

Calendar No. 375

110TH CONGRESS
1ST SESSION**S. 955****[Report No. 110–177]**

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

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2007

Mr. DURBIN (for himself and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 17, 2007

Reported by Mr. BINGAMAN, with an amendment

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

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”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Abraham Lincoln National Heritage
4 Area is a cohesive assemblage of natural, historic,
5 cultural, and recreational resources that—

6 (A) together represent distinctive aspects
7 of the heritage of the United States worthy of
8 recognition, conservation, interpretation, and
9 continuing use; and

10 (B) are best managed through partner-
11 ships between private and public entities;

12 (2) the Heritage Area reflects traditions, cus-
13 toms, beliefs, folklife, or a combination of those at-
14 tributes that are a valuable part of the heritage of
15 the United States;

16 (3) the Heritage Area provides outstanding op-
17 portunities to conserve natural features, historic fea-
18 ture, cultural features, or a combination of those
19 features;

20 (4) the Heritage Area provides outstanding rec-
21 reational and interpretive opportunities;

22 (5) the Heritage Area has an identifiable
23 theme, and resources important to the theme, that
24 retain integrity capable of supporting interpretation;

1 (6) residents, nonprofit organizations, other pri-
2 vate entities, and units of local government through-
3 out the Heritage Area demonstrate support for—

4 (A) designation of the Heritage Area as a
5 national heritage area; and

6 (B) management of the Heritage Area in
7 a manner appropriate for the designation;

8 (7) there is a compelling need to educate and
9 cultivate among the citizens of the United States,
10 particularly youth, an understanding appreciation
11 for, and a renewed commitment to integrity, cour-
12 age, self-initiative, and principled leadership in pub-
13 lic and private life;

14 (8) few individuals in the history of the United
15 States have as broadly exemplified such qualities,
16 and so profoundly influenced the history and char-
17 acter of the United States, as Abraham Lincoln;

18 (9) the story and example of the life of Abra-
19 ham Lincoln, including his inspiring rise from hum-
20 ble origins to the highest office in the land and his
21 decisive leadership through the most harrowing and
22 dangerous time in the history of the United States;
23 continues to bring hope and inspiration to millions
24 in the United States and around the world;

1 (10) the great issues during the lifetime of
2 Abraham Lincoln, including national unity, equality
3 and race relations, the capacity for democratic gov-
4 ernment, and the ideals to address those and related
5 issues, continue to this day to define the challenges
6 facing the United States;

7 (11) the ideals espoused by Lincoln, and the
8 sentiments expressed by Lincoln with respect to
9 keeping the United States together, are as relevant
10 today as the ideals and sentiment were in Lincoln's
11 troubled time;

12 (12) Illinois is known throughout the world as
13 the land of Abraham Lincoln;

14 (13) unquestionably, the physical, social, and
15 cultural landscape of Illinois helped mold the char-
16 acter of Lincoln;

17 (14) "Here I have lived a quarter of a century,
18 and have passed from a young to an old man," Lin-
19 coln remarked on leaving Illinois. "To this place and
20 the kindness of these people I owe everything";

21 (15) Lincoln, in turn, left his own traces across
22 the Illinois landscape;

23 (16) the traces remain today in the form of sto-
24 ries, folklore, artifacts, buildings, streetscapes, and
25 landscapes;

(17) though scattered geographically and in varying states of development and interpretation, together the traces of Lincoln bring an immediacy and tangible quality to the powerful Lincoln legacy;

(18) individually and collectively, the traces of Lincoln in Illinois constitute an important national cultural and historic resource;

(19) in particular, the stories and cultural resources of the Lincoln legacy of the region—

(A) reflect the values and attitudes, obstacles and ingenuity, failures and accomplishments, human frailties, and strength of character of the men and women who made up the diverse people of Lincoln's generation, including upland Southerners and Northeastern Yankees, Anglo-settlers and American Indians, "free" blacks, abolitionists, and critics of abolitionists;

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

(C) recreate the physical environment during the lifetime of Lincoln, revealing the impact of the environment on agriculture, transportation, trade, business, and social and cultural patterns in urban and rural settings; and

1 (D) interpret the effect of the democratic
 2 ethos of the era on the development of the legal
 3 and political institutions and distinctive political
 4 culture of the United States;

5 (20) 3 previous studies entitled “Abraham Lin-
 6 coln Research and Interpretive Center Suitability/
 7 Feasibility Study” by the National Park Service
 8 (1991), “Looking for Lincoln Illinois Heritage Tour-
 9 ism Project” commissioned by the State of Illinois
 10 Department of Commerce and Community Affairs in
 11 cooperation with the Illinois Historic Preservation
 12 Agency (1998), and the “Feasibility Study for the
 13 Proposed Abraham Lincoln National Heritage
 14 Area”, revised in 2003, help document a sufficient
 15 assemblage of nationally distinctive historic re-
 16 sources to demonstrate the feasibility of, and need to
 17 establish, the Heritage Area;

18 (21) the National Park Service—

19 (A) operates and maintains the Lincoln
 20 Home National Historic Site in Springfield, Illi-
 21 nois; and

22 (B) is responsible for—

23 (i) advocating the protection and in-
 24 terpretation of the cultural and historic re-
 25 sources of the United States; and

1 (ii) encouraging the development of
 2 interpretive context for those resources
 3 through appropriate planning and preser-
 4 vation;

