recommenda-
13 tions for revision. Within 90 days of receipt of such
14 notice of disapproval, the Partnership shall revise
15 and resubmit the plan to the Secretary who shall ap-
16 prove or disapprove the revision within 60 days.

17 (e) ACTION BEFORE PLAN.—During the time before
18 the adoption of the Partnership's plan, the Secretary and
19 the Partnership shall assist the owners and managers of
20 lands within the national park to ensure that existing pro-
21 grams, services, and activities that promote the purposes
22 of this section are supported.

1 **SEC. 7. PATERSON GREAT FALLS NATIONAL PARK PART-**
2 **nership.**

3 (a) ESTABLISHMENT.—There is hereby established
4 the Paterson Great Falls National Historical Park Part-
5 nership whose purpose shall be to coordinate the activities
6 of Federal, State, and local authorities and the private
7 sector in the development and implementation of the inte-
8 grated resource management plan as described in section
9 6.

10 (b) MEMBERSHIP.—

11 (1) The Commission shall be composed of thir-
12 teen members appointed by the Secretary, of
13 whom—

14 (A) 4 members shall be appointed by the
15 Secretary from nominees submitted by the Gov-
16 ernor of the State of New Jersey;

17 (B) 2 members shall be appointed by the
18 Secretary from nominees submitted by the City
19 Council of Paterson;

20 (C) 2 members shall be appointed by the
21 Secretary from the Paterson Great Falls Na-
22 tional Park Advisory Board as established in
23 section 8; and

24 (D) 1 member shall be appointed by the
25 Secretary from nominees submitted by the

1 Board of Chosen Freeholders of Passaic Coun-
2 ty, New Jersey.

3 (2) The Partnership shall elect one of its mem-
4 bers as Chairperson and one as Vice Chairperson.
5 The term of office of the Chairperson and Vice
6 Chairperson shall be one year. The Vice Chairperson
7 shall serve as chairperson in the absence of the
8 Chairperson.

9 (3) A vacancy in the Partnership shall be filled
10 in the same manner in which the original appoint-
11 ment was made.

12 (4) Terms of service are as follows:

13 (A) Members of the Partnership shall serve
14 for terms of three years and may be re-
15 appointed not more than once; and

16 (B) A member may serve after the expira-
17 tion of his or her term until a successor has
18 been appointed.

19 (5) The Secretary shall appoint the first mem-
20 bers of the Partnership within 30 days after the
21 date on which the Secretary has received all of the
22 recommendations for appointment pursuant to sub-
23 section (b)(1).

24 (c) COMPENSATION.—Members of the Partnership
25 shall serve without pay, but while away from their homes

1 or regular places of business in the performance of services
2 for the Partnership, members shall be allowed travel ex-
3 penses, including per diem in lieu of subsistence, in the
4 same manner as persons employed intermittently in the
5 Government service are allowed expenses under section
6 5703 of title 5, United States Code.

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

9 (e) QUORUM.—A majority of the Partnership shall
10 constitute a quorum.

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

19 (g) HEARINGS.—The Partnership may hold such
20 hearings, sit and act at such times and places, take such
21 testimony, and receive such evidence as the Partnership
22 may deem appropriate.

23 (h) DONATIONS.—Notwithstanding any other provi-
24 sion of law, the Partnership may seek and accept dona-
25 tions of funds, property, or services from individuals, foun-

1 dations, corporations, and other private and public entities
2 for the purpose of carrying out this section.

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

8 (j) MAILS.—The Partnership may use the United
9 States mails in the same manner and upon the same con-
10 ditions as other departments and agencies of the United
11 States.

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

17 (l) COOPERATIVE AGREEMENTS.—For purposes of
18 carrying out the plan described in section 6, the Partner-
19 ship may enter into cooperative agreements with the State
20 of New Jersey, any political subdivision thereof, or with
21 any organization or person.

22 **SEC. 8. PATERSON GREAT FALLS NATIONAL PARK ADVI-**
23 **SORY COUNCIL.**

24 (a) ESTABLISHMENT.—The Secretary, acting
25 through the Director of the National Park Service, shall

1 establish an advisory committee to be known as the
2 Paterson Great Falls National Park Advisory Council.
3 The purpose of the Advisory Council shall be to represent
4 various groups with interests in the national park and
5 make recommendations to the Paterson Great Falls Na-
6 tional Park Partnership on issues related to the develop-
7 ment and implementation of the management plan. The
8 Advisory Council is encouraged to establish committees re-
9 lating to specific national park management issues such
10 as education, tourism, transportation, natural resources,
11 cultural and historic resources, and revenue raising activi-
12 ties. Participation on any such committee shall not be lim-
13 ited to members of the Advisory Council.

14 (b) MEMBERSHIP.—The Advisory Council shall con-
15 sist of not fewer than 15 individuals, to be appointed by
16 the Secretary, acting through the Director of the National
17 Park Service. The Secretary shall appoint no fewer than
18 3 individuals to represent each of the following categories
19 of entities: municipalities; educational and cultural institu-
20 tions; environmental organizations; business and commer-
21 cial entities, including those related to transportation and
22 tourism; and organizations representing African American
23 and Native American interests in the Historic District.

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

1 (d) FACA.—The provisions of section 14 of the Fed-
2 eral Advisory Committee Act (5 U.S.C. App.), shall not
3 apply with respect to the Advisory Council.

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

5 The Secretary may provide to any owner of property
6 within the national park containing nationally significant
7 historic or cultural resources, in accordance with coopera-
8 tive agreements or grant agreements, as appropriate, such
9 financial and technical assistance to mark, interpret, and
10 restore non-Federal properties within the national park as
11 the Secretary determines appropriate to carry out the pur-
12 poses of this Act, provided that—

13 (1) the Secretary, acting through the National
14 Park Service, shall have right of access at reason-
15 able times to public portions of the property covered
16 by such agreements for the purpose of conducting
17 visitors through such properties and interpreting
18 them to the public; and

19 (2) no changes or alterations shall be made in
20 such properties except by mutual agreement between
21 the Secretary and the other parties to the agree-
22 ments.

23 **SEC. 10. ACQUISITION OF LAND.**

24 (a) GENERAL AUTHORITY.—The Secretary may ac-
25 quire land or interests in land within the boundaries of

1 the national park by donation, purchase with donated or
2 appropriated funds, or exchange.

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

6 (c) CONSENT.—No lands or interests therein within
7 the boundaries of the national park may be acquired with-
8 out the consent of the owner, unless the Secretary deter-
9 mines that the land is being developed, or is proposed to
10 be developed in a manner which is detrimental to the nat-
11 ural, scenic, historic, and other values for which the na-
12 tional park is established.

13 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-
15 priated such sums as may be necessary to carry out this
16 section, provided that no funds may be appropriated for
17 land acquisition.

18 (b) MATCHING REQUIREMENT.—Amounts appro-
19 priated in any fiscal year to carry out this section may
20 only be expended on a matching basis in a ration of at
21 least three non-Federal dollars to every Federal dollar.
22 The non-Federal share of the match may be in the form
23 of cash, services, or in-kind contributions, fairly valued.

○