

that will not detract from the "wildlife first" mission of the system and which will provide new standards and incentives for concessionaires to enhance the visitor's experience.

I would also note that while the legislation grants an exemption from these contract requirements to all permitted outfitters and guides operating on refuge lands and waters, these operators will still be required to secure a Federal permit to access refuge lands. I am hopeful that the Fish and Wildlife Service will be able to clarify through its rulemaking process precisely what types of operations and what kinds of structures will be permissible for guides and outfitters to qualify for the exemption.

Mr. Speaker, I include for the RECORD a November 17, 2003 letter from Mr. Steve Williams, director of the Fish and Wildlife Service. The letter addresses the director's concerns regarding some details of the exemption for permitted guides and outfitters included in this legislation.

U.S. DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, DC.

Hon. RICHARD POMBO,
U.S. House of Representatives,
Washington, DC.

DEAR CHAIRMAN POMBO: The U.S. Fish and Wildlife Service (Service) would like to provide comments on H.R. 1204, which would establish a National Wildlife Refuge System concessions policy. Although the Service supports this legislation as reported by the Committee on September 24, 2003, and testified to that effect at a June 26, 2003, hearing before the Resources Subcommittee on Fisheries Conservation, Oceans and Wildlife, we have serious concerns with the amended legislation that will be brought to the House floor.

Generally, H.R. 1204 would amend the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) to authorize the Secretary of Interior to provide for maintenance and repair of buildings and properties located on lands in the Refuge System. We support the goals of this legislation; however, we have strong concerns about the overly broad exemption given to outfitters and guides in the amended version of H.R. 1204 that will be brought to the floor. The new language under Section 5(b)(2)(E) could jeopardize the Service's goal of a consistent policy for management of recreational activities on National Wildlife Refuges.

The Service supports the goals of H.R. 1204 and looks forward to working with Congress to develop a workable concessions policy for the National Wildlife Refuge System. As the NWRS celebrates its Centennial anniversary this year, the Fish and Wildlife Service is working hard to ensure that visitors find National Wildlife Refugees welcoming, safe, and accessible, with a variety of opportunities to enjoy and appreciate America's fish, wildlife, and plants. Providing quality wildlife-dependent recreational opportunities is part of the Fish and Wildlife Service's vision for the NWRS, and concession operations can provide the visiting public with a means to access and interpret our refuges.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

STEVE WILLIAMS,
Director.

In closing, Mr. Speaker, this is good legislation. I urge its adoption on a bipartisan basis by the House.

Mr. Speaker, I yield back the balance of my time.

Mr. SOUDER. Mr. Speaker, I yield myself such time as I may consume.

I share the gentleman from New Jersey's concerns about the permitting process with guides and outfitters. I think we have reached a compromise that will enable this bill to move forward, but I do trust that the Fish and Wildlife Service will do further clarification and work with this process.

Mr. POMBO. Mr. Speaker, this legislation establishes for the first time a comprehensive concession policy for our National Wildlife Refuge System.

Unlike our National Park System, There is no standardized refuge concession contract, concessionaires are statutorily prohibited from repairing the federal facilities they lease and consequently there are only a handful of refuges that offer concession services to the visiting public. In fact, there are only seven refuges where concessionaires have a signed contract with the U.S. Fish and Wildlife Service. These concessionaires offer a variety of services including canoe rentals, interpretive tours and tour boat operators.

H.R. 1204 is a long overdue and important measure. It will authorize the establishment of a standardized refuge contract for all commercial concessionaires, it will allow a concessionaire to use some of their franchise fees to maintain or repair leased property and it allows the service to keep these franchise fees onsite to be spent on a specific list of items designed to improve the quality of the visitors experience. The legislation exempts bookstores operated by refuge friends groups from the contract requirements.

In addition, the bill is not intended to include activities by guides and outfitters. These operators traditionally bring their clients onto refuge units to engage in activities such as fishing and hunting and depart when the activity is completed. Guides and outfitters do not occupy, operate or maintain within the units significant facilities or structures such as marinas, boathouses, dwellings or visitor centers. Operators authorized to operate and use such facilities and structures are covered by this measure. It is important to note that we do not consider minor "structures" such as duck blinds, tent platforms, game racks, food caches, and hitching rails to be structures or facilities for the purpose of this act.

The fundamental goal of this legislation is to improve the quality of the experience for the 38 million people who visit a refuge each year. H.R. 1204 will accomplish this goal and it will hopefully serve as a incentive for other concessionaires to offer services to refuges throughout this country.

I compliment the gentleman from Indiana, Congressman MARK SOUDER, for introducing this legislation and for his tireless leadership in promoting this innovative idea.

I urge an "aye" vote on H.R. 1204.

Mr. SOUDER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the

rules and pass the bill, H.R. 1204, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ESTABLISHING NATIONAL AVIATION HERITAGE AREA

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 280) to establish the National Aviation Heritage Area, and for other purposes, as amended.

The Clerk read as follows:

H.R. 280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—NATIONAL AVIATION HERITAGE AREA

SEC. 101. SHORT TITLE.

This title may be cited as the "National Aviation Heritage Area Act".

SEC. 102. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Few technological advances have transformed the world or our Nation's economy, society, culture, and national character as the development of powered flight.

(2) The industrial, cultural, and natural heritage legacies of the aviation and aerospace industry in the State of Ohio are nationally significant.

(3) Dayton, Ohio, and other defined areas where the development of the airplane and aerospace technology established our Nation's leadership in both civil and military aeronautics and astronautics set the foundation for the 20th Century to be an American Century.

(4) Wright-Patterson Air Force Base in Dayton, Ohio, is the birthplace, the home, and an integral part of the future of aerospace.

