

103^D CONGRESS
1ST SESSION

H. R. 746

To establish the Shenandoah Valley National Battlefields and Commission
in the Commonwealth of Virginia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1993

Mr. WOLF introduced the following bill; which was referred to the Committee
on Natural Resources

A BILL

To establish the Shenandoah Valley National Battlefields
and Commission in the Commonwealth of Virginia, 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 “Shenandoah Valley
5 National Battlefields Partnership Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) there are situated in the Shenandoah Valley
9 in the Commonwealth of Virginia the sites of Civil
10 War battles;

1 (2) certain sites, battlefields, structures, and
2 districts in the Shenandoah Valley, are collectively of
3 national significance in the history of the American
4 Civil War;

5 (3) the National Park Service has assessed the
6 suitability and feasibility of including Shenandoah
7 Valley battlefield sites in the National Park System,
8 or of affiliating these sites with the National Park
9 System, and has found that these sites possess na-
10 tional significance and a high degree of historical
11 integrity;

12 (4) the preservation and interpretation of these
13 sites, battlefields, structures, and districts can make
14 a vital contribution to the understanding of the her-
15 itage of the United States;

16 (5) popular interest in the Civil War has
17 reached a point not seen since Civil War veterans
18 themselves sought to preserve battlefields they hal-
19 lowed;

20 (6) the historic integrity of these battlefields is
21 imperiled by an accelerated pace of growth in the re-
22 gion;

23 (7) concerned individuals and nonprofit organi-
24 zations have expressed interest in donating land in
25 the Shenandoah Valley to the United States for the

1 purpose of preserving sites of the Nation's vanishing
2 Civil War legacy;

3 (8) as evidenced by studies by Virginia Poly-
4 technic Institute and State University, the preserva-
5 tion of highly significant Civil War battlefield sites
6 within the regional framework of the Shenandoah
7 Valley, together with site improvements, including
8 visitor centers and interpretive programs, would
9 have a positive impact on economic development and
10 employment in the Shenandoah Valley by generating
11 new annual sales of goods and services valued at
12 \$50,000,000 to \$65,000,000, creating 1,300 to
13 1,600 new jobs, and generating \$18,000,000 to
14 \$22,000,000 in new salaries and wages;

15 (9) the goal of preserving Civil War sites within
16 a regional framework is to promote cooperation
17 among local property owners and Federal, State,
18 and local government entities that seek to promote
19 economic development through the preservation of
20 sites and places significant to the history of the
21 Nation; and

22 (10) partnerships between Federal, State, and
23 local governments and their regional entities, and
24 the private sector—

1 (A) offer the most effective opportunities
2 for the enhancement and management of the
3 Civil War battlefields and related sites in the
4 Shenandoah Valley; and

5 (B) are best fostered through establish-
6 ment of a region-wide Commission.

7 **SEC. 3. PURPOSES.**

8 The purposes of this Act are to—

9 (1) preserve, conserve, and interpret the legacy
10 of the Civil War in the Shenandoah Valley of
11 Virginia;

12 (2) recognize and interpret important events
13 and geographic locations in the conduct of the Civil
14 War in the Shenandoah Valley of Virginia, including
15 those battlefields associated with the Thomas J.
16 (Stonewall) Jackson Campaign of 1862 and the de-
17 cisive campaigns of 1864;

18 (3) recognize and interpret the effect of war on
19 the Valley's civilian population during the war and
20 the postwar reconstruction period;

21 (4) create partnerships among Federal, State,
22 and local governments and their regional entities,
23 and the private sector to preserve, conserve, en-
24 hance, and interpret the nationally significant battle-

1 fields and related sites associated with the Civil War
2 in the Shenandoah Valley; and

3 (5) establish and maintain a geographic
4 database and information system that can be used
5 to locate, track, and cross reference significant
6 historical and cultural properties, structures, and
7 markers.

8 **SEC. 4. DEFINITIONS.**

9 For the purposes of this Act:

10 (1) BATTLEFIELDS.—The term “Battlefields”
11 means the Shenandoah Valley National Battlefields
12 established under section 101.

