

110TH CONGRESS
1ST SESSION

H. R. 1625

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2007

Mr. LAHOOD (for himself, Mr. RUSH, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. EMANUEL, Mr. ROSKAM, Mr. DAVIS of Illinois, Ms. BEAN, Ms. SCHAKOWSKY, Mr. KIRK, Mr. WELLER of Illinois, Mr. COSTELLO, Mrs. BIGGERT, Mr. HASTERT, Mr. JOHNSON of Illinois, Mr. MANZULLO, Mr. HARE, and Mr. SHIMKUS) introduced the following bill; which was referred to the Committee on Natural 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:

4 (A) together represent distinctive aspects
5 of American heritage worthy of recognition,
6 conservation, interpretation, and continuing
7 use; and

(B) are best managed through partnerships between private and public entities.

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

1 and for management of the Heritage Area as appropriate for such designation.

3 (7) As our Nation enters the 21st Century,
4 there is a compelling need to educate and cultivate
5 among our citizens, particularly youth, an understand-
6 ing appreciation for, and a renewed commit-
7 ment to integrity, courage, self-initiative, and prin-
8 cipled leadership in public and private life.

9 (8) Few individuals in our Nation's history have
10 as broadly exemplified such qualities as Abraham
11 Lincoln, and few have so profoundly influenced
12 United States history and the Character of our Na-
13 tion as has our 16th president.

14 (9) The story and example of Lincoln's life—his
15 inspiring rise from humble origins to the highest of-
16 fice in the land, and his decisive leadership through
17 the most harrowing and dangerous time in our Na-
18 tion's history, continues to bring hope and inspira-
19 tion to millions in our country and around the world.

20 (10) The great issues of Lincoln's time, na-
21 tional unity, equality and race relations, the capacity
22 for democratic government and ideals to address
23 these and related issues, continue to this day to de-
24 fine the challenges facing our Nation. The ideals
25 Lincoln espoused and the sentiments he expressed in

1 keeping our Nation together are as relevant today as
2 they were in his troubled time.

3 (11) Illinois is known throughout the world as
4 the land of Abraham Lincoln. Unquestionably, the
5 physical, social, and cultural landscape of Illinois
6 helped mold Lincoln's character. "Here I have lived
7 a quarter of a century, and have passed from a
8 young to an old man," Lincoln remarked on leaving.
9 "To this place and the kindness of these people I
10 owe everything".

11 (12) Lincoln, in turn, left his own traces across
12 the Illinois landscape. They remain today in the
13 form of stories, folklore, artifacts, buildings,
14 streetscapes, and landscapes. Though scattered geo-
15 graphically and in varying states of development and
16 interpretation, together they bring an immediacy
17 and tangible quality to the powerful Lincoln legacy.
18 Individually and collectively, they constitute an im-
19 portant national cultural and historic resource.

20 (13) In particular the stories and cultural re-
21 sources of the region's Lincoln legacy—

22 (A) reflect the values and attitudes, the ob-
23 stacles and ingenuity, the failures and accom-
24 plishments, the human frailties and strength of
25 character of the men and women who made up

1 the diverse people of Lincoln's generation of
2 Americans, including upland Southerners and
3 Northeastern Yankees, Anglo-settlers and
4 American Indians, "free" blacks, abolitionists,
5 and their critics;

(B) reflect the material culture and relative levels of technical sophistication in the United States in Lincoln's time;

9 (C) recreate the physical environment, re-
10 vealing its impact on agriculture, transpor-
11 tation, trade, business, and social and cultural
12 patterns in urban and rural settings; and

13 (D) interpret the effect of the era's demo-
14 cratic ethos on the development of our Nation's
15 legal and political institutions and distinctive
16 political culture.

17 (14) Three previous studies—“Abraham Lin-
18 coln Research and Interpretive Center Suitability/
19 Feasibility Study” by the National Park Service
20 (1991), “Looking for Lincoln Illinois Heritage Tour-
21 ism Project” commissioned by the State of Illinois
22 Department of Commerce and Community Affairs in
23 cooperation with the Illinois Historic Preservation
24 Agency (1998), and the “Feasibility Study for the
25 Proposed Abraham Lincoln National Heritage Area”

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

5 (15) The National Park Service operates and
6 maintains the Lincoln Home National Historic Site
7 in Springfield, Illinois, and is responsible for advo-
8 cating the protection and interpretation of the Na-
9 tion's cultural and historic resources and encour-
10 aging the development of interpretive context for
11 these resources through appropriate planning and
12 preservation.