(5) The economic strength of our Nation is connected integrally to the vitality of the aviation and aerospace industry, which is responsible for an estimated 11,200,000 American jobs.

(6) The industrial and cultural heritage of the aviation and aerospace industry in the State of Ohio includes the social history and living cultural traditions of several generations.

(7) The Department of the Interior is responsible for protecting and interpreting the Nation's cultural and historic resources, and there are significant examples of these resources within Ohio to merit the involvement of the Federal Government to develop programs and projects in cooperation with the Aviation Heritage Foundation, Incorporated, the State of Ohio, and other local and governmental entities to adequately conserve, protect, and interpret this heritage for the educational and recreational benefit of this and future generations of Americans, while providing opportunities for education and revitalization.

(8) Since the enactment of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419), partnerships among the Federal, State, and local governments and the private sector have greatly assisted the development and preservation of the historic aviation resources in the Miami Valley.

(9) An aviation heritage area centered in Southwest Ohio is a suitable and feasible management option to increase collaboration, promote heritage tourism, and build on

the established partnerships among Ohio's historic aviation resources and related sites.

(10) A critical level of collaboration among the historic aviation resources in Southwest Ohio cannot be achieved without a congressionally established national heritage area and the support of the National Park Service and other Federal agencies which own significant historic aviation-related sites in Ohio.

(11) The Aviation Heritage Foundation, Incorporated, would be an appropriate management entity to oversee the development of the National Aviation Heritage Area.

(12) Five National Park Service and Dayton Aviation Heritage Commission studies and planning documents: "Study of Alternatives: Dayton's Aviation Heritage", "Dayton Aviation Heritage National Historical Park Suitability/Feasibility Study", "Dayton Aviation Heritage General Management Plan", "Dayton Historic Resources Preservation and Development Plan", and Heritage Area Concept Study, demonstrated that sufficient historical resources exist to establish the National Aviation Heritage Area.

(13) With the advent of the 100th anniversary of the first powered flight in 2003, it is recognized that the preservation of properties nationally significant in the history of aviation is an important goal for the future education of Americans.

(14) Local governments, the State of Ohio, and private sector interests have embraced the heritage area concept and desire to enter into a partnership with the Federal government to preserve, protect, and develop the Heritage Area for public benefit.

(15) The National Aviation Heritage Area would complement and enhance the aviation-related resources within the National Park Service, especially the Dayton Aviation Heritage National Historical Park, Ohio.

(b) PURPOSE.—The purpose of this title is to establish the Heritage Area to—

(1) encourage and facilitate collaboration among the facilities, sites, organizations, governmental entities, and educational institutions within the Heritage Area to promote heritage tourism and to develop educational and cultural programs for the public;

(2) preserve and interpret for the educational and inspirational benefit of present and future generations the unique and significant contributions to our national heritage of certain historic and cultural lands, structures, facilities, and sites within the National Aviation Heritage Area;

(3) encourage within the National Aviation Heritage Area a broad range of economic opportunities enhancing the quality of life for present and future generations;

(4) provide a management framework to assist the State of Ohio, its political subdivisions, other areas, and private organizations, or combinations thereof, in preparing and implementing an integrated Management Plan to conserve their aviation heritage and in developing policies and programs that will preserve, enhance, and interpret the cultural, historical, natural, recreation, and scenic resources of the Heritage Area; and

(5) authorize the Secretary to provide financial and technical assistance to the State of Ohio, its political subdivisions, and private organizations, or combinations thereof, in preparing and implementing the private Management Plan.

SEC. 103. DEFINITIONS.

For purposes of this title:

(1) BOARD.—The term "Board" means the Board of Directors of the Foundation.

(2) FINANCIAL ASSISTANCE.—The term "financial assistance" means funds appropriated by Congress and made available to

the management entity for the purpose of preparing and implementing the Management Plan.

(3) HERITAGE AREA.—The term "Heritage Area" means the National Aviation Heritage Area established by section 104 to receive, distribute, and account for Federal funds appropriated for the purpose of this title.

(4) MANAGEMENT PLAN.—The term "Management Plan" means the management plan for the Heritage Area developed under section 106.

(5) MANAGEMENT ENTITY.—The term "management entity" means the Aviation Heritage Foundation, Incorporated (a nonprofit corporation established under the laws of the State of Ohio).

(6) PARTNER.—The term "partner" means a Federal, State, or local governmental entity, organization, private industry, educational institution, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(8) TECHNICAL ASSISTANCE.—The term "technical assistance" means any guidance, advice, help, or aid, other than financial assistance, provided by the Secretary.

SEC. 104. NATIONAL AVIATION HERITAGE AREA.

(a) ESTABLISHMENT.—There is established in the States of Ohio and Indiana, the National Aviation Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include the following:

(1) A core area consisting of resources in Montgomery, Greene, Warren, Miami, Clark, Champaign, Shelby, and Auglaize Counties in Ohio.

(2) The Neil Armstrong Air & Space Museum, Wapakoneta, Ohio.

(3) Sites, buildings, and districts within the core area recommended by the Management Plan.

(c) MAP.—A map of the Heritage Area shall be included in the Management Plan. The map shall be on file in the appropriate offices of the National Park Service, Department of the Interior.

(d) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Aviation Heritage Foundation.

