

Union Calendar No. 316

103D CONGRESS
2D SESSION

H. R. 3707

[Report No. 103-570]

A BILL

To establish an American Heritage Areas Partnership Program in the Department of the Interior.

JUNE 30, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Mr. VENTO (for himself, Mr. HINCHEY, and Mr. BOUCHER) introduced the following bill; which was referred to the Committee on Natural Resources

JUNE 30, 1994

Additional sponsor: Mr. GORDON

JUNE 30, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 22, 1993]

A BILL

To establish an American Heritage Areas Partnership Program in the Department of the Interior.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “American Heritage*
3 *Areas Partnership Program Act of 1994”.*

4 **SEC. 2. FINDINGS.**

5 *The Congress finds that—*

6 *(1) certain areas of the United States represent*
7 *the diversity of the national character through the*
8 *interaction of natural processes, distinctive land-*
9 *scapes, cultural traditions, and economic and social*
10 *forces that have combined to create a particular pat-*
11 *tern of human settlement and activity;*

12 *(2) despite existing efforts by States and local-*
13 *ities and existing Federal programs, the natural, his-*
14 *toric, and cultural resources and recreational oppor-*
15 *tunities in these areas are often at risk; and*

16 *(3) their complexity and character distinguish*
17 *them and call for a distinctive system of recognition,*
18 *protection, and partnership management.*

19 **SEC. 3. PURPOSES.**

20 *The purposes of the American Heritage Areas Partner-*
21 *ship Program Act are—*

22 *(1) to recognize that the natural, historic, and*
23 *cultural resources and recreational opportunities of*
24 *the United States represent the great and diverse*
25 *character of the Nation and are important thereto,*
26 *and that these resources and opportunities must be*

1 *guarded, preserved, and wisely managed so they may*
2 *be passed on to future generations;*

3 *(2) to recognize that combinations of such re-*
4 *sources and opportunities as they are geographically*
5 *assembled and thematically related form heritage*
6 *areas which provide unique frameworks for under-*
7 *standing the historical, cultural and natural develop-*
8 *ment of the community and its surroundings;*

9 *(3) to preserve such assemblages which are wor-*
10 *thy of national recognition, designation and assist-*
11 *ance, and to encourage linking such resources within*
12 *such areas through greenways, corridors, and trails;*

13 *(4) to encourage appropriate partnerships*
14 *among Federal agencies, State and local governments,*
15 *nonprofit organizations, the private sector, or com-*
16 *binations thereof to preserve, conserve and manage*
17 *those resources and opportunities, accommodate eco-*
18 *nomic viability and enhance the quality of life for our*
19 *Nation's present and future generations;*

20 *(5) to authorize Federal financial and technical*
21 *assistance to State and local governments, private*
22 *nonprofit organizations, or combinations thereof, to*
23 *study and promote the potential for conserving and*
24 *interpreting heritage areas; and*

1 (6) to prescribe the process by which, and the
2 standards according to which, prospective American
3 Heritage Areas may be assessed for eligibility and in-
4 cluded in an American Heritage Areas Partnership
5 Program.

6 **SEC. 4. DEFINITIONS.**

7 For purposes of this Act—

8 (1) *AMERICAN HERITAGE AREA.*—The term
9 “American Heritage Area” means a place where nat-
10 ural, historic, or cultural resources, or some combina-
11 tion thereof, combine to form a cohesive, nationally
12 distinctive landscape arising from patterns of human
13 activity shaped by geography. These patterns make
14 American Heritage Areas representative of the na-
15 tional experience through the physical features that
16 remain and the traditions that have evolved in them.
17 Continued use of and adaptive reuses of the natural
18 and cultural fabric within American Heritage Areas
19 by people whose traditions helped to shape the land-
20 scapes enhances their significance.

