

106TH CONGRESS  
1ST SESSION

# S. 905

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## AN ACT

To establish the Lackawanna Valley National Heritage Area  
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 “Lackawanna Valley  
5       National Heritage Area Act of 1999”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the industrial and cultural heritage of  
4 northeastern Pennsylvania, including Lackawanna  
5 County, Luzerne County, Wayne County, and Sus-  
6 quehanna County, related directly to anthracite and  
7 anthracite-related industries, is nationally signifi-  
8 cant;

9 (2) the industries referred to in paragraph (1)  
10 include anthracite mining, ironmaking, textiles, and  
11 rail transportation;

12 (3) the industrial and cultural heritage of the  
13 anthracite and anthracite-related industries in the  
14 region described in paragraph (1) includes the social  
15 history and living cultural traditions of the people of  
16 the region;

17 (4) the labor movement of the region played a  
18 significant role in the development of the Nation,  
19 including—

20 (A) the formation of many major unions  
21 such as the United Mine Workers of America;  
22 and

23 (B) crucial struggles to improve wages and  
24 working conditions, such as the 1900 and 1902  
25 anthracite strikes;

1           (5)(A) the Secretary of the Interior is respon-  
2           sible for protecting the historical and cultural re-  
3           sources of the United States; and

4           (B) there are significant examples of those re-  
5           sources within the region described in paragraph (1)  
6           that merit the involvement of the Federal Govern-  
7           ment to develop, in cooperation with the Lacka-  
8           wanna Heritage Valley Authority, the Common-  
9           wealth of Pennsylvania, and local and governmental  
10          entities, programs and projects to conserve, protect,  
11          and interpret this heritage adequately for future  
12          generations, while providing opportunities for edu-  
13          cation and revitalization; and

14          (6) the Lackawanna Heritage Valley Authority  
15          would be an appropriate management entity for a  
16          Heritage Area established in the region described in  
17          paragraph (1).

18          (b) PURPOSES.—The purposes of the Lackawanna  
19          Valley National Heritage Area and this Act are—

20                (1) to foster a close working relationship among  
21                all levels of government, the private sector, and the  
22                local communities in the anthracite coal region of  
23                northeastern Pennsylvania and enable the commu-  
24                nities to conserve their heritage while continuing to  
25                pursue economic opportunities; and

1           (2) to conserve, interpret, and develop the his-  
2           torical, cultural, natural, and recreational resources  
3           related to the industrial and cultural heritage of the  
4           4-county region described in subsection (a)(1).

5 **SEC. 3. DEFINITIONS.**

6           In this Act:

7           (1) HERITAGE AREA.—The term “Heritage  
8           Area” means the Lackawanna Valley National Her-  
9           itage Area established by section 4.

10          (2) MANAGEMENT ENTITY.—The term “man-  
11          agement entity” means the management entity for  
12          the Heritage Area specified in section 4(c).

13          (3) MANAGEMENT PLAN.—The term “manage-  
14          ment plan” means the management plan for the  
15          Heritage Area developed under section 6(b).

16          (4) PARTNER.—The term “partner” means—  
17                (A) a Federal, State, or local governmental  
18                entity; and

19                (B) an organization, private industry, or  
20                individual involved in promoting the conserva-  
21                tion and preservation of the cultural and nat-  
22                ural resources of the Heritage Area.

23          (5) SECRETARY.—The term “Secretary” means  
24          the Secretary of the Interior.

1 **SEC. 4. LACKAWANNA VALLEY AMERICAN HERITAGE AREA.**

2 (a) ESTABLISHMENT.—There is established the  
3 Lackawanna Valley National Heritage Area.

4 (b) BOUNDARIES.—The Heritage Area shall be com-  
5 prised of all or parts of Lackawanna County, Luzerne  
6 County, Wayne County, and Susquehanna County, Penn-  
7 sylvania, determined in accordance with the compact  
8 under section 5.

9 (c) MANAGEMENT ENTITY.—The management entity  
10 for the Heritage Area shall be the Lackawanna Heritage  
11 Valley Authority.

12 **SEC. 5. COMPACT.**

13 (a) IN GENERAL.—To carry out this Act, the Sec-  
14 retary shall enter into a compact with the management  
15 entity.

