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SENATE

{ REPORT
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WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

JUNE 26, 2007.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 686]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 686) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, having considered the same, reports favorably thereon without amendment, and recommends that the bill do pass.

PURPOSE

The purpose of S. 686 is to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, a 600-mile route extending from Newport, Rhode Island, to Yorktown, Virginia.

BACKGROUND AND NEED

During the 106th Congress, legislation was enacted (Public Law 106-473) authorizing the National Park Service to undertake a study to assess the suitability and feasibility of designating the 600-mile route taken by the armies of George Washington and Count Rochambeau between Newport, Rhode Island and Yorktown, Virginia in 1781 and the return to Boston, Massachusetts in 1782.

The National Park Service completed the study in October 2006. The study concluded that the trail was appropriate for designation as a National Historic Trail, which was the preferred alternative of the study.

As part of the alliance with the 13 rebellious colonies that would form the United States, French General Jean Baptiste Donatien de Vimeur, comte de (Count) Rochambeau, sailed into Newport, Rhode

Island in July of 1780 as head of the expedition *Particuliere*, an army of 5,300 officers and men. After wintering in Newport, Rochambeau's army marched through Rhode Island and Connecticut in June and July of 1781, and joined General George Washington's Continental Army in Philipsburg, New York.

Abandoning the idea of attacking New York, held by the British under General Sir Henry Clinton, the two generals devised instead a southern campaign to attack General Charles Lord Cornwallis in Virginia. In August and September, their armies took a combination of strategic roads and waterways that led them through New Jersey, Pennsylvania, Delaware, Maryland, the future District of Columbia, and Virginia, reaching Williamsburg in late September. Together they attacked and held under siege the British-fortified town of Yorktown. A French fleet under the command of Admiral de Grasse blocked the Chesapeake Bay to either reinforcement from New York or sea escape from Yorktown. On October 19, 1781, after three weeks of siege, General Cornwallis surrendered to General Washington, marking Yorktown as one of the most decisive American victories in the War for Independence.

Shortly afterwards, Washington and the Continentals returned to defend northern posts. Rochambeau and his army wintered in Williamsburg, then marched north in the summer of 1782. In the towns and cities they passed through along the way, both the American and French forces were warmly greeted and celebrated. While small contingents stayed in different ports and left for France the following year, the bulk of Rochambeau's army sailed from Boston on Christmas Eve, 1782.

In all, nine states and the future District of Columbia formed the route and supported the march, providing ports, roads, campsites, officers' lodging, provisions of food, and supplies: Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia.

LEGISLATIVE HISTORY

S. 686 was introduced by Senator Lieberman and others on February 26, 2007. The Subcommittee on National Parks held a hearing on the bill on April 26, 2007.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on May 23, 2007, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 686.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the "Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act."

Section 2 amends section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) to add the approximately 600-mile Washington-Rochambeau Revolutionary Route National Historic Trail, extending from Newport, Rhode Island to Yorktown, Virginia. The trail is to be administered by the Secretary of the Interior, in consultation with Federal, State, tribal, regional, and local agencies, and the private sector. The Secretary is authorized to acquire lands and in-

terests therein outside the exterior boundary of Federally-administered areas only on a willing-seller basis.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

JUNE 5, 2007.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 686, the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG.

Enclosure.

S. 686—Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act

S. 686 would amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route as a National Historic Trail. The route spans over 600 miles across nine states and the District of Columbia that trace the marches taken by the American and French armies during the Yorktown campaign of the Revolutionary War. The National Park Service (NPS) would administer the trail and coordinate the efforts of public and private entities on trail administration, planning, development, and maintenance.

Based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that establishing, developing, and administering the proposed historic trail would cost about \$2 million over the 2008–2012 period. Of this amount, we estimate that the NPS would spend about \$300,000 over the next three years to prepare a comprehensive management plan for the trail. In addition, we estimate that the NPS would spend about \$350,000 annually beginning in 2010 for the operations and maintenance of the interpretive program for trail visitors.

S. 686 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 686. The bill is not a regulatory measure in the sense of impos-

ing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 686, as ordered reported.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the April 26, 2007 Subcommittee hearing on S. 686 follows:

STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the committee, thank you for the opportunity to appear before you to provide the Department of the Interior's views on S. 686, a bill to designate the Washington-Rochambeau Revolutionary Route as a national historic trail.

The Department supports enactment of this bill.

The study report on the Washington-Rochambeau Revolutionary Route, authorized by P.L. 106-473, continues under public review until May 4, 2007. The study has preliminarily concluded that the trail meets the criteria for designation as a national historic trail. Although we normally prefer to complete studies before making a recommendation, the study's central recommendation is unlikely to change this late in the process. The public comment period will determine if any further revisions to the study are required.

S. 686 would amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail across nine states and the District of Columbia. The trail would be administered by the Secretary of the Interior in consultation with other Federal, State, tribal, regional, and local agencies, and the private sector.