21 (2) *INDIAN TRIBE.*—The term “Indian tribe”
22 means any Indian tribe, band, nation, pueblo, or
23 other organized group or community, including any
24 Alaska Native village or regional corporation as de-
25 fined in or established pursuant to the Alaska Native

1 *Claims Settlement Act, which is recognized as eligible*
2 *for the special programs and services provided by the*
3 *United States to Indians because of their status as*
4 *Indians.*

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

7 (4) *TECHNICAL ASSISTANCE.*—*The term “tech-*
8 *nical assistance” means any guidance, advice, help,*
9 *or aid, exclusive of financial aid.*

10 (5) *UNIT OF GOVERNMENT.*—*The term “unit of*
11 *government” means the government of a State, a po-*
12 *litical subdivision thereof, or Indian tribe.*

13 ***SEC. 5. AMERICAN HERITAGE PARTNERSHIP PROGRAM.***

14 (a) *ESTABLISHMENT.*—*In order to preserve nationally*
15 *distinctive natural, historic, and cultural resources, and to*
16 *provide opportunities for conservation, education, and*
17 *recreation through recognition of and assistance to such*
18 *areas, there is hereby established an American Heritage*
19 *Areas Partnership Program within the Department of the*
20 *Interior, which shall consist of American Heritage Areas*
21 *designated pursuant to subsection (d).*

22 (b) *GENERAL AUTHORITY.*—*In accordance with the*
23 *purposes of this Act, the Secretary is authorized to—*

1 (1) *evaluate combinations of resources best pre-*
2 *served, interpreted, stabilized, and managed as Amer-*
3 *ican Heritage Areas under a partnership model;*

4 (2) *evaluate areas nominated for designation*
5 *under subsection (d) as American Heritage Areas in*
6 *accordance with the criteria established in subsection*
7 *(c);*

8 (3) *advise State and local governments, as well*
9 *as nonprofit organizations or other appropriate enti-*
10 *ties as to suitable methods of recognizing and preserv-*
11 *ing thematically and geographically linked natural,*
12 *historic, and cultural resources and recreational op-*
13 *portunities;*

14 (4) *provide technical assistance and grants for*
15 *the purposes of nominating areas for inclusion in the*
16 *American Heritage Area Program, of developing com-*
17 *pacts for nominated areas, of developing management*
18 *plans for designated areas, and of undertaking cap-*
19 *ital projects and improvements pursuant to such*
20 *management plans; and*

21 (5) *to consider any heritage area designated*
22 *under this or any other Act for nomination to the*
23 *World Heritage List if the Secretary determines that*
24 *such heritage area meets the qualification for such*
25 *nomination.*

1 (c) *CRITERIA.*—*To be eligible for designation as an*
2 *American Heritage Area, a proposed area shall meet each*
3 *of the following criteria:*

4 (1) *The area shall be an assemblage of natural,*
5 *historic, or cultural resources that together represent*
6 *distinctive aspects of American heritage worthy of*
7 *recognition, preservation, interpretation and continu-*
8 *ing use which are best managed as such, through*
9 *partnerships among public and private entities, and*
10 *combining diverse and sometimes noncontiguous re-*
11 *sources and active communities.*

12 (2) *The area shall reflect traditions, customs, be-*
13 *liefs, or folklife, or some combination thereof, that are*
14 *a valuable part of the Nation's story.*

15 (3) *The area shall provide outstanding opportu-*
16 *nities to conserve natural, cultural, or historic fea-*
17 *tures, or some combination thereof.*

18 (4) *The area shall provide outstanding rec-*
19 *reational and educational opportunities.*

20 (5) *The resources important to the identified*
21 *theme or themes of the area shall retain integrity ca-*
22 *pable of supporting interpretation.*

23 (6) *Residents, nonprofit organizations, other pri-*
24 *vate entities, and governments within the proposed*
25 *area shall have demonstrated support for designation*

1 *of the area and implementation of its management*
2 *plan.*

3 *(7) The principal organization and units of gov-*
4 *ernment supporting the designation shall be willing to*
5 *commit to agreements to work in partnership to im-*
6 *plement its management plan.*

7 *(8) The proposal shall be consistent with contin-*
8 *ued economic viability in the area.*

9 *(9) A compact shall have been prepared with*
10 *public participation.*

11 *(10) The implementation program outlined in*
12 *the compact shall be likely to be initiated within a*
13 *reasonable time after designation and such program*
14 *shall ensure effective implementation of the State and*
15 *local aspects of the plan.*

