108TH CONGRESS 1ST SESSION

H. R. 3553

To establish the Abraham Lincoln National Heritage Area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2003

Mr. Lahood (for himself, Mr. Hastert, Mr. Rush, Mr. Jackson of Illinois, Mr. Lipinski, Mr. Gutierrez, Mr. Emanuel, Mr. Hyde, Mr. Davis of Illinois, Mr. Crane, Ms. Schakowsky, Mr. Kirk, Mr. Weller, Mr. Costello, Mrs. Biggert, Mr. Johnson of Illinois, Mr. Manzullo, Mr. Evans, Mr. Shimkus, Mr. Issa, Mr. Upton, Mr. Rahall, Mr. Waxman, and Ms. Slaughter) introduced the following bill; which was referred to the Committee on Resources

A BILL

To establish the Abraham Lincoln 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 "Abraham Lincoln National
- 5 Heritage Area Act".
- 6 SEC. 2. FINDINGS.
- 7 Congress finds the following:

1	(1) The Heritage Area is a cohesive assemblage
2	of natural, historic, cultural, or recreational re-
3	sources that—
4	(A) together represent distinctive aspects
5	of American heritage worthy of recognition,
6	conservation, interpretation, and continuing
7	use; and
8	(B) are best managed through partner-
9	ships between private and public entities.
10	(2) The Heritage Area reflects traditions, cus-
11	toms, beliefs, or folklife, or some combination there-
12	of, that are a valuable part of the heritage of the
13	United States.
14	(3) The Heritage Area provides outstanding op-
15	portunities to conserve natural, cultural, or historic
16	features, or a combination thereof.
17	(4) The Heritage Area provides outstanding
18	recreational and interpretive opportunities.
19	(5) The Heritage Area has an identifiable
20	theme and resources important to the theme retain
21	integrity capable of supporting interpretation.
22	(6) Residents, nonprofit organizations, other
23	private entities, and units of government throughout
24	the Heritage Area demonstrate support for designa-
25	tion of the Heritage Area as a national heritage area

- and for management of the Heritage Area as appro priate for such designation.
 - (7) As our Nation enters the 21st Century, there is a compelling need to educate and cultivate among our citizens, particularly youth, an understanding appreciation for, and a renewed commitment to integrity, courage, self-initiative, and principled leadership in public and private life.
 - (8) Few individuals in our Nation's history have as broadly exemplified such qualities as Abraham Lincoln, and few have so profoundly influenced United States history and the Character of our Nation as has our 16th president.
 - (9) The story and example of Lincoln's life—his inspiring rise from humble origins to the highest office in the land, and his decisive leadership through the most harrowing and dangerous time in our Nation's history, continues to bring hope and inspiration to millions in our country and around the world.
 - (10) The great issues of Lincoln's time, national unity, equality and race relations, the capacity for democratic government and ideals to address these and related issues, continue to this day to define the challenges facing our Nation. The ideals Lincoln espoused and the sentiments he expressed in

- keeping our Nation together are as relevant today as
 they were in his troubled time.
- 11) Illinois is known throughout the world as
 the land of Abraham Lincoln. Unquestionably, the
 physical, social, and cultural landscape of Illinois
 helped mold Lincoln's character. "Here I have lived
 a quarter of a century, and have passed from a
 young to an old man," Lincoln remarked on leaving.

 "To this place and the kindness of these people I
 owe everything".
 - (12) Lincoln, in turn, left his own traces across the Illinois landscape. They remain today in the form of stories, folklore, artifacts, buildings, streetscapes, and landscapes. Though scattered geographically and in varying states of development and interpretation, together they bring an immediacy and tangible quality to the powerful Lincoln legacy. Individually and collectively, they constitute an important national cultural and historic resource.
 - (13) In particular the stories and cultural resources of the region's Lincoln legacy—
 - (A) reflect the values and attitudes, the obstacles and ingenuity, the failures and accomplishments, the human frailties and strength of character of the men and women who made up