SEC. 105. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of implementing the Management Plan, the management entity may use Federal funds made available through this title to—

(1) make grants to, and enter into cooperative agreements with, the State of Ohio and political subdivisions of that State, private organizations, or any person;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—The management entity shall—

(1) develop and submit to the Secretary for approval the proposed Management Plan in accordance with section 106;

(2) give priority to implementing actions set forth in the Management Plan, including taking steps to assist units of government and nonprofit organizations in preserving resources within the Heritage Area;

(3) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area in developing and implementing the Management Plan;

(4) maintain a collaboration among the partners to promote heritage tourism and to assist partners to develop educational and cultural programs for the public;

(5) encourage economic viability in the Heritage Area consistent with the goals of the Management Plan;

(6) assist units of government and nonprofit organizations in—

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

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

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

(7) conduct public meetings at least quarterly regarding the implementation of the Management Plan;

(8) submit substantial amendments to the Management Plan to the Secretary for the approval of the Secretary; and

(9) for any year in which Federal funds have been received under this title—

(A) submit an annual report to the Secretary that sets forth the accomplishments of the management entity and its expenses and income;

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

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of such funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds from other sources for authorized purposes.

SEC. 106. MANAGEMENT PLAN.

(a) PREPARATION OF PLAN.—Not later than 3 years after the date of the enactment of this title, the management entity shall submit to the Secretary for approval a proposed Management Plan that shall take into consideration State and local plans and involve residents, public agencies, and private organizations in the Heritage Area.

(b) CONTENTS.—The Management Plan shall incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the Heritage Area and shall include the following:

(1) An inventory of the resources contained in the core area of the Heritage Area, including the Dayton Aviation Heritage Historical Park, the sites, buildings, and districts listed in section 202 of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419), and any other property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, or maintained because of its significance.

(2) An assessment of cultural landscapes within the Heritage Area.

(3) Provisions for the protection, interpretation, and enjoyment of the resources of the Heritage Area consistent with the purposes of this title.

(4) An interpretation plan for the Heritage Area.

(5) A program for implementation of the Management Plan by the management entity, including the following:

(A) Facilitating ongoing collaboration among the partners to promote heritage tourism and to develop educational and cultural programs for the public.

(B) Assisting partners planning for restoration and construction.

(C) Specific commitments of the partners for the first 5 years of operation.

(6) The identification of sources of funding for implementing the plan.

(7) A description and evaluation of the management entity, including its membership and organizational structure.

(c) **DISQUALIFICATION FROM FUNDING.**—If a proposed Management Plan is not submitted to the Secretary within 3 years of the date of the enactment of this title, the management entity shall be ineligible to receive additional funding under this title until the date on which the Secretary receives the proposed Management Plan.

(d) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.**—The Secretary, in consultation with the State of Ohio, shall approve or disapprove the proposed Management Plan submitted under this title not later than 90 days after receiving such proposed Management Plan.

(e) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves a proposed Management Plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed Management Plan. The Secretary shall approve or disapprove a proposed revision within 90 days after the date it is submitted.

(f) **APPROVAL OF AMENDMENTS.**—The Secretary shall review and approve substantial amendments to the Management Plan. Funds appropriated under this title may not be expended to implement any changes made by such amendment until the Secretary approves the amendment.

SEC. 107. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—Upon the request of the management entity, the Secretary may provide technical assistance, on a reimbursable or non-reimbursable basis, and financial assistance to the Heritage Area to develop and implement the management plan. The Secretary is authorized to enter into cooperative agreements with the management entity and other public or private entities for this purpose. In assisting the Heritage Area, the Secretary shall give priority to actions that in general assist in—

(1) conserving the significant natural, historic, cultural, and scenic resources of the Heritage Area; and

(2) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(b) **DUTIES OF OTHER FEDERAL AGENCIES.**—Any Federal agency conducting or supporting activities directly affecting the Heritage Area shall—

(1) consult with the Secretary and the management entity with respect to such activities;

(2) cooperate with the Secretary and the management entity in carrying out their duties under this title;

(3) to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

(4) to the maximum extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the Heritage Area.

SEC. 108. COORDINATION BETWEEN THE SECRETARY AND THE SECRETARY OF DEFENSE AND THE ADMINISTRATOR OF NASA.

The decisions concerning the execution of this title as it applies to properties under the control of the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration shall be made by such Secretary or such Administrator, in consultation with the Secretary of the Interior.

SEC. 109. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) **NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.**—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(b) **LANDOWNER WITHDRAWAL.**—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 110. PRIVATE PROPERTY PROTECTION.

(a) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

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

(c) **RECOGNITION OF AUTHORITY TO CONTROL LAND USE.**—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) **PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.**—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) **EFFECT OF ESTABLISHMENT.**—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—To carry out this title there is authorized to be appropriated \$10,000,000, except that not more than \$1,000,000 may be appropriated to carry out this title for any fiscal year.

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

SEC. 112. SUNSET PROVISION.

The authority of the Secretary to provide assistance under this title terminates on the date that is 15 years after the date that funds are first made available for this title.

TITLE II—WRIGHT COMPANY FACTORY STUDY

SEC. 201. STUDY AND REPORT.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall conduct a special resource study updating the study required under section 104 of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419) and detailing alternatives for incorporating the Wright Company factory as a unit of Dayton Aviation Heritage National Historical Park.

(2) **CONTENTS.**—The study shall include an analysis of alternatives for including the

Wright Company factory as a unit of Dayton Aviation Heritage National Historical Park that detail management and development options and costs.

(3) **CONSULTATION.**—In conducting the study, the Secretary shall consult with the Delphi Corporation, the Aviation Heritage Foundation, State and local agencies, and other interested parties in the area.

(b) **REPORT.**—Not later than 3 years after funds are first made available for this section, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study conducted under this section.

TITLE III—STEEL INDUSTRY NATIONAL HISTORIC SITE

SEC. 301. SHORT TITLE.

This title may be cited as the “Steel Industry National Historic Site Act”.