16 *(d) CONDITIONS FOR DESIGNATION.—An area may be*
17 *designated as an American Heritage Area only by an Act*
18 *of Congress. The Congress may designate an area as an*
19 *American Heritage Area, upon which the boundaries of the*
20 *area shall be specified and the management entity recog-*
21 *nized, only after each of the following conditions are met:*

22 *(1) An entity requesting American Heritage*
23 *Area designation shall have submitted a feasibility*
24 *study and compact, as described in section 6(d), to*
25 *the Secretary. The comments of the Governor of each*

1 *State in which the proposed American Heritage Area*
2 *lies shall accompany such submittals to the Secretary.*

3 *(2) The Secretary shall have approved the fea-*
4 *sibility study and compact, and have submitted the*
5 *study and compact to the Congress. Prior to approv-*
6 *ing any studies or compacts, the Secretary shall con-*
7 *sult with the Advisory Council on Historic Preserva-*
8 *tion in accordance with section 106 of the National*
9 *Historic Preservation Act. The Secretary shall submit*
10 *those studies and compacts described in section 6(d)*
11 *of this Act to the Congress, together with any com-*
12 *ments which the Secretary deems appropriate for a*
13 *preferred action.*

14 *(e) RELATION TO THE NATIONAL REGISTER OF HIS-*
15 *TORIC PLACES.—The act of designation of an American*
16 *Heritage Area shall not be deemed to signify that such*
17 *American Heritage Area is included in, or eligible for, in-*
18 *clusion in the National Register of Historic Places, as estab-*
19 *lished in accordance with the National Historic Preserva-*
20 *tion Act. Designation of an American Heritage Area shall*
21 *not preclude the subsequent nomination to, or determina-*
22 *tion of eligibility for inclusion in, the National Register of*
23 *any district, site, building, structure, or object located with-*
24 *in the designated American Heritage Area.*

25 *(f) DURATION OF DESIGNATIONS.—*

1 (1) *IN GENERAL.*—An American Heritage Area’s
2 *designation shall continue unless the Secretary deter-*
3 *mines—*

4 (A)(i) *that the American Heritage Area no*
5 *longer meets the criteria established in subsection*
6 *(c);*

7 (ii) *that the parties to the compact are not*
8 *in compliance with the terms of the compact; or*

9 (iii) *that the management entity has not*
10 *made significant progress in developing or im-*
11 *plementing the management plan; and*

12 (B) *requests that the Congress withdraw*
13 *designation.*

14 (2) *PUBLIC HEARING.*—*Before making such a de-*
15 *termination, the Secretary or the Secretary’s designee*
16 *shall hold a public hearing within the American Her-*
17 *itage Area.*

18 **SEC. 6. HERITAGE PARTNERSHIP FEASIBILITY STUDIES,**
19 **COMPACTS, MANAGEMENT PLANS, AND**
20 **EARLY ACTIONS.**

21 (a) *GRANTS.*—

22 (1) *IN GENERAL.*—*The Secretary may make*
23 *matching grants to assist in studies to identify the*
24 *feasibility of establishing a heritage area, to prepare*
25 *compacts outlining the objectives, boundaries and*

1 *management structure of the heritage area, to prepare*
2 *management plans for designated American Heritage*
3 *Areas, and to provide support for early actions as*
4 *part of the development of American Heritage Areas,*
5 *as described in subsections (d) and (e).*

6 (2) *ELIGIBILITY.*—*The Secretary may make*
7 *grants under this section to units of government. The*
8 *Secretary, in consultation with affected units of gov-*
9 *ernment, may also make grants to private nonprofit*
10 *organizations. In awarding grants, the Secretary*
11 *shall be guided by the criteria for eligibility for des-*
12 *ignation found in section 5(c).*

13 (b) *TECHNICAL ASSISTANCE.*—

14 (1) *ELIGIBILITY.*—*The Secretary may provide*
15 *technical assistance to units of government and pri-*
16 *vate nonprofit organizations in the conduct of studies,*
17 *compacts, plans, and early actions. In providing tech-*
18 *nical assistance, the Secretary shall be guided by the*
19 *criteria for eligibility for designation found in section*
20 *5(c).*