- the diverse people of Lincoln's generation of

 Americans, including upland Southerners and

 Northeastern Yankees, Anglo-settlers and

 American Indians, "free" blacks, abolitionists,

 and their critics;
 - (B) reflect the material culture and relative levels of technical sophistication in the United States in Lincoln's time;
 - (C) recreate the physical environment, revealing its impact on agriculture, transportation, trade, business, and social and cultural patterns in urban and rural settings; and
 - (D) interpret the effect of the era's democratic ethos on the development of our Nation's legal and political institutions and distinctive political culture.
 - (14) Three previous studies—"Abraham Lincoln Research and Interpretive Center Suitability/ Feasibility Study" by the National Park Service (1991), "Looking for Lincoln Illinois Heritage Tourism Project" commissioned by the State of Illinois Department of Commerce and Community Affairs in cooperation with the Illinois Historic Preservation Agency (1998), and the "Feasibility Study for the Proposed Abraham Lincoln National Heritage Area"

- revised in 2003, help document a sufficient assemblage of nationally distinctive historical resources to demonstrate the feasibility and need to establish the
- 4 Heritage Area.

- (15) The National Park Service operates and maintains the Lincoln Home National Historic Site in Springfield, Illinois, and is responsible for advocating the protection and interpretation of the Nation's cultural and historic resources and encouraging the development of interpretive context for these resources through appropriate planning and preservation.
 - (16) The Heritage Area can strengthen, complement, and support the Lincoln Home National Historic Site through the interpretation and conservation of the associated living landscapes outside of the boundaries of this historic site.
 - (17) There is a Federal interest in supporting the development of a regional framework and context to partner with and assist the National Park Service, the State of Illinois, local organizations and governments, and private citizens to conserve, protect, and bring recognition to the resources of the Heritage Area for the educational and recreational benefit of this and future generations.

- 1 (18) Communities throughout this region know 2 the value of their Lincoln legacy, but need to expand 3 upon an existing cooperative framework and tech-4 nical assistance to achieve important goals by work-5 ing together.
 - (19) The State of Illinois, Department of Commerce and Economic Opportunity, and Bureau of Tourism officially designated "Looking for Lincoln" as a State Heritage Tourism Area and has identified the story of Lincoln as a key destination driver for the State.
 - (20) Looking for Lincoln Heritage Coalition, the management entity for the Heritage Area, is a non-profit corporation created for the purposes of preserving, interpreting, developing, promoting, and making available to the public the story and resources related to the story of Abraham Lincoln's adult life in Illinois and contributions to society and would be an appropriate entity to oversee the development of the Heritage Area.
 - (21) Looking for Lincoln Heritage Coalition has completed a business plan that—
- 23 (A) describes in detail the role, operation, 24 financing, and functions of Looking For Lin-

1	coln Heritage Coalition, as the management en-
2	tity; and
3	(B) provides adequate assurances that
4	Looking For Lincoln Heritage Coalition is like-
5	ly to have the financial resources necessary to
6	implement the management plan for the Herit-
7	age Area, including resources to meet matching
8	requirement for grants.
9	SEC. 3. DEFINITIONS.
10	For the purposes of this Act, the following definitions
11	apply:
12	(1) Management entity.—The term "man-
13	agement entity" means, Looking for Lincoln Herit-
14	age Coalition, an entity recognized by the Secretary,
15	in consultation with the chief executive officer of the
16	State of Illinois, that agrees to perform the duties
17	of a local coordinating entity under this Act.
18	(2) Heritage Area.—The term "Heritage
19	Area" means the Abraham Lincoln National Herit-
20	age Area established by section 4.
21	(3) Secretary.—The term "Secretary" means
22	the Secretary of the Interior.
23	(4) Unit of local government.—The term
24	"unit of local government" means the government of