5 (22) the Heritage Area can strengthen, com-
 6 plement, and support the Lincoln Home National
 7 Historic Site through the interpretation and con-
 8 servation of the associated living landscapes outside
 9 of the boundaries of the historic site;

10 (23) there is a Federal interest in supporting
 11 the development of a regional framework and con-
 12 text to partner with and assist the National Park
 13 Service, the State of Illinois, local organizations,
 14 units of local government, and private citizens to
 15 conserve, protect, and bring recognition to the re-
 16 sources of the Heritage Area for the educational and
 17 recreational benefit of the present generation and fu-
 18 ture generations;

19 (24) communities throughout the region—

20 (A) know the value of their Lincoln legacy;
 21 but

22 (B) need to expand upon an existing coop-
 23 erative framework and technical assistance to
 24 achieve important goals by working together;

1 ~~(25)~~ the Department of Commerce and Eco-
 2 nomic Opportunity and Bureau of Tourism of the
 3 State of Illinois—

4 (A) officially designated “Looking for Lin-
 5 coln” as a State Heritage Tourism Area; and

6 (B) has identified the story of Lincoln as
 7 a key destination driver for the State;

8 ~~(26)~~ the Looking for Lincoln Heritage Coali-
 9 tion; the management entity for the Heritage
 10 Area—

11 (A) is a nonprofit corporation created for
 12 the purposes of preserving, interpreting, devel-
 13 oping, promoting, and making available to the
 14 public the story and resources relating to—

15 (i) the story of the adult life of Abra-
 16 ham Lincoln in Illinois; and

17 (ii) the contributions of Abraham Lin-
 18 coln to society; and

19 (B) would be an appropriate entity to over-
 20 see the development of the Heritage Area; and

21 ~~(27)~~ the 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 the Looking For

1 Lincoln Heritage Coalition as the management
2 entity for the Heritage Area; and

3 (B) provides adequate assurances that the
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 In this Act:

11 (1) COALITION.—The term “Coalition” means
12 the Looking for Lincoln Heritage Coalition, an enti-
13 ty recognized by the Secretary, in consultation with
14 the chief executive officer of the State, that has
15 agreed to perform the duties of the management en-
16 tity under this Act.

17 (2) HERITAGE AREA.—The term “Heritage
18 Area” means the Abraham Lincoln National Herit-
19 age Area established by section 4(a).

20 (3) MANAGEMENT ENTITY.—The term “man-
21 agement entity” means the management entity for
22 the Heritage Area designated by section 5(a).

23 (4) MANAGEMENT PLAN.—The term “manage-
24 ment plan” means the plan developed by the man-
25 agement entity under section 6(a).

1 (5) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (6) STATE.—The term “State” means the State
4 of Illinois.

5 (7) UNIT OF LOCAL GOVERNMENT.—The term
6 “unit of local government” means the government of
7 the State, a political subdivision of the State, or an
8 Indian tribe.

9 **SEC. 4. ESTABLISHMENT OF ABRAHAM LINCOLN NATIONAL**
10 **HERITAGE AREA.**

11 (a) IN GENERAL.—There is established in the State
12 the Abraham Lincoln National Heritage Area.

13 (b) BOUNDARIES.—The Heritage Area shall in-
14 clude—

15 (1) a core area located in central Illinois, con-
16 sisting of Adams, Brown, Calhoun, Cass, Cham-
17 paign, Christian, Clark, Coles, Cumberland, Dewitt,
18 Douglas, Edgar, Fayette, Fulton, Greene, Hancock,
19 Henderson, Jersey, Knox, LaSalle, Logan, Macon,
20 Macoupin, Madison, Mason, McDonough, McLean,
21 Menard, Montgomery, Morgan, Moultrie, Peoria,
22 Piatt, Pike, Sangamon, Schuyler, Scott, Shelby,
23 Tazwell, Vermillion, Warren, and Woodford counties;

(2) any sites, buildings, and districts within the
core area that are recommended for inclusion in the
management plan; and

(3) each of the following sites:

(A) Lincoln Home National Historic Site.

(B) Lincoln Tomb State Historic Site.

(C) Lincoln's New Salem State Historic
Site.

(D) Abraham Lincoln Presidential Library
& Museum.

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

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

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

(H) David Davis Mansion State Historic
Site.

(I) Vandalia Statehouse State Historic
Site.

(J) Lincoln Douglas Debate Museum.

(K) Macon County Log Court House.

(L) Richard J. Oglesby Mansion.

1 (M) Lincoln Trail Homestead State Memo-
2 rial.

3 (N) Governor John Wood Mansion.

4 (O) Beardstown Courthouse.

5 (P) Old Main at Knox College.

6 (Q) Carl Sandburg Home State Historic
7 Site.

8 (R) Bryant Cottage State Historic Site.

9 (S) Dr. William Fithian Home.

10 (T) Vermillion County Museum.

11 (e) MAP.—A map of the Heritage Area shall be—

12 (1) included in the management plan; and

13 (2) on file in the appropriate offices of the Na-
14 tional Park Service.

15 **SEC. 5. DESIGNATION OF COALITION AS MANAGEMENT EN-**
16 **TITY.**

17 (a) MANAGEMENT ENTITY.—The Coalition shall be
18 the management entity for the Heritage Area.