21 (2) *COOPERATIVE AGREEMENTS.*—*The Secretary*
22 *may also elect to provide all or part of the technical*
23 *assistance in the conduct of studies, compacts, plans,*
24 *and early actions through cooperative agreements*
25 *with units of government and private nonprofit orga-*

1 *nizations whose missions and resources can contribute*
2 *substantially to the purposes of this Act.*

3 *(c) OTHER ASSISTANCE.—Nothing in this Act shall be*
4 *deemed to prohibit the Secretary or other units of govern-*
5 *ment from providing technical or financial assistance under*
6 *any other provision of law.*

7 *(d) CONTENTS OF STUDIES, COMPACTS, AND PLANS.—*

8 *(1) FEASIBILITY STUDY.—Each feasibility study*
9 *under this Act shall include sufficient information to*
10 *determine if an area has the potential to meet the cri-*
11 *teria in section 5(c). Such information shall include,*
12 *but need not be limited to, each of the following:*

13 *(A) A description of the natural, historic,*
14 *and cultural resources and recreational opportu-*
15 *nities, including an assessment of their quality,*
16 *the degree of integrity, the availability of public*
17 *access and the themes represented by such re-*
18 *sources and opportunities.*

19 *(B) An assessment of the interest of poten-*
20 *tial partners, including units of government,*
21 *nonprofit organizations, and other private enti-*
22 *ties.*

23 *(C) A description of tentative boundaries for*
24 *the area to be nominated.*

1 (D) Identification of a possible management
2 entity.

3 (2) COMPACT.—A compact under this Act shall
4 include information relating to the objectives and
5 management of the area to be proposed for designa-
6 tion. Such information shall include, but need not be
7 limited to each of the following:

8 (A) A delineation of the boundaries of the
9 proposed area.

10 (B) A discussion of the goals and objectives
11 of the area to be nominated, including an expla-
12 nation of the proposed approach to conservation
13 and interpretation, and a general outline of the
14 protection measures committed to by the part-
15 ners.

16 (C) An identification and description of the
17 management entity which will administer the
18 heritage area.

19 (D) A list of the initial partners to be in-
20 volved in developing and implementing the man-
21 agement plan for the proposed area, as well as
22 a statement of the financial commitment of such
23 partners.

24 (E) A description of the role of the State or
25 States in which the proposed area is located.

1 (3) *MANAGEMENT PLAN.*—A management plan
2 under this Act for an American Heritage Area shall
3 present comprehensive recommendations for the herit-
4 age area’s conservation, funding, management and
5 development. Such plan shall take into consideration
6 existing State, county, and local plans and involve
7 residents, public agencies, and private organizations
8 working in the area. It shall include recommended ac-
9 tions to be undertaken by units of government and
10 private organizations to protect the resources of the
11 area. It shall specify the existing and potential
12 sources of funding to protect, manage and develop the
13 area. Such plans shall include specifically as appro-
14 priate:

15 (A) An inventory of the resources contained
16 in the heritage area, including a list of property
17 in the area which should be preserved, restored,
18 managed, developed, maintained because of its
19 natural, cultural, or historic significance as it
20 relates to the themes of the area.

21 (B) A recommendation of policies for re-
22 source management which consider and detail
23 application of appropriate land and water man-
24 agement techniques, including (but not limited
25 to) the development of intergovernmental cooper-

1 *ative agreements to protect the area’s historical,*
2 *cultural, and natural resources and recreational*
3 *opportunities in a manner consistent with sup-*
4 *porting appropriate and compatible economic vi-*
5 *ability.*

6 *(C) A program for implementation of the*
7 *management plan by the management entity, in-*
8 *cluding plans for restoration and construction,*
9 *as well as specific commitments of the identified*
10 *partners for the first 5 years of operation.*

11 *(D) An analysis of ways in which local,*
12 *State, and Federal programs may best be coordi-*
13 *nated to promote the purposes of the Act.*