SEC. 302. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—The Congress finds the following:

(1) Certain sites and structures in the Commonwealth of Pennsylvania symbolize in physical form the heritage of the steel industry of the United States.

(2) Certain buildings and other structures in the Commonwealth of Pennsylvania are nationally significant historical resources, including the United States Steel Homestead Works, the Carrie Furnace complex, and the Hot Metal Bridge.

(3) Despite substantial efforts for cultural preservation and historical interpretation by the Commonwealth of Pennsylvania and by individuals and public and private entities in the Commonwealth, these buildings and other structures may be lost without the assistance of the Federal Government.

(b) **PURPOSES.**—The purposes of this title are to ensure the preservation, interpretation, visitor enjoyment, and maintenance of the nationally significant historical and cultural sites and structures described in subsection (a) for the benefit and inspiration of present and future generations.

SEC. 303. STEEL INDUSTRY NATIONAL HISTORIC SITE, PENNSYLVANIA.

(a) **ESTABLISHMENT.**—The Steel Industry National Historic Site is hereby established as a unit of the National Park System in the Commonwealth of Pennsylvania.

(b) **DESCRIPTION.**—

(1) **INCLUSION OF CERTAIN PROPERTY.**—Subject to paragraph (2), the historic site shall consist of the following properties, each of which relate to the former United States Steel Homestead Works, as depicted on the map entitled “Steel Industry National Historic Site”, dated November 2003, and numbered 80,000:

(A) The historic location of the Battle of Homestead site in the borough of Munhall, Pennsylvania, consisting of approximately 3 acres of land, including the pumphouse and water tower and related structures, within the property bounded by the Monongahela River, the CSX railroad, Waterfront Drive, and the Damascus-Marccegaglia Steel Mill.

(B) The historic location of the Carrie Furnace complex in the boroughs of Swissvale and Rankin, Pennsylvania, consisting of approximately 35 acres of land, including blast furnaces 6 and 7, the ore yard, the cast house, the blowing engine house, the AC power house, and related structures, within the property bounded by the proposed southwesterly right-of-way line needed to accommodate the Mon/Fayette Expressway and the relocated CSX railroad right-of-way, the Monongahela River, and a property line drawn northeast to southwest approximately 100 yards east of the AC power house.

(C) The historic location of the Hot Metal Bridge, consisting of the Union railroad

bridge and its approaches, spanning the Monongahela River and connecting the mill sites in the boroughs of Rankin and Munhall, Pennsylvania.

(2) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be available for public inspection in an appropriate office of the National Park Service.

(c) ACQUISITION OF PROPERTY.—To further the purposes of this section, the Secretary of the Interior may acquire, only by donation, property for inclusion in the historic site as follows:

(1) Any land or interest in land with respect to the property identified in subsection (b)(1).

(2) Up to 10 acres of land adjacent to or in the general proximity of the property identified in such subsection, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

(3) Personal property associated with, and appropriate for, the interpretation of the historic site.

(d) PRIVATE PROPERTY PROTECTIONS.—Nothing in this title shall be construed—

(1) to require any private property owner to permit public access (including Federal, State, or local government access) to the private property; or

(2) to modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(e) ADMINISTRATION.—The Secretary of the Interior shall administer the historic site in accordance with this title and the provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(f) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Until such time as the Secretary of the Interior has acquired the property identified in subsection (b)(1), as depicted on the map referred to in such subsection, the Secretary may enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution to further the purposes of the historic site.

(2) CONTRARY PURPOSES.—Any payment made by the Secretary pursuant to a cooperative agreement under this subsection shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purpose of the historic site, as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such a project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(g) TECHNICAL ASSISTANCE.—The Secretary of the Interior may provide technical assistance to any person for—

(1) the preservation of historic structures within the historic site; and

(2) the maintenance of the natural and cultural landscape of the historic site.

(h) GENERAL MANAGEMENT PLAN.—

(1) PREPARATION.—Not later than three years after the date on which funds are first made available to carry out this title, the Secretary of the Interior shall prepare a general management plan for the historic site that will incorporate or otherwise address substantive comments made during the consultation required by paragraph (2).

(2) CONSULTATION.—The Secretary shall prepare the general management plan in consultation with—

(A) an appropriate official of each appropriate political subdivision of the Commonwealth of Pennsylvania that has jurisdiction over all or a portion of the lands included in the historic site;

(B) an appropriate official of the Steel Industry Heritage Corporation; and

(C) private property owners in the vicinity of the historic site.

(3) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the purposes of this title not more than \$40,000,000.

TITLE IV—ST. CROIX NATIONAL HERITAGE AREA STUDY

SEC. 401. ST. CROIX NATIONAL HERITAGE AREA STUDY.

(a) SHORT TITLE.—This section may be cited as the “St. Croix National Heritage Area Study Act”.

(b) STUDY.—The Secretary of the Interior, in consultation with appropriate State historic preservation officers, States historical societies, and other appropriate organizations, shall conduct a study regarding the suitability and feasibility of designating the island of St. Croix as the St. Croix National Heritage Area. The study shall include analysis, documentation, and determination regarding whether the island of St. Croix—

(1) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes noncontiguous resources and active communities;

(2) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(3) provides outstanding recreational and educational opportunities;

(4) contains resources important to the identified theme or themes of the island of St. Croix that retain a degree of integrity capable of supporting interpretation;

(5) includes residents, business interests, nonprofit organizations, and local and State governments that are involved in the planning, have developed a conceptual financial plan that outlines the roles of all participants (including the Federal Government), and have demonstrated support for the concept of a national heritage area;

(6) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a national heritage area consistent with continued local and State economic activity; and

(7) has a conceptual boundary map that is supported by the public.