19 (b) AUTHORITIES OF MANAGEMENT ENTITY.—The
20 management entity may, for purposes of preparing and
21 implementing the management plan, use Federal funds
22 made available under this Act—

23 (1) to prepare reports, studies, interpretive ex-
24 hibits and programs, historic preservation projects,

1 and other activities recommended in the manage-
 2 ment plan for the Heritage Area;

3 ~~(2)~~ to pay for operational expenses of the man-
 4 agement entity incurred during the first 10 fiscal
 5 years beginning after the date of enactment of this
 6 Act;

7 ~~(3)~~ to make grants or loans to the State, units
 8 of local government, nonprofit organizations, and
 9 other persons;

10 ~~(4)~~ to enter into cooperative agreements with
 11 the State, units of local government, nonprofit orga-
 12 nizations, and other organizations;

13 ~~(5)~~ to hire and compensate staff;

14 ~~(6)~~ to obtain funds from any source under any
 15 program or law requiring the recipient of funds to
 16 make a contribution in order to receive the funds;
 17 and

18 ~~(7)~~ to contract for goods and services.

19 ~~(c) DUTIES OF MANAGEMENT ENTITY.—~~For any fis-
 20 cal year for which Federal funds are received under this
 21 Act, the management entity shall—

22 ~~(1)~~ submit to the Secretary a report that de-
 23 scribes—

24 ~~(A)~~ the accomplishments of the manage-
 25 ment entity;

1 ~~(B)~~ the expenses and income of the man-
 2 agement entity; and

3 ~~(C)~~ the entities to which the management
 4 entity made any grants;

5 ~~(2)~~ make available for audit by Congress, the
 6 Secretary, and appropriate units of local govern-
 7 ment, all records relating to the expenditure of the
 8 Federal funds and any matching funds; and

9 ~~(3)~~ require, with respect to all agreements au-
 10 thorizing the expenditure of Federal funds by any
 11 entity, that the receiving entity make available for
 12 audit all records relating to the expenditure of the
 13 Federal funds.

14 ~~(d) PROHIBITION ON ACQUISITION OF REAL PROP-~~
 15 ~~ERTY.—~~

16 ~~(1) IN GENERAL.—~~The management entity
 17 shall not use Federal funds received under this Act
 18 to acquire real property or any interest in real prop-
 19 erty.

20 ~~(2) OTHER SOURCES.—~~Nothing in this Act pre-
 21 cludes the management entity from using Federal
 22 funds from other sources for authorized purposes;
 23 including the acquisition of real property or any in-
 24 terest in real property.

1 **SEC. 6. MANAGEMENT PLAN.**

2 (a) ~~IN GENERAL.~~—Not later than 3 years after the
3 date on which funds are first made available to carry out
4 this Act, the management entity shall prepare and submit
5 for review to the Secretary a management plan for the
6 Heritage Area.

7 (b) ~~REQUIREMENTS FOR PREPARATION AND IMPLE-~~
8 ~~MENTATION.~~—The management entity shall—

9 (1) collaborate with and consider the interests
10 of diverse units of local government, businesses,
11 tourism officials, private property owners, and non-
12 profit groups within the Heritage Area in preparing
13 and implementing the management plan;

14 (2) ensure regular public involvement regarding
15 the implementation of the management plan for the
16 Heritage Area; and

17 (3) submit the proposed management plan to
18 participating units of local governments within the
19 Heritage Area for review.

20 (c) ~~CONTENTS.~~—The management plan for the Her-
21 itage Area shall—

22 (1) present a comprehensive program for the
23 conservation, interpretation, funding, management,
24 and development of the Heritage Area (including the
25 natural, historic, and cultural resources and the rec-

1 reational and educational opportunities of the Herit-
 2 age Area) in a manner consistent with—

3 (A) existing Federal, State, and local land
 4 use laws; and

5 (B) the compatible economic viability of
 6 the Heritage Area;

7 (2) involve residents, public agencies, and pri-
 8 vate organizations in the Heritage Area;

9 (3) specify and coordinate, as of the date of the
 10 management plan, existing and potential sources of
 11 technical and financial assistance under this Act and
 12 other Federal laws for the protection, management,
 13 and development of the Heritage Area; and

14 (4) include—

15 (A) actions to be undertaken by units of
 16 local government and private organizations to
 17 protect, conserve, and interpret the resources of
 18 the Heritage Area;

19 (B) an inventory of resources in the Herit-
 20 age Area that includes a list of property in the
 21 Heritage Area that—

22 (i) is related to the themes of the
 23 Heritage Area; and

24 (ii) merits preservation, restoration,
 25 management, development, or maintenance

1 because of the natural, historic, cultural,
2 or recreational significance of the property;

3 ~~(C)~~ a recommendation of policies for re-
4 source management that consider the applica-
5 tion of appropriate land and water management
6 techniques, including policies for the develop-
7 ment of intergovernmental cooperative agree-
8 ments, private sector agreements, or any com-
9 bination of agreements, to protect the natural,
10 historic, cultural, and recreational resources of
11 the Heritage Area in a manner that is con-
12 sistent with the support of appropriate and
13 compatible economic viability;

14 ~~(D)~~ a program for implementation of the
15 management plan by the management entity, in
16 cooperation with partners of the management
17 entity and units of local government;

18 ~~(E)~~ evidence that relevant State, county,
19 and local plans applicable to the Heritage Area
20 have been taken into consideration;

21 ~~(F)~~ an analysis of means by which Fed-
22 eral, State, and local programs may best be co-
23 ordinated to promote the purposes of this Act;
24 and

1 (G) a business plan for the Heritage Area
2 that—

3 (i) describes in detail—

4 (I) the role, operation, financing,
5 and functions of the management en-
6 tity; and

7 (II) each activity included in the
8 recommendations in the management
9 plan; and

10 (ii) provides, to the satisfaction of the
11 Secretary, adequate assurances that the
12 management entity is likely to have the fi-
13 nancial resources necessary to implement
14 the management plan, including the re-
15 sources necessary to meet matching re-
16 quirement for grants awarded under this
17 Act.