14 *(E) An interpretation plan for the Amer-*
15 *ican Heritage Area.*

16 *(e) EARLY ACTION.—After designation of an American*
17 *Heritage Area but prior to approval of the management*
18 *plan for that area, the Secretary may provide technical and*
19 *financial assistance for early actions which are important*
20 *to the theme of the area and which protect resources in im-*
21 *minent danger of irreversible damage but for the fact of such*
22 *early action.*

23 **SEC. 7. MANAGEMENT ENTITIES.**

24 *(a) GENERAL.—The management entities named in*
25 *the compacts for American Heritage Areas are authorized*

1 *to receive Federal funds in support of cooperative partner-*
2 *ships to prepare and implement the management plans and*
3 *otherwise perform the functions contemplated in this Act.*
4 *To be eligible for designation as the management entity of*
5 *an American Heritage Area, a unit of government or pri-*
6 *ivate nonprofit organization must possess the legal ability*
7 *to—*

8 (1) *receive Federal funds for use in preparing*
9 *and implementing the management plan;*

10 (2) *disburse Federal funds to other units of gov-*
11 *ernment or other organizations for use in preparing*
12 *and implementing the management plan;*

13 (3) *account for all Federal funds so received or*
14 *disbursed; and*

15 (4) *sign agreements with the Federal Govern-*
16 *ment.*

17 (b) *AUTHORITIES OF THE MANAGEMENT ENTITY.—*
18 *The management entity may, for purposes of preparing and*
19 *implementing the management plan, use Federal funds*
20 *made available through this Act—*

21 (1) *to make grants and loans to States, political*
22 *subdivisions thereof, private organizations, and other*
23 *persons;*

24 (2) *to enter into cooperative agreements with*
25 *Federal agencies; and*

1 (3) to hire and compensate staff.

2 (c) *DUTIES OF THE MANAGEMENT ENTITY.*—The man-
3 agement entity for an American Heritage Area shall—

4 (1) develop and submit to the Secretary for ap-
5 proval a management plan as described in section
6 6(d) within 5 years of the date of designation of such
7 area;

8 (2) give priority to implementing actions as set
9 forth in the compact and the management plan, in-
10 cluding taking steps to—

11 (A) assist units of government, regional
12 planning organizations, and nonprofit organiza-
13 tions in preserving the American Heritage Area;

14 (B) assist units of government, regional
15 planning organizations, and nonprofit organiza-
16 tions in establishing, and maintaining interpre-
17 tive exhibits in the American Heritage Area;

18 (C) assist units of government, regional
19 planning organizations, and nonprofit organiza-
20 tions in developing recreational opportunities in
21 the American Heritage Area;

22 (D) assist units of government, regional
23 planning organizations, and nonprofit organiza-
24 tions in increasing public awareness of and ap-

1 *preciation for the natural, historical, and cul-*
2 *tural resources in the American Heritage Area;*

3 *(E) assist units of government, regional*
4 *planning organizations and nonprofit organiza-*
5 *tions in the restoration of any historic building*
6 *relating to the themes of the American Heritage*
7 *Area;*

8 *(F) encourage by appropriate means eco-*
9 *nomic viability in the corridor consistent with*
10 *the goals of the management plan;*

11 *(G) encourage local governments to adopt*
12 *land use policies consistent with the management*
13 *of the American Heritage Area and the goals of*
14 *the management plan; and*

15 *(H) assist units of government, regional*
16 *planning organizations and nonprofit organiza-*
17 *tions to ensure that clear, consistent, and envi-*
18 *ronmentally appropriate signs identifying access*
19 *points and sites of interest are put in place*
20 *throughout the American Heritage Area;*

21 *(3) in developing and implementing the manage-*
22 *ment plan, consider the interests of diverse govern-*
23 *mental, business, and nonprofit groups within the ge-*
24 *ographic area;*

1 (4) *conduct public meetings at least quarterly re-*
2 *garding the implementation of the management plan;*

3 (5) *submit substantial changes (including any*
4 *increase of more than 20 percent in the cost estimates*
5 *for implementation) to the management plan to the*
6 *Secretary for the Secretary's approval;*