16 (b) CONTENTS OF COMPACT.—The compact shall in-  
17 clude information relating to the objectives and manage-  
18 ment of the area, including—

19 (1) a delineation of the boundaries of the Herit-  
20 age Area; and

21 (2) a discussion of the goals and objectives of  
22 the Heritage Area, including an explanation of the  
23 proposed approach to conservation and interpreta-  
24 tion and a general outline of the protection measures  
25 committed to by the partners.

1 **SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT**  
2 **ENTITY.**

3 (a) **AUTHORITIES OF MANAGEMENT ENTITY.**—The  
4 management entity may, for the purposes of preparing  
5 and implementing the management plan, use funds made  
6 available under this Act to hire and compensate staff.

7 (b) **MANAGEMENT PLAN.**—

8 (1) **IN GENERAL.**—The management entity  
9 shall develop a management plan for the Heritage  
10 Area that presents comprehensive recommendations  
11 for the conservation, funding, management, and de-  
12 velopment of the Heritage Area.

13 (2) **CONSIDERATION OF OTHER PLANS AND AC-**  
14 **TIONS.**—The management plan shall—

15 (A) take into consideration State, county,  
16 and local plans;

17 (B) involve residents, public agencies, and  
18 private organizations working in the Heritage  
19 Area; and

20 (C) include actions to be undertaken by  
21 units of government and private organizations  
22 to protect the resources of the Heritage Area.

23 (3) **SPECIFICATION OF FUNDING SOURCES.**—  
24 The management plan shall specify the existing and  
25 potential sources of funding available to protect,  
26 manage, and develop the Heritage Area.

1           (4) OTHER REQUIRED ELEMENTS.—The man-  
2           agement plan shall include the following:

3                   (A) An inventory of the resources con-  
4                   tained in the Heritage Area, including a list of  
5                   any property in the Heritage Area that is re-  
6                   lated to the purposes of the Heritage Area and  
7                   that should be preserved, restored, managed,  
8                   developed, or maintained because of its histor-  
9                   ical, cultural, natural, recreational, or scenic  
10                  significance.

11                  (B) A recommendation of policies for re-  
12                  source management that considers and details  
13                  application of appropriate land and water man-  
14                  agement techniques, including the development  
15                  of intergovernmental cooperative agreements to  
16                  protect the historical, cultural, natural, and rec-  
17                  reational resources of the Heritage Area in a  
18                  manner that is consistent with the support of  
19                  appropriate and compatible economic viability.

20                  (C) A program for implementation of the  
21                  management plan by the management entity,  
22                  including—

23                          (i) plans for restoration and construc-  
24                          tion; and

1 (ii) specific commitments of the part-  
 2 ners for the first 5 years of operation.

3 (D) An analysis of ways in which local,  
 4 State, and Federal programs may best be co-  
 5 ordinated to promote the purposes of this Act.

6 (E) An interpretation plan for the Herit-  
 7 age Area.

8 (5) SUBMISSION TO SECRETARY FOR AP-  
 9 PROVAL.—

10 (A) IN GENERAL.—Not later than the last  
 11 day of the 3-year period beginning on the date  
 12 of enactment of this Act, the management enti-  
 13 ty shall submit the management plan to the  
 14 Secretary for approval.

15 (B) EFFECT OF FAILURE TO SUBMIT.—If  
 16 a management plan is not submitted to the Sec-  
 17 retary by the day referred to in subparagraph  
 18 (A), the Secretary shall not, after that day, pro-  
 19 vide any grant or other assistance under this  
 20 Act with respect to the Heritage Area until a  
 21 management plan for the Heritage Area is sub-  
 22 mitted to the Secretary.

23 (c) DUTIES OF MANAGEMENT ENTITY.—The man-  
 24 agement entity shall—



1           (1) give priority to implementing actions speci-  
2       fied in the compact and management plan, including  
3       steps to assist units of government and nonprofit or-  
4       ganizations in preserving the Heritage Area;

5           (2) assist units of government and nonprofit or-  
6       ganizations in—

7           (A) establishing and maintaining interpre-  
8       tive exhibits in the Heritage Area;

9           (B) developing recreational resources in  
10      the Heritage Area;

11          (C) increasing public awareness of and ap-  
12      preciation for the historical, natural, and archi-  
13      tectural resources and sites in the Heritage  
14      Area; and

15          (D) restoring historic buildings that relate  
16      to the purposes of the Heritage Area;

17          (3) encourage economic viability in the Heritage  
18      Area consistent with the goals of the management  
19      plan;