18 (d) CONSIDERATION OF INTERESTS OF LOCAL
19 GROUPS.—In preparing and implementing the manage-
20 ment plan, the management entity shall consider the inter-
21 ests of diverse units of local government, businesses, pri-
22 vate property owners, and nonprofit groups in the Herit-
23 age Area.

24 (e) PUBLIC MEETINGS.—

1 (1) IN GENERAL.—The management entity
 2 shall conduct public meetings at least quarterly re-
 3 garding the development and implementation of the
 4 management plan.

5 (2) PUBLIC NOTICE.—The management entity
 6 shall—

7 (A) place a notice of each public meeting
 8 in a newspaper of general circulation in the
 9 Heritage Area; and

10 (B) make the minutes of each public meet-
 11 ing available to the public.

12 (f) DISQUALIFICATION FROM FUNDING.—If a pro-
 13 posed management plan is not submitted to the Secretary
 14 by the date that is 3 years after the date on which funds
 15 are first made available to carry out this Act, the manage-
 16 ment entity may not receive additional funding under this
 17 Act until the date on which the Secretary receives the pro-
 18 posed management plan.

19 (g) APPROVAL AND DISAPPROVAL OF MANAGEMENT
 20 PLAN.—

21 (1) IN GENERAL.—Not later than 90 days after
 22 the date on which the management entity submits
 23 the management plan to the Secretary, the Sec-
 24 retary, in consultation with the Governor of the

1 State or a designee of the Governor, shall approve
 2 or disapprove the proposed management plan.

3 ~~(2) DISAPPROVAL AND REVISIONS.—~~

4 ~~(A) IN GENERAL.—~~If the Secretary dis-
 5 approves a proposed management plan, the Sec-
 6 retary shall—

7 (i) advise the management entity, in
 8 writing, of the reasons for the disapproval;
 9 and

10 (ii) make recommendations for revi-
 11 sion of the proposed management plan.

12 ~~(B) APPROVAL OR DISAPPROVAL.—~~The
 13 Secretary shall approve or disapprove a revised
 14 management plan not later than 90 days after
 15 the date on which the revised management plan
 16 is submitted.

17 ~~(3) APPROVAL OF AMENDMENTS.—~~

18 ~~(A) IN GENERAL.—~~The Secretary shall re-
 19 view and approve or disapprove substantial
 20 amendments to the management plan.

21 ~~(B) FUNDING.—~~Funds appropriated under
 22 this Act may not be expended to implement any
 23 changes made by an amendment to the manage-
 24 ment plan until the Secretary approves the
 25 amendment.

1 (h) PRIORITIES.—The management entity shall give
2 priority to the implementation of actions, goals, and strat-
3 egies set forth in the management plan, including assisting
4 units of local government and other persons in—

5 (1) carrying out programs that recognize and
6 protect important resource values in the Heritage
7 Area;

8 (2) encouraging economic viability in the Herit-
9 age Area in accordance with the goals of the man-
10 agement plan;

11 (3) establishing and maintaining interpretive
12 exhibits in the Heritage Area;

13 (4) developing heritage-based recreational and
14 educational opportunities for residents and visitors
15 in the Heritage Area;

16 (5) increasing public awareness of and appre-
17 ciation for the natural, historic, and cultural re-
18 sources of the Heritage Area;

19 (6) restoring historic buildings that are—

20 (A) located in the Heritage Area; and

21 (B) related to the themes of the Heritage
22 Area; and

23 (7) installing throughout the Heritage Area
24 clear, consistent, and appropriate signs to identify
25 public access points and sites of interest.

1 **SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**
 2 **FEDERAL AGENCIES.**

3 ~~(a) TECHNICAL AND FINANCIAL ASSISTANCE.—~~

4 ~~(1) IN GENERAL.—On request of the manage-~~
 5 ~~ment entity, the Secretary may provide technical and~~
 6 ~~financial assistance for the development and imple-~~
 7 ~~mentation of the management plan.~~

8 ~~(2) PRIORITY FOR ASSISTANCE.—In providing~~
 9 ~~assistance under paragraph (1), the Secretary shall~~
 10 ~~give priority to actions that assist in—~~

11 ~~(A) conserving the significant natural, his-~~
 12 ~~toric, and cultural resources of the Heritage~~
 13 ~~Area; and~~

14 ~~(B) providing educational, interpretive, and~~
 15 ~~recreational opportunities consistent with the~~
 16 ~~purposes of the Heritage Area.~~

17 ~~(3) SPENDING FOR NON-FEDERAL PROPERTY.—~~

18 ~~The management entity may expend Federal funds~~
 19 ~~made available under this Act on non-Federal prop-~~
 20 ~~erty that is—~~

21 ~~(A) identified in the management plan; or~~

22 ~~(B) listed, or eligible for listing, on the Na-~~
 23 ~~tional Register of Historic Places.~~

24 ~~(4) OTHER ASSISTANCE.—The Secretary may~~
 25 ~~enter into cooperative agreements with public and~~
 26 ~~private organizations to carry out this subsection.~~

1 (b) ~~OTHER FEDERAL AGENCIES.~~—Any Federal enti-
 2 ty conducting or supporting an activity that directly af-
 3 fects the Heritage Area shall—

4 (1) consider the potential effects of the activity
 5 on—

6 (A) the purposes of the Heritage Area; and

7 (B) the management plan;

8 (2) consult with the management entity with re-
 9 spect to the activity; and

10 (3) to the maximum extent practicable, conduct
 11 or support the activity to avoid adverse effects on
 12 the Heritage Area.