7 (6) *for any year in which Federal funds have*
8 *been received under this Act, submit an annual report*
9 *to the Secretary setting forth its accomplishments, its*
10 *expenses and income, and the entities to which any*
11 *loans and grants were made during the year for*
12 *which the report is made;*

13 (7) *for any year in which Federal funds have*
14 *been received under this Act, make available for audit*
15 *by the Congress, the Secretary, and appropriate units*
16 *of government all records and other information per-*
17 *taining to the expenditure of such funds and any*
18 *matching funds, and require, for all agreements au-*
19 *thorizing expenditure of Federal funds by other orga-*
20 *nizations, that the receiving organizations make*
21 *available for audit by such entities all records and*
22 *other information pertaining to the expenditure of*
23 *such funds; and*

24 (8) *be liable for any loans made pursuant to sec-*
25 *tion 7(b)(1).*

1 (d) *DISQUALIFICATION FOR FEDERAL FUNDING.*—If a
2 management plan is not submitted to the Secretary as re-
3 quired under subsection (c)(1) within the specified time, the
4 American Heritage Area shall no longer qualify for Federal
5 funding.

6 (e) *PROHIBITION ON THE ACQUISITION OF REAL*
7 *PROPERTY.*—The management entity may not use Federal
8 funds received under this Act to acquire real property or
9 interest in real property. Nothing in this Act shall preclude
10 any management entity from using Federal funds from
11 other sources for their permitted purposes.

12 (f) *ELIGIBILITY FOR RECEIVING FINANCIAL ASSIST-*
13 *ANCE.*—(1) A management entity for a designated Amer-
14 ican Heritage Area shall be eligible to receive funds appro-
15 priated through this Act for a period of 10 years after the
16 day on which the American Heritage Area is designated,
17 except as provided in paragraph (2).

18 (2) A management entity's eligibility for funding
19 under this Act may be extended for a period of not more
20 than 5 additional years, if—

21 (A) the management entity determines such ex-
22 tension is necessary in order to carry out the purposes
23 of this Act and notifies the Secretary not later than
24 180 days prior to the termination date;

1 (B) the management entity, not later than 180
2 days prior to the termination date, presents to the
3 Secretary a plan of its activities for the period of the
4 extension, including provisions for becoming inde-
5 pendent of the funds made available through this Act;
6 and

7 (C) the Secretary, with the advice of the Gov-
8 ernors of the States in which the American Heritage
9 Area is located, approves such extension of funding.

10 (3) Any extension provided pursuant to this subsection
11 shall not be construed as waiving any limitation on funds
12 provided by this Act.

13 **SEC. 8. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

14 (a) DUTIES AND AUTHORITIES OF THE SECRETARY.—

15 (1) TECHNICAL AND FINANCIAL ASSISTANCE.—

16 (A) Following designation of an American Heritage
17 Area, the Secretary may, upon request of the manage-
18 ment entity, provide technical and financial assist-
19 ance with respect to American Heritage Area to de-
20 velop and implement the management plan.

21 (B) In assisting a designated American Heritage
22 Area, the Secretary shall give priority to actions that
23 in general assist in—

1 (i) conserving the significant natural, his-
2 toric, and cultural resources which support the
3 themes of the American Heritage Area; and

4 (ii) providing education, interpretive, and
5 recreational opportunities consistent with the re-
6 sources and associated values of the American
7 Heritage Area.

8 (C) The Secretary is authorized to spend Federal
9 funds directly on nonfederally owned property to fur-
10 ther the purposes of this Act, especially in assisting
11 units of government in appropriate treatment of dis-
12 tricts, sites, buildings, structures, and objects listed or
13 eligible for listing on the National Register of His-
14 toric Places.

15 (D) The Secretary shall decide which American
16 Heritage Areas shall be awarded technical and finan-
17 cial assistance, and the amount of such assistance.
18 Such decisions shall be based on the relative degree to
19 which each Area most effectively fulfills the objectives
20 contained in the management plan and shall give
21 consideration to projects which provide a greater le-
22 verage of Federal funds.