(c) PRIVATE PROPERTY.—In conducting the study required by this section, the Secretary of the Interior shall analyze the potential impact that designation of the area as a national heritage area is likely to have on land within the proposed area or bordering the proposed area that is privately owned at the time that the study is conducted.

(d) REPORT.—Not later than 3 fiscal years after the date on which funds are first made available for this section, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations as the Secretary deems appropriate.

TITLE V—ARABIA MOUNTAIN NATIONAL HERITAGE AREA

SEC. 501. SHORT TITLE.

This title may be cited as the “Arabia Mountain National Heritage Area Act”.

SEC. 502. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and continuing use.

(2) The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities.

(3) Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species.

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop.

(5) The archaeological site at Miners Creek Preserve along the South River contains documented evidence of early human activity.

(6) The city of Lithonia, Georgia, and related sites of Arabia Mountain and Stone Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States.

(7) The community of Klondike is eligible for designation as a National Historic District.

(8) The city of Lithonia has 2 structures listed on the National Register of Historic Places.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities.

(2) To assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

SEC. 503. DEFINITIONS.

For the purposes of this title, the following definitions apply:

(1) HERITAGE AREA.—The term “heritage area” means the Arabia Mountain National Heritage Area established by section 504.

(2) MANAGEMENT ENTITY.—The term “management entity” means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(3) MANAGEMENT PLAN.—The term “management plan” means the management plan for the heritage area developed under section 506.

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

(5) STATE.—The term “State” means the State of Georgia.

SEC. 504. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled “Arabia Mountain National Heritage Area”, numbered AMNHA/80,000, and dated October, 2003.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the management entity for the heritage area.

SEC. 505. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—

(1) MANAGEMENT PLAN.—

(A) IN GENERAL.—The management entity shall develop and submit to the Secretary the management plan.

(B) CONSIDERATIONS.—In developing and implementing the management plan, the management entity shall consider the interests of diverse governmental, business, and nonprofit groups within the heritage area.

(2) PRIORITIES.—The management entity shall give priority to implementing actions described in the management plan, including assisting units of government and nonprofit organizations in preserving resources within the heritage area.

(3) PUBLIC MEETINGS.—The management entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) ANNUAL REPORT.—For any year in which Federal funds have been made available under this title, the management entity shall submit to the Secretary an annual report that describes the following:

(A) The accomplishments of the management entity.

(B) The expenses and income of the management entity.

(5) AUDIT.—The management entity shall—

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of those funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds made available under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds made available under other Federal laws for any purpose for which the funds are authorized to be used.

SEC. 506. MANAGEMENT PLAN.

(a) IN GENERAL.—The management entity shall develop a management plan for the heritage area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) BASIS.—The management plan shall be based on the preferred concept in the document entitled “Arabia Mountain National Heritage Area Feasibility Study”, dated February 28, 2001.

(c) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(1) take into consideration State and local plans; and

(2) involve residents, public agencies, and private organizations in the heritage area.

(d) REQUIREMENTS.—The management plan shall include the following:

(1) An inventory of the resources in the heritage area, including—

(A) a list of property in the heritage area that—

(i) relates to the purposes of the heritage area; and

(ii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) an assessment of cultural landscapes within the heritage area.

(2) Provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this title.

(3) An interpretation plan for the heritage area.

(4) A program for implementation of the management plan that includes—

(A) actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) the identification of existing and potential sources of funding for implementing the plan.

(5) A description and evaluation of the management entity, including the membership and organizational structure of the management entity.

(e) SUBMISSION TO SECRETARY FOR APPROVAL.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(2) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall not provide any additional funding under this title until such date as a management plan for the heritage area is submitted to the Secretary.

(f) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after receiving the management plan submitted under subsection (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) REVISION.—If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall—

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

(ii) make recommendations for revisions to the management plan; and

(iii) allow the management entity to submit to the Secretary revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(iii), the Secretary shall approve or disapprove the revision.

(g) REVISION OF MANAGEMENT PLAN.—

(1) IN GENERAL.—After approval by the Secretary of a management plan, the management entity shall periodically—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the management entity for any revisions to the management plan that the management entity considers to be appropriate.

(2) EXPENDITURE OF FUNDS.—No funds made available under this title shall be used to implement any revision proposed by the management entity under paragraph (1)(B) until the Secretary approves the revision.

SEC. 507. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the heritage area to develop and implement the management plan.

(b) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority to actions that facilitate—

(1) the conservation of the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of the heritage area; and

(2) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources and associated values of the heritage area.

SEC. 508. EFFECT ON CERTAIN AUTHORITY.

(a) OCCUPATIONAL, SAFETY, CONSERVATION, AND ENVIRONMENTAL REGULATION.—Nothing in this title—

(1) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the land described in section 504(b) but for the establishment of the heritage area by section 504; or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations applicable to the land described in section 504(b) as of the date of enactment of this Act, solely as a result of the establishment of the heritage area by section 504.

(b) LAND USE REGULATION.—Nothing in this title—

(1) modifies, enlarges, or diminishes any authority of the Federal Government or a State or local government to regulate any use of land as provided for by law (including regulations) in existence on the date of enactment of this Act; or

(2) grants powers of zoning or land use to the management entity.

SEC. 509. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(b) LANDOWNER WITHDRAW.—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 510. PRIVATE PROPERTY PROTECTION.

(a) ACCESS TO PRIVATE PROPERTY.—Nothing in this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

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

(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.—Nothing in this

title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) **EFFECT OF ESTABLISHMENT.**—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.

SEC. 511. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this title \$10,000,000, to remain available until expended, of which not more than \$1,000,000 may be used in any fiscal year.