13 (2) COMMISSION.—The term “Commission”
14 means the Shenandoah Valley National Battlefields
15 Commission established by title II.

16 (3) CONTRIBUTING BATTLEFIELD.—The term
17 “contributing battlefield” means those areas identi-
18 fied in the National Park Service study, “Civil War
19 Sites in the Shenandoah Valley of Virginia”, that—

20 (A) encompass all important components
21 of a conflict, including approach routes, areas
22 of troop concentrations, reserve positions, com-
23 mand headquarters, hospitals, signal stations,
24 or other important observation points, picket
25 lines, battle lines, maneuver areas, assault

1 areas, artillery positions, retreat routes, and
2 places where the armies bivouacked before or
3 after the fighting; and

4 (B) provide a strategic context and geo-
5 graphic setting for understanding the conflict.

6 (4) HERITAGE PLAN.—The term “Heritage
7 Plan” means the Shenandoah Valley Civil War Sites
8 Heritage Plan approved pursuant to section 104.

9 (5) HISTORIC CORE.—The term “historic core”
10 means areas identified in the National Park Service
11 study, “Civil War Sites in the Shenandoah Valley of
12 Virginia”, containing sites of confrontational deploy-
13 ment, heaviest fighting, and most severe casualties,
14 and those sites important in shaping the ebb and
15 flow of battle.

16 (6) MAJOR INTERPRETIVE FACILITY.—The
17 term “major interpretive facility” means a year-
18 round staffed visitor center that provides an orienta-
19 tion to the entire park, and, through interpretive ex-
20 hibits and media, communicates to the public the
21 story of the Civil War in the Shenandoah Valley of
22 Virginia.

23 (7) LANDS THAT HAVE LOST THEIR HISTORIC
24 INTEGRITY.—The term “lands that have lost their
25 historic integrity” means those battlefield areas

1 identified on site maps in the National Park Service
2 study, “Civil War Sites in the Shenandoah Valley of
3 Virginia”, that are identified as having experienced
4 a significant percentage of land use change from its
5 historic appearance to the extent that the areas no
6 longer retain a unique cultural or historical identity.

7 (8) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 **TITLE I—SHENANDOAH VALLEY**
10 **NATIONAL BATTLEFIELDS**

11 **SEC. 101. ESTABLISHMENT OF SHENANDOAH VALLEY NA-**
12 **TIONAL BATTLEFIELDS.**

13 (a) ESTABLISHMENT.—On the approval by the Sec-
14 retary pursuant to section 104 of the Heritage Plan, and
15 on notice published in the Federal Register of the ap-
16 proval, there is established the Shenandoah Valley Na-
17 tional Battlefields as a unit of the National Park System.

18 (b) AREAS INCLUDED.—The Battlefields shall consist
19 only of those lands identified in the Heritage Plan in the
20 counties of Clarke, Frederick, Highland, Rockingham,
21 Shenandoah, and Warren, and in the city of Winchester.
22 The Commission shall identify lands in the historic core,
23 and the contributing battlefield area immediately adjacent
24 to, or in the vicinity of the historic core, that shall com-
25 prise the Shenandoah Valley National Battlefields.

1 (c) BATTLEFIELDS INCLUDED.—The following bat-
2 tlefields shall be included in the Battlefields:

3 (1) Cedar Creek.

4 (2) Cool Spring.

5 (3) Cross Keys.

6 (4) Fisher’s Hill.

7 (5) First Kernstown.

8 (6) Second Kernstown.

9 (7) McDowell.

10 (8) New Market.

11 (9) Port Republic.

12 (10) Tom’s Brook.

13 (11) Opequon (Third Winchester).

14 (12) Second Winchester.

15 (d) MAP.—The map entitled “Shenandoah Valley Na-
16 tional Battlefields”, and dated _____,
17 shall be on file and available for public inspection in the
18 Office of the Director of the National Park Service.