23 (E) The Secretary may provide technical and fi-
24 nancial assistance to units of government and to non-

1 *profit organizations in carrying out the purposes of*
2 *this Act.*

3 (2) *APPROVAL AND DISAPPROVAL OF COMPACTS,*
4 *AND MANAGEMENT PLANS.—*

5 (A) *The Secretary, in consultation with the*
6 *Governors of each State in which the proposed or*
7 *designated American Heritage Area is located,*
8 *shall approve or disapprove a compact or man-*
9 *agement plan submitted under this Act not later*
10 *than 90 days after receiving such compact or*
11 *management plan.*

12 (B) *If the Secretary disapproves a submit-*
13 *ted compact or management plan, the Secretary*
14 *shall advise the petitioner in writing of the rea-*
15 *sons therefor and shall make recommendations*
16 *for revisions in the compact or plan. The Sec-*
17 *retary shall approve or disapprove a proposed*
18 *revision within 90 days after the date it is sub-*
19 *mitted.*

20 (3) *APPROVING AMENDMENTS.—The Secretary*
21 *shall review substantial amendments to management*
22 *plans of American Heritage Areas. Funds appro-*
23 *priated pursuant to this Act may not be expended to*
24 *implement the amendments until the Secretary ap-*
25 *proves the amendments.*

1 (4) *ANNUAL REPORT.*—*The Secretary shall sub-*
2 *mit an annual report to Congress on the American*
3 *Heritage Partnership Program. Such report shall in-*
4 *clude—*

5 (A) *the number, amount and recipients of*
6 *any grants provided by the Secretary and the*
7 *nature of any technical assistance or early ac-*
8 *tion provided pursuant to this Act;*

9 (B) *a description of the areas nominated for*
10 *the American Heritage Partnership Program;*

11 (C) *the Secretary's recommendations for*
12 *areas to be designated by Congress; and*

13 (D) *the status of the implementation of con-*
14 *tractual agreements entered into by the Secretary*
15 *under this same program.*

16 (5) *OVERSIGHT OF HERITAGE AREAS.*—*The Sec-*
17 *retary shall investigate, study and continually mon-*
18 *itor the welfare of American Heritage Areas whose*
19 *eligibility for Federal funding has expired, and shall*
20 *report to the Congress periodically on the current and*
21 *changed condition of any such American Heritage*
22 *Area.*

23 (6) *PROVIDING INFORMATION.*—*In cooperation*
24 *with other Federal agencies, the Secretary shall pro-*
25 *vide the general public with information as to the lo-*

1 *cation and character of components of the American*
2 *Heritage Area Program.*

3 (7) *PROMULGATING REGULATIONS.*—*The Sec-*
4 *retary shall promulgate such regulations as are nec-*
5 *essary to carry out the purposes of this Act.*

6 (b) *DUTIES OF FEDERAL ENTITIES.*—*Any Federal en-*
7 *tity conducting or supporting activities directly affecting*
8 *a designated American Heritage Area, and any unit of gov-*
9 *ernment acting pursuant to a grant of Federal funds or*
10 *a Federal permit or agreement conducting or supporting*
11 *such activities shall, to the maximum extent practicable—*

12 (1) *consult with the Secretary and the manage-*
13 *ment entity for the American Heritage Area with re-*
14 *spect to such activities;*

15 (2) *cooperate with the Secretary and the man-*
16 *agement entity in carrying out their duties under this*
17 *Act and coordinate such activities with the carrying*
18 *out of such duties; and*

19 (3) *conduct or support such activities in a man-*
20 *ner consistent with the management plan unless the*
21 *Federal entity, after consultation with the manage-*
22 *ment entity, determines there is no practicable alter-*
23 *native.*

1 **SEC. 9. PRIVATE PROPERTY USE.**

2 *Land use plans for a designated American Heritage*
3 *Area may be adopted and implemented by local govern-*
4 *ments, or management entities authorized by State law to*
5 *exercise such authorities concerning private property use,*
6 *pursuant to the compact, the management plan, and the*
7 *other binding agreements among the partners supporting*
8 *the American Heritage Area to achieve the purposes of the*
9 *designation.*