13 (c) ~~OTHER ASSISTANCE NOT AFFECTED.~~—Nothing
 14 in this Act affects the authority of any Federal official
 15 to provide technical or financial assistance under any
 16 other law.

17 (d) ~~NOTIFICATION OF OTHER FEDERAL ACTIVI-~~
 18 ~~TIES.~~—The head of each Federal agency shall provide to
 19 the Secretary and the management entity for the Heritage
 20 Area, to the extent practicable, advance notice of all activi-
 21 ties that may have an impact on the Heritage Area.

22 **SEC. 8. PRIVATE PROPERTY PROTECTION.**

23 (a) ~~IN GENERAL.~~—Nothing in this Act—

24 (1) requires any private property owner to allow
 25 public access (including access by the Federal Gov-

1 ernment, State government, or units of local govern-
 2 ment) to the private property; or

3 ~~(2) modifies any provision of Federal, State, or~~
 4 ~~local law with respect to public access to, or use of,~~
 5 ~~private property.~~

6 ~~(b) LIABILITY.—~~Designation of the Heritage Area
 7 shall not be considered to create any liability, or have any
 8 effect on any liability under any other law, of any private
 9 property owner with respect to any persons injured on the
 10 private property.

11 ~~(c) RECOGNITION OF AUTHORITY TO CONTROL~~
 12 ~~LAND USE.—~~Nothing in this Act modifies any authority
 13 of the Federal Government, State government, or units
 14 of local governments to regulate land use.

15 ~~(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS~~
 16 ~~IN HERITAGE AREA.—~~Nothing in this Act requires the
 17 owner of any private property located within the bound-
 18 aries of the Heritage Area to participate in, or be associ-
 19 ated with, the Heritage Area.

20 ~~(e) LAND USE REGULATION.—~~

21 ~~(1) IN GENERAL.—~~The management entity
 22 shall provide assistance and encouragement to State
 23 and local governments, private organizations, and
 24 persons to protect and promote the resources and
 25 values of the Heritage Area.

1 (2) ~~EFFECT.~~—Nothing in this Act grants any
2 power of zoning or land use to the management enti-
3 ty.

4 (f) ~~PRIVATE PROPERTY.~~—

5 (1) ~~IN GENERAL.~~—The management entity
6 shall be an advocate for land management practices
7 that are consistent with the purposes of the Herit-
8 age Area.

9 (2) ~~EFFECT.~~—Nothing in this Act—

10 (A) abridges the rights of any person with
11 respect to private property;

12 (B) affects the authority of the State or
13 unit of local government relating to private
14 property; or

15 (C) imposes any additional burden on any
16 property owner.

17 **SEC. 9. EFFECT.**

18 (a) ~~RULES, REGULATIONS, STANDARDS, AND PER-~~
19 ~~MIT PROCESSES.~~—Nothing in this Act imposes any envi-
20 ronmental, occupational, safety, or other rule, regulation,
21 standard, or permit process in the Heritage Area that is
22 different from the rule, regulation, standard, or process
23 that would be applicable if the Heritage Area had not been
24 established.

1 (b) ~~WATER AND WATER RIGHTS.—Nothing in this~~
 2 ~~Act authorizes or implies the reservation or appropriation~~
 3 ~~of water or water rights.~~

4 (c) ~~NO DIMINISHMENT OF STATE AUTHORITY.—~~
 5 ~~Nothing in this Act diminishes the authority of the State~~
 6 ~~to manage fish and wildlife, including the regulation of~~
 7 ~~fishing and hunting within the Heritage Area.~~

8 (d) ~~EXISTING NATIONAL HERITAGE AREAS.—Noth-~~
 9 ~~ing in this Act affects any national heritage area des-~~
 10 ~~ignated before the date of enactment of this Act.~~

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

12 (a) ~~IN GENERAL.—There is authorized to be appro-~~
 13 ~~priated to carry out this Act \$10,000,000, of which not~~
 14 ~~more than \$1,000,000 may be authorized to be appro-~~
 15 ~~priated for any fiscal year.~~

16 (b) ~~COST-SHARING REQUIREMENT.—The Federal~~
 17 ~~share of the total cost of any activity carried out using~~
 18 ~~funds made available under this Act shall be not more~~
 19 ~~than 50 percent.~~

20 **SEC. 11. TERMINATION OF AUTHORITY.**

21 The authority of the Secretary to provide assistance
 22 under this Act terminates on the date that is 15 years
 23 after the date of enactment of this Act.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as “Abraham Lincoln National*
 3 *Heritage Area Act”.*

4 **SEC. 2. DEFINITIONS.**

5 *In this Act:*

6 (1) *HERITAGE AREA.*—*The term “Heritage*
 7 *Area” means the Abraham Lincoln National Heritage*
 8 *Area established by section 3(a).*