19 **SEC. 102. PROTECTION AND CONSERVATION OF HISTORIC**
20 **PROPERTIES.**

21 (a) HERITAGE PRESERVATION.—The Secretary and
22 the Commission shall take appropriate action to encourage
23 heritage preservation within the regional area of the Bat-
24 tlefields by landowners, local governments, organizations,
25 and businesses.

1 (b) HERITAGE TOURISM.—The Secretary and the
2 Commission shall cooperate to promote appropriate levels
3 of heritage tourism in the Shenandoah Valley of Virginia
4 that are compatible with resource protection.

5 (c) PARTNERSHIPS AND COOPERATIVE AGREE-
6 MENTS.—

7 (1) IN GENERAL.—The Secretary, with the con-
8 sent of the Commission, may establish partnerships
9 and enter into cooperative agreements relating to
10 planning, development, use, management, and inter-
11 pretation of properties within the Battlefields with
12 other Federal agencies, State and local subdivisions,
13 and private persons, to advance the purposes of this
14 Act.

15 (2) AGREEMENTS WITH OWNERS OF PROP-
16 ERTY.—

17 (A) IN GENERAL.—The Secretary may
18 enter into agreements with the owners of prop-
19 erty in the Battlefields on which historic monu-
20 ments and tablets commemorating the battles
21 have been erected.

22 (B) ACQUISITION.—Within the boundaries
23 of the Battlefields, as provided in the Heritage
24 Plan, the Secretary may, with the consent of
25 the owner, acquire by donation, purchase, or ex-

1 change, lands and interests comprising the
2 monuments and tablets, together with lands
3 and interests in lands necessary to provide ade-
4 quate public access to the monuments and tab-
5 lets.

6 (C) MAINTENANCE.—The Secretary may
7 make funds available, subject to appropriations,
8 for the maintenance, protection, and interpreta-
9 tion of the monuments and tablets pursuant to
10 the agreements.

11 (3) INTERIM AUTHORITY.—During the period
12 Heritage Plan is being prepared, the Secretary, with
13 the approval of the Commission, may enter into
14 agreements described in paragraph (2) to advance
15 the purposes of this Act.

16 (d) RESTORATION OF PROPERTIES.—Notwithstand-
17 ing any other provision of law, the Secretary, with the ad-
18 vice and approval of the Commission, may restore and re-
19 habilitate property within the Battlefields pursuant to
20 partnerships and cooperative agreements without regard
21 to whether title to the property vests with the United
22 States.

23 (e) GRANTS.—Within the Battlefields, the Secretary
24 may award grants to property owners and governmental
25 entities and provide technical assistance, information, and

1 advice under section 101(h) of the National Historic Pres-
2 ervation Act (16 U.S.C. 470a(h)) to promote the use of
3 natural and cultural resources to conserve and maintain
4 the historic character of the Battlefields. The grants shall
5 be made to assist local landowners, businesses, and local
6 governments in cooperative efforts designed to meet herit-
7 age preservation objectives in the historic core and con-
8 tributing battlefield area.

9 (f) PLANNING COSTS.—

10 (1) IN GENERAL.—The Secretary, under such
11 terms and conditions as the Secretary may prescribe,
12 and at the request of any local or county govern-
13 ment entity or a regional entity that encompasses
14 any one or more of the Battlefields, may reimburse
15 up to 90 percent of the planning cost incurred by
16 the entity in the development of comprehensive plans
17 and land use guidelines, regulations, and ordinances
18 that are consistent with conserving the historic char-
19 acter of the Battlefields.

20 (2) CONSULTATION.—The plans shall be pre-
21 pared in consultation with the Secretary and the
22 Commission.

23 (3) IMPLEMENTATION GRANTS.—A plan or
24 strategy that is approved by the Secretary and the

1 Commission shall be eligible for implementation
2 grants under subsection (g).

3 (4) APPROPRIATION DETERMINATE.—Reim-
4 bursement under this subsection may only be made
5 in such amounts as are provided by appropriation.