(b) **FEDERAL SHARE.**—The Federal share of the cost of any project or activity carried out using funds made available under this title shall not exceed 50 percent.

SEC. 512. TERMINATION OF AUTHORITY.

The authority of the Secretary to make any grant or provide any assistance under this title shall terminate on September 30, 2016.

TITLE VI—UPPER HOUSATONIC VALLEY NATIONAL HERITAGE AREA

SEC. 601. SHORT TITLE.

This title may be cited as the “Upper Housatonic Valley National Heritage Area Act”.

SEC. 602. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds the following:

(1) The upper Housatonic Valley, encompassing 29 towns in the hilly terrain of western Massachusetts and northwestern Connecticut, is a singular geographical and cultural region that has made significant national contributions through its literary, artistic, musical, and architectural achievements, its iron, paper, and electrical equipment industries, and its scenic beautification and environmental conservation efforts.

(2) The upper Housatonic Valley has 139 properties and historic districts listed on the National Register of Historic Places including—

- (A) five National Historic Landmarks—
 - (i) Edith Wharton’s home, The Mount, Lenox, Massachusetts;
 - (ii) Herman Melville’s home, Arrowhead, Pittsfield, Massachusetts;
 - (iii) W.E.B. DuBois’ Boyhood Homesite, Great Barrington, Massachusetts;
 - (iv) Mission House, Stockbridge, Massachusetts; and
 - (v) Crane and Company Old Stone Mill Rag Room, Dalton, Massachusetts; and
- (B) four National Natural Landmarks—
 - (i) Bartholomew’s Cobble, Sheffield, Massachusetts, and Salisbury, Connecticut;
 - (ii) Beckley Bog, Norfolk, Connecticut;
 - (iii) Bingham Bog, Salisbury, Connecticut; and
 - (iv) Cathedral Pines, Cornwall, Connecticut.

(3) Writers, artists, musicians, and vacationers have visited the region for more than 150 years to enjoy its scenic wonders, making it one of the country’s leading cultural resorts.

(4) The upper Housatonic Valley has made significant national cultural contributions through such writers as Herman Melville, Nathaniel Hawthorne, Edith Wharton, and W.E.B. DuBois, artists Daniel Chester French and Norman Rockwell, and the performing arts centers of Tanglewood, Music

Mountain, Norfolk (Connecticut) Chamber Music Festival, Jacob’s Pillow, and Shakespeare & Company.

(5) The upper Housatonic Valley is noted for its pioneering achievements in the iron, paper, and electrical generation industries and has cultural resources to interpret those industries.

(6) The region became a national leader in scenic beautification and environmental conservation efforts following the era of industrialization and deforestation and maintains a fabric of significant conservation areas including the meandering Housatonic River.

(7) Important historical events related to the American Revolution, Shays’ Rebellion, and early civil rights took place in the upper Housatonic Valley.

(8) The region had an American Indian presence going back 10,000 years and Mohicans had a formative role in contact with Europeans during the seventeenth and eighteenth centuries.

(9) The Upper Housatonic Valley National Heritage Area has been proposed in order to heighten appreciation of the region, preserve its natural and historical resources, and improve the quality of life and economy of the area.

(b) **PURPOSES.**—The purposes of this title are as follows:

(1) To establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts.

(2) To implement the national heritage area alternative as described in the document entitled “Upper Housatonic Valley National Heritage Area Feasibility Study, 2003”.

(3) To provide a management framework to foster a close working relationship with all levels of government, the private sector, and the local communities in the upper Housatonic Valley region to conserve the region’s heritage while continuing to pursue compatible economic opportunities.

(4) To assist communities, organizations, and citizens in the State of Connecticut and the Commonwealth of Massachusetts in identifying, preserving, interpreting, and developing the historical, cultural, scenic, and natural resources of the region for the educational and inspirational benefit of current and future generations.

SEC. 603. DEFINITIONS.

In this title:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Upper Housatonic Valley National Heritage Area, established in section 604.

(2) **MANAGEMENT ENTITY.**—The term “Management Entity” means the management entity for the Heritage Area designated by section 604(d).

(3) **MANAGEMENT PLAN.**—The term “Management Plan” means the management plan for the Heritage Area specified in section 606.

(4) **MAP.**—The term “map” means the map entitled “Boundary Map Upper Housatonic Valley National Heritage Area”, numbered P17/80,000, and dated February 2003.

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

(6) **STATE.**—The term “State” means the State of Connecticut and the Commonwealth of Massachusetts.

SEC. 604. UPPER HOUSATONIC VALLEY NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established the Upper Housatonic Valley National Heritage Area.

(b) **BOUNDARIES.**—The Heritage Area shall be comprised of—

(1) part of the Housatonic River’s watershed, which extends 60 miles from Lanesboro, Massachusetts to Kent, Connecticut;

(2) the towns of Canaan, Colebrook, Cornwall, Kent, Norfolk, North Canaan, Salisbury, Sharon, and Warren in Connecticut; and

(3) the towns of Alford, Becket, Dalton, Egremont, Great Barrington, Hancock, Hinsdale, Lanesboro, Lee, Lenox, Monterey, Mount Washington, New Marlboro, Pittsfield, Richmond, Sheffield, Stockbridge, Tyringham, Washington, and West Stockbridge in Massachusetts.

(c) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(d) **MANAGEMENT ENTITY.**—The Upper Housatonic Valley National Heritage Area, Inc. shall be the management entity for the Heritage Area.

SEC. 605. AUTHORITIES, PROHIBITIONS AND DUTIES OF THE MANAGEMENT ENTITY.