13 (16) The Heritage Area can strengthen, com-
14 plement, and support the Lincoln Home National
15 Historic Site through the interpretation and con-
16 servation of the associated living landscapes outside
17 of the boundaries of this historic site.

18 (17) There is a Federal interest in supporting
19 the development of a regional framework and con-
20 text to partner with and assist the National Park
21 Service, the State of Illinois, local organizations and
22 governments, and private citizens to conserve, pro-
23 tect, and bring recognition to the resources of the
24 Heritage Area for the educational and recreational
25 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.

12 (20) Looking for Lincoln Heritage Coalition,
13 the management entity for the Heritage Area, is a
14 non-profit corporation created for the purposes of
15 preserving, interpreting, developing, promoting, and
16 making available to the public the story and re-
17 sources related to the story of Abraham Lincoln's
18 adult life in Illinois and contributions to society and
19 would be an appropriate entity to oversee the devel-
20 opment of the Heritage Area.

21 (21) Looking for Lincoln Heritage Coalition
22 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.

(E) Thomas and Sara Bush Lincoln Log Cabin and Living History Farm State Historic Site.

4 (F) Mt. Pulaski, Postville State Historic
5 Sites and Metamora Courthouse.

(G) Lincoln-Herndon Law Offices State
Historic Site.

(H) David Davis Mansion State Historic 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.

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—

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;

(B) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(C) establishing and maintaining interpretive exhibits in the Heritage Area;

(D) developing heritage-based recreational and educational opportunities for residents and visitors in the Heritage Area;

(E) increasing public awareness of and appreciation for the cultural, historical, and natural resources of the Heritage Area;

(F) restoring historic buildings that are both—

(i) located in the Heritage Area; and

(ii) related to the themes of the Heritage

age Area; and

(G) installing throughout the Heritage Area clear, consistent, and appropriate signs identifying public access points and sites of interest;

(2) prepare and implement the management plan while considering the interests of diverse units of government, businesses, private property owners, nonprofit groups within the Heritage Area;

4 (4) for any fiscal year for which Federal funds
5 are received under this Act—

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 (c) PROHIBITION OF ACQUISITION OF REAL PROP-
24 ERTY.—

10 SEC. 6. MANAGEMENT PLAN.

11 (a) REQUIREMENTS.—In preparing the management
12 plan, the management entity shall perform the following
13 duties:

24 (3) PUBLIC INVOLVEMENT.—Ensure regular
25 public involvement, including public meetings at

1 least annually, regarding the implementation of the
2 management plan for the Heritage Area.

3 (4) RECORDS FOR AUDITS.—Make available to
4 the Secretary for audit, for any year in which Fed-
5 eral funds have been received under this Act, all
6 records pertaining to the expenditure of such funds
7 and any matching funds, and require, for all agree-
8 ments authorizing expenditure of Federal funds by
9 other organizations, that the receiving organizations
10 make available to the Secretary for audit all records
11 pertaining to the expenditure of such funds.

12 (b) MANAGEMENT PLAN.—The management plan for
13 the Heritage Area shall—

14 (1) present a comprehensive program for the
15 conservation, interpretation, funding, management,
16 and development of the Heritage Area and of the
17 historical, cultural, and natural resources and the
18 recreational and educational opportunities of the
19 Heritage Area, in a manner consistent with the ex-
20 isting local, State, and Federal land use laws and
21 compatible economic viability of the Heritage Area;

22 (2) be prepared and implemented in a manner
23 that involves residents, public agencies, and private
24 organizations working in the Heritage Area;

6 (4) include—

11 (B) an inventory of the resources con-
12 tained in the Heritage Area, including a list of
13 any property in the Heritage Area that is re-
14 lated to the themes of the Heritage Area and
15 that is found to merit preservation, restoration,
16 management, development, or maintenance be-
17 cause of its natural, cultural, historical, or rec-
18 reational significance;

19 (C) policies for resource management with
20 appropriate land and water management tech-
21 niques, including the development of intergov-
22 ernmental cooperative agreements, private sec-
23 tor agreements, or any combination thereof, to
24 protect the historical, cultural, recreational, and
25 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.

13 (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 recomme-
23 ndations 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.

(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.

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;

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-
11 ernment access) to such private property; or

12 (2) modify any provision of Federal, State, or
13 local law with regard to public access to or use of
14 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
21 LAND USE.—Nothing in this Act shall be construed to
22 modify any authority of Federal, State, or local govern-
23 ments to 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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