6 (g) IMPLEMENTATION GRANTS TO GOVERNMENTAL
7 ENTITIES AND THE PRIVATE SECTOR.—

8 (1) IN GENERAL.—The Secretary may provide
9 grants to State, county, or municipal governmental
10 entities or regional entities, based on a matching
11 formula identified in the Heritage Plan to facilitate
12 the implementation of protection plans and strate-
13 gies to further the purposes of this Act. The grants
14 shall be conditioned on the approval by the Sec-
15 retary of commitments from the governmental enti-
16 ties that the entities will assist in the implementa-
17 tion of an approved protection strategy. The Sec-
18 retary shall suspend the provision of grants if the
19 Secretary has withdrawn approval of the strategy
20 under paragraphs (2) and (3).

21 (2) REVIEW.—The Secretary and the Commis-
22 sion shall conduct a regular review of approved
23 strategies for the purpose of ensuring that the strat-
24 egies continue to meet the requirements of sub-
25 sections (e) and (f) and this subsection. If the Sec-

1 retary finds that a strategy or the implementation of
2 a strategy no longer meets the requirements, after
3 consultation with the Commission and the affected
4 governmental entity, the Secretary shall withdraw
5 approval of the strategy.

6 (3) GRANT CONDITIONS.—Grants under this
7 subsection shall be made only on application of the
8 recipient governmental entity and shall be made
9 using funds specifically appropriated for the grants
10 as authorized by this Act. The funds shall be in ad-
11 dition to any other Federal financial assistance for
12 any other program, and shall be subject to such
13 terms and conditions as the Secretary deems nec-
14 essary to carry out the purposes of this subsection.

15 **SEC. 103. ACQUISITION.**

16 (a) GENERAL AUTHORITY.—Within the historic core,
17 subject to the limitations specified in subsection (b), on
18 the adoption of the Heritage Plan by the Secretary and
19 the Commission, the Secretary may acquire lands and in-
20 terests in lands by donation, purchase with donated or ap-
21 propriated funds, or exchange with willing landowners.

22 (b) LIMITATIONS ON AUTHORITY.—

23 (1) STATE OR LOCAL LAND.—Lands, and inter-
24 ests in lands, within the boundaries of the Battle-
25 fields that are owned by a State, county, or munici-

1 pal entity, or any political subdivision of the entity,
2 may be acquired only by donation or exchange.

3 (2) CONDEMNED LAND.—The Secretary may
4 not accept lands acquired by the State through con-
5 demnation for the purposes of battlefield preserva-
6 tion under this Act.

7 (3) EMINENT DOMAIN.—Private property shall
8 not be taken through eminent domain under this
9 Act.

10 (4) LANDS THAT HAVE LOST THEIR HISTORIC
11 INTEGRITY.—Unless recommended by the unani-
12 mous consent of the Commission, in purchasing
13 property the Secretary may not use appropriated
14 funds to acquire lands that have lost their historic
15 integrity.

16 (c) PURCHASE AT FAIR MARKET VALUE.—Lands
17 and interests in land may be acquired under this Act by
18 purchase at a price that is based on the fair market value
19 determined by one or more independent appraisals, con-
20 sistent with the Uniform Relocation Assistance and Real
21 Property Acquisition Policies Act of 1970 (42 U.S.C. 4601
22 et seq.).

23 (d) RIGHT OF FIRST REFUSAL.—

24 (1) IN GENERAL.—Subject to the limitation
25 specified in subsection (b), the Secretary or Commis-

1 sion may acquire the right of first refusal in the ac-
2 quisition of historic core property specified in section
3 101(b).

4 (2) CONSENT.—The Secretary or the Commis-
5 sion may purchase the right of first refusal only
6 from a consenting property owner.

7 (3) TRANSFER OF INTERESTS.—If the owner of
8 the property from whom the Secretary or the Com-
9 mission has purchased a right of first refusal in-
10 tends to transfer any interest in the property by di-
11 rect and exclusive sale and not by gift or donation,
12 the owner shall, as a condition of the purchase of
13 the right of first refusal, notify the Secretary and
14 the Commission in writing of the intention.

15 (4) PERIOD FOR EXERCISING RIGHTS.—The
16 Secretary or the Commission shall have 120 days
17 after notification to exercise a right of first refusal
18 to match any bona fide offer, so long as the offer
19 does not exceed the fair market value of the prop-
20 erty, to obtain the interest under the same terms
21 and conditions as are contained in the offer.