(a) **DUTIES OF THE MANAGEMENT ENTITY.**—To further the purposes of the Heritage Area, the management entity shall—

(1) prepare and submit a management plan for the Heritage Area to the Secretary in accordance with section 606;

(2) assist units of local government, regional planning organizations, and nonprofit organizations in implementing the approved management plan by—

(A) carrying out programs and projects that recognize, protect and enhance important resource values within the Heritage Area;

(B) establishing and maintaining interpretive exhibits and programs within the Heritage Area;

(C) developing recreational and educational opportunities in the Heritage Area;

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

(E) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with heritage area themes;

(F) ensuring that signs identifying points of public access and sites of interest are posted throughout the Heritage Area; and

(G) promoting a wide range of partnerships among governments, organizations and individuals to further the purposes of the Heritage Area;

(3) consider the interests of diverse units of government, businesses, organizations and individuals in the Heritage Area in the preparation and implementation of the management plan;

(4) conduct meetings open to the public at least semi-annually regarding the development and implementation of the management plan;

(5) submit an annual report to the Secretary for any fiscal year in which the management entity receives Federal funds under this title, setting forth its accomplishments, expenses, and income, including grants to any other entities during the year for which the report is made;

(6) make available for audit for any fiscal year in which it receives Federal funds under this title, all information pertaining to the expenditure of such funds and any matching funds, and require in all agreements authorizing expenditures of Federal funds by other organizations, that the receiving organizations make available for such audit all records and other information pertaining to the expenditure of such funds; and

(7) encourage by appropriate means economic development that is consistent with the purposes of the Heritage Area.

(b) **AUTHORITIES.**—The management entity may, for the purposes of preparing and implementing the management plan for the Heritage Area, use Federal funds made available through this title to—

(1) make grants to the State of Connecticut and the Commonwealth of Massachusetts, their political subdivisions, nonprofit organizations and other persons;

(2) enter into cooperative agreements with or provide technical assistance to the State of Connecticut and the Commonwealth of Massachusetts, their subdivisions, nonprofit organizations, and other interested parties;

(3) hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(4) obtain money or services from any source including any that are provided under any other Federal law or program;

(5) contract for goods or services; and

(6) undertake to be a catalyst for any other activity that furthers the purposes of the Heritage Area and is consistent with the approved management plan.

(c) **PROHIBITIONS ON THE ACQUISITION OF REAL PROPERTY.**—The management entity may not use Federal funds received under this title to acquire real property, but may use any other source of funding, including other Federal funding outside this authority, intended for the acquisition of real property.

SEC. 606. MANAGEMENT PLAN.

(a) **IN GENERAL.**—The management plan for the Heritage Area shall—

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

(2) take into consideration existing State, county, and local plans in the development of the management plan and its implementation;

(3) include a description of actions that governments, private organizations, and individuals have agreed to take to protect the natural, historical and cultural resources of the Heritage Area;

(4) specify the existing and potential sources of funding to protect, manage, and develop the Heritage Area in the first 5 years of implementation;

(5) include an inventory of the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area related to the themes of the Heritage Area that should be preserved, restored, managed, developed, or maintained;

(6) describe a program of implementation for the management plan including plans for resource protection, restoration, construction, and specific commitments for implementation that have been made by the management entity or any government, organization, or individual for the first 5 years of implementation; and

(7) include an interpretive plan for the Heritage Area.

(b) **DEADLINE AND TERMINATION OF FUNDING.**—

(1) **DEADLINE.**—The management entity shall submit the management plan to the Secretary for approval within 3 years after funds are made available for this title.

(2) **TERMINATION OF FUNDING.**—If the management plan is not submitted to the Secretary in accordance with this subsection, the management entity shall not qualify for Federal funding under this title until such time as the management plan is submitted to the Secretary.

SEC. 607. DUTIES AND AUTHORITIES OF THE SECRETARY.

(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The Secretary may, upon the request of the management entity, provide technical assistance on a reimbursable or non-reimbursable basis and financial assistance to the Heritage Area to develop and implement the approved management plan. The Secretary is authorized to enter into cooperative agree-

ments with the management entity and other public or private entities for this purpose. In assisting the Heritage Area, the Secretary shall give priority to actions that in general assist in—

(1) conserving the significant natural, historical, cultural, and scenic resources of the Heritage Area; and

(2) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(b) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Secretary shall approve or disapprove the management plan not later than 90 days after receiving the management plan.

(2) **CRITERIA FOR APPROVAL.**—In determining the approval of the management plan, the Secretary shall consider whether—

(A) the management entity is representative of the diverse interests of the Heritage Area including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(B) the management entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan;

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

(D) the management plan is supported by the appropriate State and local officials whose cooperation is needed to ensure the effective implementation of the State and local aspects of the management plan.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan, the Secretary shall advise the management entity in writing of the reasons therefore and shall make recommendations for revisions to the management plan. The Secretary shall approve or disapprove a proposed revision within 60 days after the date it is submitted.

(4) **APPROVAL OF AMENDMENTS.**—Substantial amendments to the management plan shall be reviewed by the Secretary and approved in the same manner as provided for the original management plan. The management entity shall not use Federal funds authorized by this title to implement any amendments until the Secretary has approved the amendments.

SEC. 608. DUTIES OF OTHER FEDERAL AGENCIES.

Any Federal agency conducting or supporting activities directly affecting the Heritage Area shall—

(1) consult with the Secretary and the management entity with respect to such activities;

(2) cooperate with the Secretary and the management entity in carrying out their duties under this title and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and,

(3) to the maximum extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the Heritage Area.

SEC. 609. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) **NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.**—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(b) **LANDOWNER WITHDRAW.**—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 610. PRIVATE PROPERTY PROTECTION.