9 (2) *MANAGEMENT ENTITY.*—*The term “manage-*
 10 *ment entity” means the management entity for the*
 11 *Heritage Area designated by section 4(a).*

12 (3) *MANAGEMENT PLAN.*—*The term “manage-*
 13 *ment plan” means the plan developed by the manage-*
 14 *ment entity under section 5(a).*

15 (4) *SECRETARY.*—*The term “Secretary” means*
 16 *the Secretary of the Interior.*

17 (5) *STATE.*—*The term “State” means the State*
 18 *of Illinois.*

19 **SEC. 3. ESTABLISHMENT OF ABRAHAM LINCOLN NATIONAL**
 20 **HERITAGE AREA.**

21 (a) *IN GENERAL.*—*There is established in the State the*
 22 *Abraham Lincoln National Heritage Area.*

23 (b) *BOUNDARIES.*—*The Heritage Area shall include—*

24 (1) *a core area located in central Illinois, con-*
 25 *sisting of Adams, Brown, Calhoun, Cass, Champaign,*
 26 *Christian, Clark, Coles, Cumberland, Dewitt, Doug-*

1 *las, Edgar, Fayette, Fulton, Greene, Hancock, Hen-*
 2 *derson, Jersey, Knox, LaSalle, Logan, Macon,*
 3 *Macoupin, Madison, Mason, McDonough, McLean,*
 4 *Menard, Montgomery, Morgan, Moultrie, Peoria,*
 5 *Piatt, Pike, Sangamon, Schuyler, Scott, Shelby,*
 6 *Tazewell, Vermillion, Warren, and Woodford counties;*

7 *(2) any sites, buildings, and districts within the*
 8 *core area that are recommended in the management*
 9 *plan; and*

10 *(3) each of the following sites:*

11 *(A) Lincoln Home National Historic Site.*

12 *(B) Lincoln Tomb State Historic Site.*

13 *(C) Lincoln's New Salem State Historic*
 14 *Site.*

15 *(D) Abraham Lincoln Presidential Library*
 16 *& Museum.*

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

20 *(F) Mt. Pulaski, Postville State Historic*
 21 *Sites and Metamora Courthouse.*

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

24 *(H) David Davis Mansion State Historic*
 25 *Site.*

1 (I) *Vandalia Statehouse State Historic Site.*

2 (J) *Lincoln Douglas Debate Museum.*

3 (K) *Macon County Log Court House.*

4 (L) *Richard J. Oglesby Mansion.*

5 (M) *Lincoln Trail Homestead State Memo-*
6 *rial.*

7 (N) *Governor John Wood Mansion.*

8 (O) *Beardstown Courthouse.*

9 (P) *Old Main at Knox College.*

10 (Q) *Carl Sandburg Home State Historic*
11 *Site.*

12 (R) *Bryant Cottage State Historic Site.*

13 (S) *Dr. William Fithian Home.*

14 (T) *Vermillion County Museum.*

15 (c) *MAP.*—*A map of the Heritage Area shall be—*

16 (1) *included in the management plan; and*

17 (2) *on file in the appropriate offices of the Na-*
18 *tional Park Service.*

19 **SEC. 4. DESIGNATION OF COALITION AS MANAGEMENT EN-**
20 **TITY.**

21 (a) *MANAGEMENT ENTITY.*—*The Looking for Lincoln*
22 *Heritage Coalition shall be the management entity for the*
23 *Heritage Area.*

24 (b) *AUTHORITIES OF MANAGEMENT ENTITY.*—*The*
25 *management entity may, for purposes of preparing and im-*

1 *plementing the management plan, use Federal funds made*
 2 *available under this Act—*

3 *(1) to prepare reports, studies, interpretive ex-*
 4 *hibits and programs, historic preservation projects,*
 5 *and other activities recommended in the management*
 6 *plan for the Heritage Area;*

7 *(2) to pay for operational expenses of the man-*
 8 *agement entity;*

9 *(3) to make grants to the State, political subdivi-*
 10 *sions of the State, nonprofit organizations, and other*
 11 *persons;*

12 *(4) to enter into cooperative agreements with the*
 13 *State, political subdivisions of the State, nonprofit or-*
 14 *ganizations, and other organizations;*

15 *(5) to hire and compensate staff;*

16 *(6) to obtain funds or services from any source,*
 17 *including funds and services provided under any*
 18 *other Federal program or law; and*

19 *(7) to contract for goods and services.*

20 *(c) DUTIES OF MANAGEMENT ENTITY.—To further the*
 21 *purposes of the Heritage Area, the management entity*
 22 *shall—*

23 *(1) prepare a management plan for the Heritage*
 24 *Area in accordance with section 5;*

1 (2) *give priority to the implementation of ac-*
 2 *tions, goals, and strategies set forth in the manage-*
 3 *ment plan, including assisting units of government*
 4 *and other persons in—*

5 (A) *carrying out programs and projects*
 6 *that recognize and protect important resource*
 7 *values in the Heritage Area;*

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

11 (C) *establishing and maintaining interpre-*
 12 *tive exhibits in the Heritage Area;*

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

16 (E) *increasing public awareness of and ap-*
 17 *preciation for the natural, historic, and cultural*
 18 *resources of the Heritage Area;*

19 (F) *restoring historic buildings that are—*

20 (i) *located in the Heritage Area; and*

21 (ii) *related to the themes of the Herit-*
 22 *age Area; and*

23 (G) *installing throughout the Heritage Area*
 24 *clear, consistent, and appropriate signs identi-*
 25 *fying public access points and sites of interest;*