22 (5) NONEXERCISE OF RIGHTS.—If the Sec-
23 retary has not exercised the right within the 120-day
24 period, the right of first refusal shall be considered
25 void and the owner may transfer the interest.

1 (e) ADMINISTRATION.—

2 (1) IN GENERAL.—On the adoption of the Her-
3 itage Plan, the Battlefields shall be administered in
4 accordance with this title and with those provisions
5 of law, rules, and regulations generally applicable to
6 units of the National Park System, including the Act
7 entitled “An Act to establish a National Park Serv-
8 ice, and for other purposes”, approved August 25,
9 1916 (16 U.S.C. 2), the Act entitled, “An Act to
10 provide for the preservation of historic American
11 sites, buildings, objects, and antiquities of national
12 significance, and for other purposes”, approved Au-
13 gust 21, 1935 (16 U.S.C. 461 et seq.), and all other
14 relevant Acts that seek to preserve the heritage of
15 the United States. In the case of a conflict between
16 the provisions of this Act and any generally applica-
17 ble provision of law, the provisions of this Act shall
18 govern.

19 (2) DONATIONS.—Notwithstanding any other
20 provision of law, the Secretary and the Commission
21 may accept donations of funds, property, or services
22 from individuals, foundations, corporations, and
23 other private entities, and from public entities for
24 the purpose of carrying out this Act.

1 (3) PROGRAMS.—The Secretary and the Com-
2 mission may sponsor, or coordinate within the Bat-
3 tlefields and adjacent counties and cities within the
4 Shenandoah Valley, such educational or cultural en-
5 richment programs as the Secretary or the Commis-
6 sion considers appropriate to encourage appreciation
7 and preservation of the resources of the Battlefield.

8 (4) FEES.—The Secretary and the Commission
9 may establish such entrance or other fees as the
10 Secretary and the Commission consider necessary
11 and appropriate. A portion of the revenue generated
12 from the fees shall be placed in a special account es-
13 tablished and administered by the Secretary and the
14 Commission for one or both of the following
15 purposes:

16 (A) Acquisition of lands or interests in
17 lands described in section 101.

18 (B) Direct cash payments to local govern-
19 ments to supplement existing Federal payments
20 in lieu of taxes in accordance with a payment
21 schedule established by the Commission, in con-
22 sultation with the Secretary.

1 **SEC. 104. SHENANDOAH VALLEY CIVIL WAR SITES HERIT-**
2 **AGE PLAN.**

3 (a) IN GENERAL.—Not later than 3 years after the
4 date of enactment of this Act, the Commission, with the
5 approval of the Secretary, shall submit to Congress a Her-
6 itage Plan that shall describe the appropriate protection,
7 management, uses, and development of the Battlefields
8 consistent with the purposes of this Act. The plan shall
9 contain the information described in section 12(b) of Pub-
10 lic Law 91–383 (16 U.S.C. 1a–7(b)). The Plan shall be
11 prepared with adequate public involvement, as determined
12 by the Secretary and the Commission.

13 (b) PREPARATION AND APPROVAL OF THE PLAN.—

14 (1) SUBMISSION OF DRAFT PLAN TO THE SEC-
15 RETARY.—Not later than 2 years after the date on
16 which the Commission conducts its first meeting, the
17 Commission shall submit to the Secretary a draft
18 Shenandoah Valley Civil War Sites Heritage Plan,
19 that shall meet the requirements of subsection (c).

20 (2) REVIEW OF DRAFT PLAN BY THE SEC-
21 RETARY.—The Secretary shall review the draft Plan
22 and, not later than 90 days after the date on which
23 the plan is submitted to the Secretary suggest ap-
24 propriate modifications and forward the modifica-
25 tions to the Commission.

1 (3) NO SUGGESTED MODIFICATIONS.—If no
2 suggestions are submitted by the Secretary within
3 the 90-day period referred to in paragraph (2), the
4 Plan shall be considered approved.