1	a State, a political subdivision of a State, or an In-
2	dian tribe.
3	SEC. 4. ABRAHAM LINCOLN NATIONAL HERITAGE AREA.
4	(a) Establishment.—There is established in the
5	State of Illinois the "Abraham Lincoln National Heritage
6	Area''.
7	(b) Boundaries.—The Heritage Area shall include
8	the following:
9	(1) A core area located in Central Illinois, con-
10	sisting of Adams, Brown, Calhoun, Cass, Cham-
11	paign, Christian, Clark, Coles, Cumberland, Dewitt,
12	Douglas, Edgar, Fayette, Fulton, Greene, Hancock,
13	Henderson, Jersey, Knox, LaSalle, Logan, McLean,
14	McDonough, Macon, Macoupin, Madison, Mason,
15	Menard, Montgomery, Morgan, Moultrie, Peoria,
16	Piatt, Pike, Sangamon, Schuyler, Scott, Shelby,
17	Tazwell, Vermillion, Warren and Woodford Counties.
18	(2) The following sites:
19	(A) Lincoln Home National Historic Site.
20	(B) Lincoln Tomb State Historic Site.
21	(C) Lincoln's New Salem State Historic
22	Site.
23	(D) Abraham Lincoln Presidential Library
24	& Museum.

1	(E) Thomas and Sara Bush Lincoln Log
2	Cabin and Living History Farm State Historic
3	Site.
4	(F) Mt. Pulaski, Postville State Historic
5	Sites and Metamora Courthouse.
6	(G) Lincoln-Herndon Law Offices State
7	Historic Site.
8	(H) David Davis Mansion State Historic
9	Site.
10	(I) Vandalia Statehouse State Historic
11	Site.
12	(J) Lincoln Douglas Debate Museum.
13	(K) Macon County Log Court House.
14	(L) Richard J. Oglesby Mansion.
15	(M) Lincoln Trail Homestead State Memo-
16	rial.
17	(N) Governor John Wood Mansion.
18	(O) Beardstown Courthouse.
19	(P) Old Main at Knox College.
20	(Q) Carl Sandburg Home State Historic
21	Site.
22	(R) Bryant Cottage State Historic Site.
23	(S) Dr. William Fithian Home.
24	(T) Vermillion County Museum.

1	(3) Sites, buildings, and districts within the
2	core area recommended in the management plan.
3	(c) Map.—A map of the Heritage Area shall be in-
4	cluded in the management plan. The map shall be on file
5	in the appropriate offices of the National Park Service
6	Department of the Interior.
7	(d) Management Entity.—The management entity
8	for the Heritage Area shall be Looking for Lincoln Herit-
9	age Coalition.
10	SEC. 5. AUTHORITIES, DUTIES, AND PROHIBITIONS OF THE
11	MANAGEMENT ENTITY.
12	(a) AUTHORITIES.—The management entity may, for
13	purposes of preparing and implementing the management
14	plan, use funds made available under this Act to—
15	(1) prepare a management plan for the Herit-
16	age Area, which shall be complete not later than 3
17	years after funds are first made available for this
18	Act;
19	(2) prepare reports, studies, interpretive exhib-
20	its and programs, historic preservation projects, and
21	other activities recommended in the management
22	plan for the Heritage Area;
23	(3) pay for operational expenses of the manage-
24	ment entity incurred within the first 10 fiscal years

1	beginning after the date of the enactment of this
2	Act;
3	(4) make grants or loans to the State of Illinois
4	and its political subdivisions, nonprofit organiza-
5	tions, and other persons;
6	(5) enter into cooperative agreements with the
7	State of Illinois, its political subdivisions, nonprofit
8	organizations, and other organizations;
9	(6) hire and compensate staff;
10	(7) obtain money from any source under any
11	program or law requiring the recipient of such
12	money to make a contribution in order to receive
13	such money; and
14	(8) contract for goods and services.
15	(b) Duties.—In addition to developing the manage-
16	ment plan, the management entity shall—
17	(1) give priority to the implementation of ac-
18	tions, goals, and strategies set forth in the manage-
19	ment plan, including assisting units of government
20	and other persons in—
21	(A) carrying out the programs that recog-
22	nize and protect important resource values in
23	the Heritage Area:

1	(B) encouraging economic viability in the
2	Heritage Area in accordance with the goals of
3	the management plan;
4	(C) establishing and maintaining interpre-
5	tive exhibits in the Heritage Area;
6	(D) developing heritage-based recreational
7	and educational opportunities for residents and
8	visitors in the Heritage Area;
9	(E) increasing public awareness of and ap-
10	preciation for the cultural, historical, and nat-
11	ural resources of the Heritage Area;
12	(F) restoring historic buildings that are
13	both—
14	(i) located in the Heritage Area; and
15	(ii) related to the themes of the Herit-
16	age Area; and
17	(G) installing throughout the Heritage
18	Area clear, consistent, and appropriate signs
19	identifying public access points and sites of in-
20	terest;
21	(2) prepare and implement the management
22	plan while considering the interests of diverse units
23	of government, businesses, private property owners,
24	and nonprofit groups within the Heritage Area:

1	(3) conduct public meetings at least quarterly
2	regarding the development and implementation of
3	the management plan; and
4	(4) for any fiscal year for which Federal funds
5	are received under this Act—
6	(A) submit to the Secretary a report that
7	describes, for that fiscal year—
8	(i) the accomplishments of the man-
9	agement entity;
10	(ii) the expenses and income of the
11	management entity; and
12	(iii) each entity to which a grant was
13	made;
14	(B) make available for audit by Congress,
15	the Secretary, and appropriate units of govern-
16	ment, all records pertaining to the expenditure
17	of the funds and any matching funds; and
18	(C) require, for all agreements authorizing
19	expenditure of Federal funds by any entity,
20	that the receiving entity make available for
21	audit all records pertaining to the expenditure
22	of the funds.
23	(e) Prohibition of Acquisition of Real Prop-
24	ERTY.—

- 1 (1) IN GENERAL.—The management entity 2 shall not use Federal funds received under this Act 3 to acquire real property or any interest in real prop-4 erty.
- 5 (2) OTHER SOURCES.—Nothing in this Act pre-6 cludes the management entity from using Federal 7 funds from other sources for authorized purposes in-8 cluding acquisition of real property or any interest 9 in real property.

10 SEC. 6. MANAGEMENT PLAN.

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- 11 (a) Requirements.—In preparing the management 12 plan, the management entity shall perform the following 13 duties:
 - (1) Management plan.—Prepare and submit to the Secretary a management plan reviewed by participating units of government within the boundaries of the Heritage Area.
 - (2) Collaborate with and consider the interests of diverse units of government, businesses, tourism officials, private property owners, and nonprofit groups within the Heritage Area in developing and implementing the management plan.
- 24 (3) Public involvement.—Ensure regular 25 public involvement, including public meetings at

- least annually, regarding the implementation of the
 management plan for the Heritage Area.
 - (4) Records for audit, for any year in which Federal funds have been received under this Act, all records pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records pertaining to the expenditure of such funds.
- 12 (b) MANAGEMENT PLAN.—The management plan for13 the Heritage Area shall—
 - (1) present a comprehensive program for the conservation, interpretation, funding, management, and development of the Heritage Area and of the historical, cultural, and natural resources and the recreational and educational opportunities of the Heritage Area, in a manner consistent with the existing local, State, and Federal land use laws and compatible economic viability of the Heritage Area;
 - (2) be prepared and implemented in a manner that involves residents, public agencies, and private organizations working in the Heritage Area;

(3) specify and coordinate, as of the date of the management plan, existing and potential sources of technical and financial assistance under this and other Federal laws to protect, manage, and develop the Heritage Area; and

(4) include—

- (A) actions to be undertaken by units of government and private organizations to protect, conserve, and interpret the resources of the Heritage Area;
- (B) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that is found to merit preservation, restoration, management, development, or maintenance because of its natural, cultural, historical, or recreational significance;
- (C) policies for resource management with appropriate land and water management techniques, including the development of intergovernmental cooperative agreements, private sector agreements, or any combination thereof, to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a