1 (3) consider the interests of diverse units of gov-
2 ernment, businesses, tourism officials, private prop-
3 erty owners, and nonprofit groups within the Herit-
4 age Area in developing and implementing the man-
5 agement plan;

6 (4) conduct public meetings at least semiannu-
7 ally regarding the development and implementation
8 of the management plan; and

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

11 (A) submit to the Secretary an annual re-
12 port that describes—

13 (i) the accomplishments of the manage-
14 ment entity;

15 (ii) the expenses and income of the
16 management entity; and

17 (iii) the entities to which the manage-
18 ment entity made any grants;

19 (B) make available for audit all records re-
20 lating to the expenditure of the Federal funds
21 and any matching funds; and

22 (C) require, with respect to all agreements
23 authorizing the expenditure of Federal funds by
24 other organizations, that the receiving organiza-

1 *tions make available for audit all records relat-*
 2 *ing to the expenditure of the Federal funds.*

3 *(d) PROHIBITION ON ACQUISITION OF REAL PROP-*
 4 *ERTY.—*

5 *(1) IN GENERAL.—The management entity shall*
 6 *not use Federal funds received under this Act to ac-*
 7 *quire real property or any interest in real property.*

8 *(2) OTHER SOURCES.—Nothing in this Act pre-*
 9 *cludes the management entity from using Federal*
 10 *funds from other sources for authorized purposes, in-*
 11 *cluding the acquisition of real property or any inter-*
 12 *est in real property.*

13 **SEC. 5. MANAGEMENT PLAN.**

14 *(a) IN GENERAL.—Not later than 3 years after the*
 15 *date on which funds are first made available to carry out*
 16 *this Act, the management entity shall prepare and submit*
 17 *for review to the Secretary a management plan for the Her-*
 18 *itage Area.*

19 *(b) CONTENTS.—The management plan for the Herit-*
 20 *age Area shall—*

21 *(1) include comprehensive policies, strategies,*
 22 *and recommendations for the conservation, funding,*
 23 *management, and development of the Heritage Area;*

24 *(2) take into consideration existing State, coun-*
 25 *ty, and local plans;*

1 (3) *specify the existing and potential sources of*
 2 *funding to protect, manage, and develop the Heritage*
 3 *Area during the first 5 years of implementation of the*
 4 *management plan;*

5 (4) *include—*

6 (A) *a description of actions that govern-*
 7 *ments, private organizations, and individuals*
 8 *have agreed to take to protect the natural, his-*
 9 *toric, and cultural resources of the Heritage*
 10 *Area;*

11 (B) *an inventory of the natural, historic,*
 12 *cultural, education, scenic, and recreational re-*
 13 *sources of the Heritage Area relating to the*
 14 *themes of the Heritage Area that should be pre-*
 15 *served, restored, managed, developed or main-*
 16 *tained; and*

17 (C) *an interpretive plan for the Heritage*
 18 *Area; and*

19 (5) *describe a program of implementation for the*
 20 *management plan, including—*

21 (A) *plans for resource protection, restora-*
 22 *tion, and construction; and*

23 (B) *specific commitments for implementa-*
 24 *tion during the first 5 years of implementation.*

1 (c) *DISQUALIFICATION FROM FUNDING.*—If a proposed
 2 management plan is not submitted to the Secretary by the
 3 date that is 3 years after the date on which funds are first
 4 made available to carry out this Act, the management enti-
 5 ty may not receive additional funding under this Act until
 6 the date on which the Secretary receives the proposed man-
 7 agement plan.

8 (d) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*
 9 *PLAN.*—

10 (1) *IN GENERAL.*—Not later than 180 days after
 11 the date on which the management entity submits the
 12 management plan to the Secretary, the Secretary
 13 shall approve or disapprove the proposed management
 14 plan.

15 (2) *CONSIDERATIONS.*—In determining whether
 16 to approve or disapprove the management plan, the
 17 Secretary shall consider whether—

18 (A) the management entity is representative
 19 of the diverse interests of the Heritage Area, in-
 20 cluding governments, natural and historic re-
 21 source protection organizations, educational in-
 22 stitutions, businesses, and recreational organiza-
 23 tions;

24 (B) the management entity has provided
 25 adequate opportunities (including public hear-

ings) for public and governmental involvement
in the preparation of the management plan;

(C) the resource protection and interpreta-
tion strategies contained in the management
plan, if implemented, would adequately protect
the natural, historic, and cultural resources of
the Heritage Area; and

(D) the management plan is supported by
the appropriate State and local officials, the co-
operation of which is needed to ensure the effec-
tive implementation of the State and local as-
pects of the management plan.

(3) *DISAPPROVAL AND REVISIONS.*—

(A) *IN GENERAL.*—If the Secretary dis-
approves a proposed management plan, the Sec-
retary shall—

(i) advise the management entity, in
writing, of the reasons for the disapproval;
and

(ii) make recommendations for revision
of the proposed management plan.