5 (4) REVISED PLAN.—Not later than 90 days
6 after the Secretary submits suggestions, the Com-
7 mission shall submit a revised Heritage Plan to the
8 Secretary. The Secretary shall approve or disapprove
9 any revised plan in accordance with paragraph (1).
10 The Secretary may approve a Heritage Plan only if
11 the Secretary determines that the plan would carry
12 out the purposes of this Act.

13 (c) SPECIFIC PROVISIONS.—The Heritage Plan shall
14 include the following provisions:

15 (1) A description of the boundaries of the
16 Battlefields.

17 (2) Identification of partnerships between the
18 Secretary, the Commission, and other Federal,
19 State, and local governments and regional entities,
20 and the private sector, for the management of prop-
21 erties within the Battlefields.

22 (3) Proposed locations for visitor contact and
23 major interpretive facilities, including at least one
24 major interpretive facility in the upper valley vicinity

1 and one major interpretive facility in the lower valley
2 vicinity.

3 (4) Plans for implementing a continuing pro-
4 gram of interpretation and visitor education concern-
5 ing the resources and values of the Battlefields.

6 (5) Plans for a uniform valley-wide historical
7 marker and wayside exhibit program, including a
8 provision for marking, with the consent of the
9 owner, historic structures and properties contained
10 in the areas identified in section 101(b) that contrib-
11 ute to the understanding of the Civil War heritage
12 of the valley.

13 (6) Plans for the management of natural and
14 cultural resources of the Battlefields, with particular
15 emphasis on the preservation of historic landscapes
16 and scenes, including a reassessment of the historic
17 integrity of lands within the historic core every 5
18 years, or otherwise, as considered necessary by the
19 Secretary and the Commission.

20 (7) Proposals for possible future operation of
21 battlefield concessions by locally owned businesses,
22 certification of battlefield guides, and a Battlefields-
23 wide interpretive training program.

24 (d) PUBLICATION.—On approval of the Heritage
25 Plan, the Secretary shall publish notice of the approval

1 in the Federal Register and the Commission shall forward
2 copies of the approved plan to Congress.

3 (e) REVISIONS.—The Secretary may revise the Herit-
4 age Plan established pursuant to this section, only after
5 consulting with the Commission, and after adequate public
6 involvement.

7 **TITLE II—SHENANDOAH VALLEY**
8 **NATIONAL BATTLEFIELDS**
9 **COMMISSION**

10 **SEC. 201. ESTABLISHMENT, DUTIES, AND ADMINISTRATION**
11 **OF THE COMMISSION.**

12 (a) ESTABLISHMENT.—There is established a com-
13 mission to be known as the Shenandoah Valley National
14 Battlefields Commission.

15 (b) DUTIES.—

16 (1) IN GENERAL.—In addition to the duties au-
17 thorized in other provisions of this Act, the Commis-
18 sion shall—

19 (A) advise and actively participate with the
20 National Park Service in developing the Herit-
21 age Plan for the Battlefields;

22 (B) assist in the implementation, coordina-
23 tion, protection, promotion, and management of
24 the Battlefield resources in the Shenandoah
25 Valley of Virginia; and

1 (C) administer funds donated pursuant to
2 paragraph (2).

3 (2) DONATIONS.—Notwithstanding any other
4 provision of law, the Commission may accept, retain,
5 expend, and dispose of donations of funds for the
6 purpose of carrying out the duties of the Commis-
7 sion authorized by this Act.

8 (c) MEMBERSHIP.—The Commission shall be com-
9 posed of the following members:

10 (1) Sixteen members, of which 2 members (one
11 of which must be a property owner in the historic
12 core) shall represent each of the areas specified in
13 section 101(b). The members shall be appointed by
14 the appropriate local governing body as determined
15 by the Secretary.

16 (2) The executive director of the Lord Fairfax
17 Planning District Commission.

18 (3) The executive director of the Central Shen-
19 andoah Planning District Commission.

20 (4) Two members with demonstrated expertise
21 in historic preservation, appointed by the Secretary.