10 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

11 *(a) FEASIBILITY STUDIES, COMPACTS, MANAGEMENT*
12 *PLANS, AND EARLY ACTIONS.—From the amounts made*
13 *available to carry out the National Historic Preservation*
14 *Act, there is authorized to be appropriated to the Secretary,*
15 *for grants and technical assistance pursuant to section 6*
16 *and the administration thereof, annually not more than*
17 *\$10,000,000, to remain available until expended with the*
18 *following conditions:*

19 *(1) No grant for a feasibility study, compact,*
20 *management plan, or early action may exceed 75 per-*
21 *cent of the grantee's cost for such study, plan, or early*
22 *action.*

23 *(2) The total amount of Federal funding for a*
24 *feasibility study for any one American Heritage Area*
25 *may not exceed \$100,000.*

1 (3) *The total amount of Federal funding for a*
2 *compact for any one American Heritage Area may*
3 *not exceed \$150,000.*

4 (4) *The total amount of Federal funding for*
5 *early action grants for any one American Heritage*
6 *Area may not exceed \$250,000.*

7 (5) *The total amount of Federal funding for a*
8 *management plan for any one American Heritage*
9 *Area may not exceed \$150,000.*

10 (b) *MANAGEMENT ENTITY OPERATIONS.—*

11 (1) *OPERATING COSTS.—From the amounts*
12 *made available to carry out the National Historic*
13 *Preservation Act, there is authorized to be appro-*
14 *propriated to the Secretary for the operating costs of each*
15 *management entity pursuant to section 7 not more*
16 *than \$250,000 annually.*

17 (2) *COST SHARE.—The Federal contribution to*
18 *the operations of any management entity shall not ex-*
19 *ceed 50 percent of the annual operating costs of that*
20 *entity.*

21 (c) *IMPLEMENTATION.—From the amounts made*
22 *available to carry out the National Historic Preservation*
23 *Act, there is authorized to be appropriated to the Secretary,*
24 *for grants and technical assistance pursuant to section 8*
25 *and the administration thereof for the implementation of*

1 *management plans for designated American Heritage Areas*
2 *pursuant to section 8, annually not more than \$25,000,000,*
3 *to remain available until expended, with the following con-*
4 *ditions—*

5 (1) *No grant for implementation may exceed 50*
6 *percent of the grantee's cost of implementation.*

7 (2) *No more than 10 percent of the annual ap-*
8 *propriation for this subsection shall be made avail-*
9 *able, in any single year, for implementation activities*
10 *in a given area.*

11 (3) *No more than \$10,000,000 in total may be*
12 *made available under this subsection to any one*
13 *American Heritage Area.*

14 (4) *Any payment made shall be subject to an*
15 *agreement that conversion, use, or disposal of the*
16 *project so assisted for purposes contrary to the pur-*
17 *poses of this Act, as determined by the Secretary,*
18 *shall result in a right of the United States of reim-*
19 *bursment of all funds made available to such project*
20 *or the proportion of the increased value of the project*
21 *attributable to such funds as determined at the time*
22 *of such conversion, use, or disposal, whichever is*
23 *greater.*

24 (d) *LIMITATION ON AMOUNTS AVAILABLE FOR TECH-*
25 *NICAL ASSISTANCE.—For any one American Heritage Area,*

1 *an amount equal to not more than 10 percent of the total*
2 *amount made available to such area under this section for*
3 *a fiscal year may be made available for that fiscal year*
4 *for technical assistance with respect to that area.*

5 **SEC. 11. EXPIRATION OF AUTHORITIES.**

6 *The authorities contained in this Act shall expire on*
7 *September 30 of the 25th fiscal year beginning after the date*
8 *of enactment of this Act. The Secretary shall submit to the*
9 *Congress every 5 years a report on the status and accom-*
10 *plishments of the overall American Heritage Area Partner-*
11 *ship Program.*

12 **SEC. 12. SAVINGS PROVISION.**

13 *Nothing in this Act shall be construed to expand or*
14 *diminish any authorities provided by laws designating in-*
15 *dividual National Heritage Areas or Corridors established*
16 *prior to enactment of this Act.*

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