20          (4) encourage local governments to adopt land  
21      use policies consistent with the management of the  
22      Heritage Area and the goals of the management  
23      plan;

24          (5) assist units of government and nonprofit or-  
25      ganizations to ensure that clear, consistent, and en-

1 vironmentally appropriate signs identifying access  
2 points and sites of interest are placed throughout  
3 the Heritage Area;

4 (6) consider the interests of diverse govern-  
5 mental, business, and nonprofit groups within the  
6 Heritage Area;

7 (7) conduct public meetings not less often than  
8 quarterly concerning the implementation of the man-  
9 agement plan;

10 (8) submit substantial amendments (including  
11 any increase of more than 20 percent in the cost es-  
12 timates for implementation) to the management plan  
13 to the Secretary for the Secretary's approval; and

14 (9) for each year in which Federal funds have  
15 been received under this Act—

16 (A) submit a report to the Secretary that  
17 specifies—

18 (i) the accomplishments of the man-  
19 agement entity; and

20 (ii) the expenses and income of the  
21 management entity;

22 (B) make available to the Secretary for  
23 audit all records relating to the expenditure of  
24 such funds and any matching funds; and

1 (C) require, with respect to all agreements  
2 authorizing expenditure of Federal funds by  
3 other organizations, that the receiving organiza-  
4 tions make available to the Secretary for audit  
5 all records concerning the expenditure of such  
6 funds.

7 (d) USE OF FEDERAL FUNDS.—

8 (1) FUNDS MADE AVAILABLE UNDER THIS  
9 ACT.—The management entity shall not use Federal  
10 funds received under this Act to acquire real prop-  
11 erty or any interest in real property.

12 (2) FUNDS FROM OTHER SOURCES.—Nothing  
13 in this Act precludes the management entity from  
14 using Federal funds obtained through law other  
15 than this Act for any purpose for which the funds  
16 are authorized to be used.

17 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

18 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

19 (1) PROVISION OF ASSISTANCE.—The Secretary  
20 may, at the request of the management entity, pro-  
21 vide technical and financial assistance to the man-  
22 agement entity to develop and implement the man-  
23 agement plan.

1           (2) PRIORITY IN ASSISTANCE.—In assisting the  
2           management entity, the Secretary shall give priority  
3           to actions that assist in—

4                   (A) conserving the significant historical,  
5                   cultural, and natural resources that support the  
6                   purpose of the Heritage Area; and

7                   (B) providing educational, interpretive, and  
8                   recreational opportunities consistent with the  
9                   resources and associated values of the Heritage  
10           Area.

11       (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
12       PLANS.—

13           (1) IN GENERAL.—The Secretary, in consulta-  
14           tion with the Governor of the Commonwealth of  
15           Pennsylvania, shall approve or disapprove a manage-  
16           ment plan submitted under this Act not later than  
17           90 days after receipt of the management plan.

18           (2) ACTION FOLLOWING DISAPPROVAL.—

19                   (A) IN GENERAL.—If the Secretary dis-  
20                   approves a management plan, the Secretary  
21                   shall advise the management entity in writing  
22                   of the reasons for the disapproval and shall  
23                   make recommendations for revisions to the  
24                   management plan.

1 (B) DEADLINE FOR APPROVAL OF REVI-  
2 SION.—The Secretary shall approve or dis-  
3 approve a proposed revision within 90 days  
4 after the date on which the revision is sub-  
5 mitted to the Secretary.

6 (c) APPROVAL OF AMENDMENTS.—

7 (1) REVIEW.—The Secretary shall review sub-  
8 stantial amendments (as determined under section  
9 6(c)(8)) to the management plan for the Heritage  
10 Area.

11 (2) REQUIREMENT OF APPROVAL.—Funds  
12 made available under this Act shall not be expended  
13 to implement the amendments described in para-  
14 graph (1) until the Secretary approves the amend-  
15 ments.

16 **SEC. 8. SUNSET PROVISION.**

17 The Secretary shall not provide any grant or other  
18 assistance under this Act after September 30, 2012.

19 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There is authorized to be appro-  
21 priated to carry out this Act \$10,000,000, except that not  
22 more than \$1,000,000 may be appropriated to carry out  
23 this Act for any fiscal year.

1       (b) 50 PERCENT MATCH.—The Federal share of the  
 2 cost of activities carried out using any assistance or grant  
 3 under this Act shall not exceed 50 percent.

Passed the Senate November 19, 1999.

Attest:

*Secretary.*

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