22 (5) Two members who are recognized historians
23 with expertise in Civil War history, appointed by the
24 Secretary.

1 (6) Two members appointed by the Secretary,
2 one of whom shall be from a chamber of commerce
3 from within a county in which part of the historic
4 core is located and the other of whom shall be a
5 business leader from a county in which part of the
6 historic core is located.

7 (7) The executive director or designee from
8 each of the following nonprofit entities that own
9 Battlefield property within the historic core:

10 (A) The National Trust for Historic Pres-
11 ervation/Belle Grove Incorporated.

12 (B) The Cedar Creek Battlefield Founda-
13 tion.

14 (C) The New Market Battlefield Park.

15 (D) The Association for the Preservation
16 of Civil War Sites.

17 (E) The Lee Jackson Foundation.

18 (F) The Stonewall Brigade Foundation.

19 (G) The Society of Port Republic Preserva-
20 tionists.

21 (H) Preservation of Historic Winchester.

22 (8) The Director of the Department of Historic
23 Resources, Commonwealth of Virginia (SHPC), ap-
24 pointed by the Governor, to serve as an ex officio
25 member of the Commission.

1 (9) The Director of the National Park Service
2 or the designee of the Director, to serve as an ex
3 officio member of the Commission.

4 (d) OPERATIONS OF THE COMMISSION.—

5 (1) APPOINTMENTS.—Members of the Commis-
6 sion shall be appointed for staggered terms of 3
7 years, as designated by the Secretary at the time of
8 initial appointment. Any member of the Commission
9 appointed for a definite term may serve after the ex-
10 piration of the term of the member until the succes-
11 sor of the member is appointed.

12 (2) ELECTION OF OFFICERS.—The Commission
13 shall elect one of the members of the Commission as
14 Chairperson and one as Vice Chairperson. Terms of
15 the Chairperson and Vice Chairperson shall be 2
16 years. The Vice Chairperson shall serve as Chair-
17 person in the absence of the Chairperson.

18 (3) VACANCY.—Any vacancy on the Commis-
19 sion shall be filled in the same manner in which the
20 original appointment was made, except that the Sec-
21 retary if responsible for the appointment, shall fill
22 any vacancy within 30 days after the vacancy oc-
23 curs. If an appointment has not been made 30 days
24 after the vacancy occurs, the Commission may fill

1 the position in the same manner in which the origi-
2 nal appointment was made.

3 (4) QUORUM.—Eleven members of the Commis-
4 sion shall constitute a quorum.

5 (5) MEETINGS.—The Commission shall meet
6 not less than quarterly, or at the call of the Chair-
7 person or a majority of its members. The Director
8 or the designee of the Director shall attend each
9 Commission meeting. Notice of meetings and agenda
10 shall be published in local newspapers that have a
11 distribution throughout the Shenandoah Valley.
12 Commission meetings shall be held at various loca-
13 tions throughout the valley and in such a manner as
14 to ensure adequate public participation.

15 (6) EXPENSES.—Members of the Commission
16 shall serve without compensation, but the Secretary
17 may reimburse members for expenses reasonably in-
18 curred in carrying out the responsibilities of the
19 members under this Act on vouchers signed by the
20 Chairperson.

21 (7) STAFF.—The Commission may hire such
22 staff as is necessary to carry out this Act. The sal-
23 ary of an employee may not be in excess of a rate
24 comparable to a grade GS-14 of the General Sched-
25 ule. On the request of the Commission, the Director

1 of the National Park Service may detail, on a reim-
2 bursable basis, personnel of the service to the Com-
3 mission to assist it in carrying out its duties under
4 this Act.

5 (8) FEDERAL ADVISORY COMMITTEE ACT.—The
6 provisions of section 14 of the Federal Advisory
7 Committee Act (5 U.S.C. App.) are waived with re-
8 spect to the Commission.

9 **TITLE III—AUTHORIZATION OF**
10 **APPROPRIATIONS**

11 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated for each of
13 fiscal years 1993 through 2003 such sums as may be nec-
14 essary to carry out this Act.

○

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