1	manner consistent with supporting appropriate
2	and compatible economic viability;
3	(D) a program for implementation of the
4	management plan by the designated manage-
5	ment entity, in cooperation with its partners
6	and units of government;
7	(E) evidence that relevant State, county,
8	and local plans applicable to the Heritage Area
9	have been taken into consideration;
10	(F) an analysis of ways in which local,
11	State, and Federal programs may best be co-
12	ordinated to promote the purposes of this Act;
13	and
14	(G) a business plan that—
15	(i) describes in detail the role, oper-
16	ation, financing, and functions of the local
17	coordinating entity and of each activity in-
18	cluded in the recommendations contained
19	in the management plan; and
20	(ii) provides, to the satisfaction of the
21	Secretary, adequate assurances that the
22	management entity is likely to have the fi-
23	nancial resources necessary to implement
24	the management plan, including resources

- 1 to meet matching requirement for grants
- 2 awarded under this Act.
- 3 (c) Public Notice.—The management entity shall
- 4 place a notice of each of its public meetings in a newspaper
- 5 of general circulation in the Heritage Area and shall make
- 6 the minutes of the meeting available to the public.
- 7 (d) Disqualification From Funding.—If a pro-
- 8 posed management plan is not submitted to the Secretary
- 9 within 3 years the funds are first made available for this
- 10 Act, the management entity shall be ineligible to receive
- 11 additional funding under this Act until the date on which
- 12 the Secretary receives the proposed management plan.
- (e) Approval and Disapproval of Management
- 14 Plan.—The Secretary, in consultation with the Governor
- 15 of the State of Illinois or his appointed agency representa-
- 16 tive, shall approve or disapprove the proposed manage-
- 17 ment plan submitted under this Act not later than 90 days
- 18 after receiving the proposed management plan.
- 19 (f) ACTION FOLLOWING DISAPPROVAL.—If the Sec-
- 20 retary disapproves a proposed management plan, the Sec-
- 21 retary shall advise the management entity, in writing, of
- 22 the reasons for the disapproval and make recommenda-
- 23 tions for revisions to the proposed management plan. The
- 24 Secretary shall approve or disapprove a revised proposed

1	management plan not later than 90 days after it is sub-
2	mitted.
3	(g) Approval of Amendments.—The Secretary
4	shall review and approve or disapprove substantial amend-
5	ments to the management plan. Funds appropriated under
6	this Act may not be expended to implement any changes
7	made by an amendment to the management plan until the
8	Secretary approves the amendment.
9	SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER
10	FEDERAL AGENCIES.
11	(a) Technical and Financial Assistance.—
12	(1) In general.—On the request of the man-
13	agement entity, the Secretary may provide technical
14	and financial assistance for the development and im-
15	plementation of the management plan.
16	(2) Priority for assistance.—In providing
17	assistance under paragraph (1), the Secretary shall
18	give priority to actions that assist in—
19	(A) conserving the significant cultural, his-
20	toric, and natural resources of the Heritage
21	Area; and
22	(B) providing educational, interpretive, and
23	recreational opportunities consistent with the
24	purposes of the Heritage Area.

1	(3) Spending for non-federal property.—
2	The management entity may expend Federal funds
3	made available under this Act on non-federally
4	owned property that is—
5	(A) identified in the management plan; or
6	(B) listed or eligible for listing on the Na-
7	tional Register of Historic Places.
8	(4) Other assistance.—The Secretary may
9	enter into cooperative agreements with public and
10	private organizations to carry out this subsection.
11	(b) Other Federal Agencies.—Any Federal enti-
12	ty conducting or supporting an activity that directly af-
13	fects the Heritage Area shall—
14	(1) consider the potential effect of the activity
15	on the purposes of the Heritage Area and the man-
16	agement plan;
17	(2) consult with the management entity regard-
18	ing the activity; and
19	(3) to the maximum extent practicable, conduct
20	or support the activity to avoid adverse effects on
21	the Heritage Area.
22	(c) Other Assistance not Affected.—This Act
23	does not affect the authority of any Federal official to pro-
24	vide technical or financial assistance under any other law.