The Washington-Rochambeau Revolutionary Route spans over 600 miles from Newport, Rhode Island where French forces under the command of Jean Baptiste Donatien de Viemeur, comte de Rochambeau landed in July 1780, to Yorktown, Virginia where with General George Washington and Continental Army forces, the combined armies forced the surrender of the British Army under General Charles Lord Cornwallis. Historians regard this cooperative endeavor resulting in the Yorktown surrender as one of the most decisive events in bringing the American Revolution to a successful conclusion. It initiated and has had the long-lasting effect of our continued friendship with the people of France.

After wintering in Newport, Rochambeau's army marched through Rhode Island and Connecticut and joined Washington's army in Phillipsburg, New York. Foregoing an attack on New York City, the two generals decided to attack from the south. In August through September, the

armies traversed New Jersey, Pennsylvania, Delaware, Maryland, the future District of Columbia, and Virginia, reaching Williamsburg in late September. A French fleet under Admiral DeGrasse blocked the Chesapeake Bay from British entry and the possible escape of British troops at Yorktown. On October 19, 1781, Cornwallis surrendered his forces to those who had suffered the hardships of rebellion and their allies, and ultimately forged the birth of a nation.

In the summer of 1782, Rochambeau's army marched north to Boston and the bulk of his troops sailed to France on Christmas Eve of that year. In this crucial march south and then victoriously north after Yorktown, American and French troops were warmly greeted and celebrated by the populace. In all, nine future states and the future District of Columbia comprised portions of the route and supported the march, providing ports, roads, campsites, officers' lodging, food provisions and supplies.

The extant resources associated with the marches of 1781 and 1782 are well-documented. Comprehensive historical and architectural surveys have identified 750 known resources directly related to the route and many more in adjacent locations. Many resources found along the Revolutionary Route are National Historic Landmarks or sites listed on the National Register of Historic Places. They include campsites and bivouacs; historic road segments and landscapes; numerous buildings used for accommodations of the troops and meetings; archeological resources; tombstones and grave markers; and, abundant plaques, tablets and statues marking the passage of those, both French and American, who marched to secure a nation's beginning.

The proposed trail links units of the National Park System, national heritage areas, and related resources administered by States, local governments and private organizations that commemorate the nation's struggle for independence. As one traverses the Washington-Rochambeau Revolutionary Route, the places that ring of our nation's revolutionary past come into view from Newport to Hartford; Peekskill to Morristown, Princeton, and Trenton; Philadelphia and Valley Forge to Wilmington and Baltimore; and Mt. Vernon to Williamsburg and Yorktown.

S. 686, if enacted, would provide for administration of the Washington-Rochambeau Revolutionary Route National Historic Trail by the Secretary of the Interior and, in accordance with provisions of the National Trails System Act, provide for the establishment of a trail advisory council. The Secretary would also consult with Federal agencies, State and local governments and private organizations to develop a comprehensive management plan for the trail. The cost associated with implementation of the plan could be shared by relevant State and local governments and private organizations, which generally helps to limit Federal expenditures for national trails. The Federal cost to administer this national trail is expected to be

phased in, eventually reaching approximately \$200,000 to \$400,000 annually.

Our experience during the course of the study for the trail has indicated that there is wide-spread support for designation among affected State and local governments and the many private organizations that participated in our public meetings and closely followed the progress of the study. For example, during the study process, a new nine-State nonprofit 501(c)(3) partnership group, the National Washington Rochambeau Revolutionary Route Association, was formed to support designation of the trail and education of the public on the Revolutionary War. This group could be a key partner in the preservation and interpretation of the route if the trail is designated. We believe that this trail, if designated, will be characterized by significant continued participation by the many governments and organizations along the route.

This concludes my prepared remarks, Mr. Chairman. I will be happy to answer any questions you or other committee members may have regarding this bill.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 686, as ordered reported, are shown as follows: (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 90-543—Oct. 2, 1968

16 U.S.C. 1241 et seq.

AN ACT To establish a national trails system, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Trails System Act".

* * * * *

SEC. 5. NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.

(a) National Scenic and national historic trails shall be authorized and designated only by Act of Congress. There are hereby established the following National Scenic and National Historic Trails:

* * * * *

(26) WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL.—

(A) IN GENERAL.—*The Washington-Rochambeau Revolutionary Route National Historic Trail, a corridor of approximately 600 miles following the route taken by the armies of General George Washington and Count Rochambeau between Newport, Rhode Island, and Yorktown, Virginia, in 1781 and 1782, as generally depicted on the map*

entitled “WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL”, numbered T01/80,000, and dated July 2006.

(B) *MAP.*—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) *ADMINISTRATION.*—The trail shall be administered by the Secretary of the Interior, in consultation with—

(i) other Federal, State, tribal, regional, and local agencies; and

(ii) the private sector.

(D) *LAND ACQUISITION.*—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