(B) *APPROVAL OR DISAPPROVAL.*—The Sec-
retary shall approve or disapprove a revised
management plan not later than 180 days after

1 *the date on which the revised management plan*
 2 *is submitted.*

3 *(e) APPROVAL OF AMENDMENTS.—*

4 *(1) IN GENERAL.—The Secretary shall review*
 5 *and approve or disapprove substantial amendments*
 6 *to the management plan in accordance with sub-*
 7 *section (d).*

8 *(2) FUNDING.—Funds appropriated under this*
 9 *Act may not be expended to implement any changes*
 10 *made by an amendment to the management plan*
 11 *until the Secretary approves the amendment.*

12 **SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

13 *(a) IN GENERAL.—Nothing in this Act affects the au-*
 14 *thority of a Federal agency to provide technical or financial*
 15 *assistance under any other law.*

16 *(b) CONSULTATION AND COORDINATION.—The head of*
 17 *any Federal agency planning to conduct activities that may*
 18 *have an impact on the Heritage Area is encouraged to con-*
 19 *sult and coordinate the activities with the Secretary and*
 20 *the management entity to the maximum extent practicable.*

21 *(c) OTHER FEDERAL AGENCIES.—Nothing in this*
 22 *Act—*

23 *(1) modifies, alters, or amends any law or regu-*
 24 *lation authorizing a Federal agency to manage Fed-*
 25 *eral land under the jurisdiction of the Federal agency;*

1 (2) *limits the discretion of a Federal land man-*
 2 *ager to implement an approved land use plan within*
 3 *the boundaries of the Heritage Area; or*

4 (3) *modifies, alters, or amends any authorized*
 5 *use of Federal land under the jurisdiction of a Fed-*
 6 *eral agency.*

7 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
 8 **TIONS.**

9 *Nothing in this Act—*

10 (1) *abridges the rights of any property owner*
 11 *(whether public or private), including the right to re-*
 12 *frain from participating in any plan, project, pro-*
 13 *gram, or activity conducted within the Heritage Area;*

14 (2) *requires any property owner to permit public*
 15 *access (including access by Federal, State, or local*
 16 *agencies) to the property of the property owner, or to*
 17 *modify public access or use of property of the prop-*
 18 *erty owner under any other Federal, State, or local*
 19 *law;*

20 (3) *alters any duly adopted land use regulation,*
 21 *approved land use plan, or other regulatory authority*
 22 *of any Federal, State, or local agency, or conveys any*
 23 *land use or other regulatory authority to the manage-*
 24 *ment entity;*

1 (4) *authorizes or implies the reservation or ap-*
 2 *propriation of water or water rights;*

3 (5) *diminishes the authority of the State to man-*
 4 *age fish and wildlife, including the regulation of fish-*
 5 *ing and hunting within the Heritage Area; or*

6 (6) *creates any liability, or affects any liability*
 7 *under any other law, of any private property owner*
 8 *with respect to any person injured on the private*
 9 *property.*

10 **SEC. 8. EVALUATION; REPORT.**

11 (a) *IN GENERAL.*—*Not later than 3 years before the*
 12 *date on which authority for Federal funding terminates for*
 13 *the Heritage Area, the Secretary shall—*

14 (1) *conduct an evaluation of the accomplish-*
 15 *ments of the Heritage Area; and*

16 (2) *prepare a report in accordance with sub-*
 17 *section (c).*

18 (b) *EVALUATION.*—*An evaluation conducted under*
 19 *subsection (a)(1) shall—*

20 (1) *assess the progress of the management entity*
 21 *with respect to—*

22 (A) *accomplishing the purposes of this Act*
 23 *for the Heritage Area; and*

1 (B) achieving the goals and objectives of the
 2 approved management plan for the Heritage
 3 Area;

4 (2) analyze the Federal, State, local, and private
 5 investments in the Heritage Area to determine the le-
 6 verage and impact of the investments; and

7 (3) review the management structure, partner-
 8 ship relationships, and funding of the Heritage Area
 9 for purposes of identifying the critical components for
 10 sustainability of the Heritage Area.

11 (c) *REPORT.*—

12 (1) *IN GENERAL.*—Based on the evaluation con-
 13 ducted under subsection (a)(1), the Secretary shall
 14 prepare a report that includes recommendations for
 15 the future role of the National Park Service, if any,
 16 with respect to the Heritage Area.

17 (2) *REQUIRED ANALYSIS.*—If the report prepared
 18 under paragraph (1) recommends that Federal fund-
 19 ing for the Heritage Area be reauthorized, the report
 20 shall include an analysis of—

21 (A) ways in which Federal funding for the
 22 Heritage Area may be reduced or eliminated;
 23 and

1 (B) the appropriate time period necessary
 2 to achieve the recommended reduction or elimi-
 3 nation.

4 (3) *SUBMISSION TO CONGRESS.*—On completion
 5 of the report, the Secretary shall submit the report
 6 to—

7 (A) the Committee on Energy and Natural
 8 Resources of the Senate; and

9 (B) the Committee on Natural Resources of
 10 the House of Representatives.

11 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *IN GENERAL.*—There is authorized to be appro-
 13 priated to carry out this Act \$10,000,000, of which not more
 14 than \$1,000,000 may be authorized to be appropriated for
 15 any fiscal year.

16 (b) *COST-SHARING REQUIREMENT.*—The Federal
 17 share of the cost of any activity carried out using funds
 18 made available under this Act shall be not more than 50
 19 percent.

20 **SEC. 10. TERMINATION OF AUTHORITY.**

21 The authority of the Secretary to provide financial as-
 22 sistance under this Act terminates on the date that is 15
 23 years after the date of enactment of this Act.

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[Report No. 110-177]

A BILL

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

SEPTEMBER 17, 2007
Reported with an amendment