- 1 (d) Notification of Other Federal Activi-
- 2 TIES.—The head of each Federal agency shall provide to
- 3 the Secretary and the management entity for the Heritage
- 4 Area, to the extent practicable, advance notice of all activi-
- 5 ties which may have an impact on the Heritage Area.

6 SEC. 8. PRIVATE PROPERTY PROTECTION.

- 7 (a) IN GENERAL.—Nothing in this Act shall be con-
- 8 strued to—
- 9 (1) require any private property owner to allow
- 10 public access (including Federal, State, or local gov-
- ernment access) to such private property; or
- 12 (2) modify any provision of Federal, State, or
- local law with regard to public access to or use of
- private property.
- 15 (b) Liability.—Designation of the Heritage Area
- 16 shall not be considered to create any liability, or to have
- 17 any effect on any liability under any other law, of any pri-
- 18 vate property owner with respect to any persons injured
- 19 on such private property.
- 20 (c) Recognition of Authority to Control Land
- 21 Use.—Nothing in this Act shall be construed to modify
- 22 any authority of Federal, State, or local governments to
- 23 regulate land use.
- 24 (d) Participation of Private Property Owners
- 25 IN HERITAGE AREA.—Nothing in this Act shall be con-

1	strued to require the owner of any private property located
2	within the boundaries of the Heritage Area to participate
3	in or be associated with the Heritage Area.
4	(e) Land Use Regulation.—
5	(1) In General.—The management entity
6	shall provide assistance and encouragement to State
7	and local governments, private organizations, and
8	persons to protect and promote the resources and
9	values of the Heritage Area.
10	(2) Effect.—Nothing in this Act shall grant
11	any power of zoning or land use to the management
12	entity.
13	(f) Private Property.—
14	(1) In General.—The management entity
15	shall be an advocate for land management practices
16	consistent with the purposes of the Heritage Area
17	(2) Effect.—Nothing in this Act—
18	(A) abridges the rights of any person with
19	regard to private property;
20	(B) affects the authority of the State or
21	local government regarding private property; or
22	(C) imposes any additional burden on any
23	property owner.

1 SEC. 9. SAVINGS PROVISIONS.

- 2 (a) Rules, Regulations, Standards, and Per-
- 3 MIT PROCESSES.—Nothing in this Act shall be construed
- 4 to impose any environmental, occupational, safety, or
- 5 other rule, regulation, standard, or permit process in the
- 6 National Heritage Area that is different from those that
- 7 would be applicable if the national heritage area had not
- 8 been established.
- 9 (b) WATER AND WATER RIGHTS.—Nothing in this
- 10 Act shall be construed to authorize or imply the reserva-
- 11 tion or appropriation of water or water rights.
- 12 (c) No Diminishment of State Authority.—
- 13 Nothing in this Act shall be construed to diminish the au-
- 14 thority of the State containing the National Heritage Area
- 15 to manage fish and wildlife, including the regulation of
- 16 fishing and hunting within the national heritage area.
- 17 (d) Existing National Heritage Areas.—Noth-
- 18 ing in this Act shall affect any national heritage area so
- 19 designated before the date of the enactment of this Act.
- 20 SEC. 10. AUTHORIZATION OF APPROPRIATIONS.
- 21 (a) In General.—There is authorized to be appro-
- 22 priated to carry out this Act \$10,000,000, of which not
- 23 more than \$1,000,000 is authorized to be appropriated for
- 24 any fiscal year.

- 1 (b) Cost-Sharing Requirement.—The Federal
- 2 share of the total cost of any activity assisted under this
- 3 Act shall be not more than 50 percent.
- 4 SEC. 11. TERMINATION OF AUTHORITY.
- 5 The authority of the Secretary to provide assistance
- 6 under this Act terminates on the date that is 15 years
- 7 after the date of the enactment of this Act.

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