(a) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

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

(c) **RECOGNITION OF AUTHORITY TO CONTROL LAND USE.**—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) **PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.**—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) **EFFECT OF ESTABLISHMENT.**—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.

SEC. 611. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated for the purposes of this title not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Heritage Area under this title.

(b) **MATCHING FUNDS.**—Federal funding provided under this title may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

SEC. 612. SUNSET.

The authority of the Secretary to provide assistance under this title shall terminate on the day occurring 15 years after funds are first made available for this title.

TITLE VII—OIL REGION NATIONAL HERITAGE AREA

SEC. 701. SHORT TITLE; DEFINITIONS.

(a) **SHORT TITLE.**—This title may be cited as the “Oil Region National Heritage Area Act”.

(b) **DEFINITIONS.**—For the purposes of this title, the following definitions shall apply:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Oil Region National Heritage Area established in section 703(a).

(2) **MANAGEMENT ENTITY.**—The term “management entity” means the Oil Heritage Region, Inc., or its successor entity.

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

SEC. 702. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—The Congress finds the following:

(1) The Oil Region of Northwestern Pennsylvania, with numerous sites and districts listed on the National Register of Historic Places, and designated by the Governor of Pennsylvania as one of the State Heritage Park Areas, is a region with tremendous

physical and natural resources and possesses a story of State, national, and international significance.

(2) The single event of Colonel Edwin Drake's drilling of the world's first successful oil well in 1859 has affected the industrial, natural, social, and political structures of the modern world.

(3) Six national historic districts are located within the State Heritage Park boundary, in Emlenton, Franklin, Oil City, and Titusville, as well as 17 separate National Register sites.

(4) The Allegheny River, which was designated as a component of the national wild and scenic rivers system in 1992 by Public Law 102-271, traverses the Oil Region and connects several of its major sites, as do some of the river's tributaries such as Oil Creek, French Creek, and Sandy Creek.

(5) The unspoiled rural character of the Oil Region provides many natural and recreational resources, scenic vistas, and excellent water quality for people throughout the United States to enjoy.

(6) Remnants of the oil industry, visible on the landscape to this day, provide a direct link to the past for visitors, as do the historic valley settlements, riverbed settlements, plateau developments, farmlands, and industrial landscapes.

(7) The Oil Region also represents a cross section of American history associated with Native Americans, frontier settlements, the French and Indian War, African Americans and the Underground Railroad, and immigration of Swedish and Polish individuals, among others.

(8) Involvement by the Federal Government shall serve to enhance the efforts of the Commonwealth of Pennsylvania, local subdivisions of the Commonwealth of Pennsylvania, volunteer organizations, and private businesses, to promote the cultural, national, and recreational resources of the region in order to fulfill their full potential.

(b) PURPOSE.—The purpose of this title is to enhance a cooperative management framework to assist the Commonwealth of Pennsylvania, its units of local government, and area citizens in conserving, enhancing, and interpreting the significant features of the lands, water, and structures of the Oil Region, in a manner consistent with compatible economic development for the benefit and inspiration of present and future generations in the Commonwealth of Pennsylvania and the United States.

SEC. 703. OIL REGION NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Oil Region National Heritage Area.

(b) BOUNDARIES.—The boundaries of the Heritage Area shall include all of those lands depicted on a map entitled "Oil Region National Heritage Area", numbered OIRE/20,000 and dated October, 2000. The map shall be on file in the appropriate offices of the National Park Service. The Secretary of the Interior shall publish in the Federal Register, as soon as practical after the date of the enactment of this Act, a detailed description and map of the boundaries established under this subsection.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Oil Heritage Region, Inc., the locally based private, nonprofit management corporation which shall oversee the development of a management plan in accordance with section 705(b).

SEC. 704. COMPACT.

To carry out the purposes of this title, the Secretary shall enter into a compact with the management entity. The compact shall include information relating to the objec-

tives and management of the area, including a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the Secretary and management entity.

SEC. 705. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.

(a) AUTHORITIES OF THE MANAGEMENT ENTITY.—The management entity may use funds made available under this title for purposes of preparing, updating, and implementing the management plan developed under subsection (b). Such purposes may include—

(1) making grants to, and entering into cooperative agreements with, States and their political subdivisions, private organizations, or any other person;

(2) hiring and compensating staff; and

(3) undertaking initiatives that advance the purposes of the Heritage Area.

(b) MANAGEMENT PLAN.—The management entity shall develop a management plan for the Heritage Area that—

(1) presents comprehensive strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(2) takes into consideration existing State, county, and local plans and involves residents, public agencies, and private organizations working in the Heritage Area;

(3) includes a description of actions that units of government and private organizations have agreed to take to protect the resources of the Heritage Area;

(4) specifies the existing and potential sources of funding to protect, manage, and develop the Heritage Area;

(5) includes 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 should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historic, recreational, or scenic significance;

(6) describes a program for implementation of the management plan by the management entity, including plans for restoration and construction, and specific commitments for that implementation that have been made by the management entity and any other persons for the first 5 years of implementation;

(7) lists any revisions to the boundaries of the Heritage Area proposed by the management entity and requested by the affected local government; and

(8) includes an interpretation plan for the Heritage Area.

(c) DEADLINE; TERMINATION OF FUNDING.—

(1) DEADLINE.—The management entity shall submit the management plan to the Secretary within 2 years after the funds are made available for this title.

(2) TERMINATION OF FUNDING.—If a management plan is not submitted to the Secretary in accordance with this subsection, the management entity shall not qualify for Federal assistance under this title.

(d) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions set forth in the compact and management plan;

(2) assist units of government, regional planning organizations, and nonprofit organizations in—

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

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the Heritage Area;

(D) the restoration of any historic building relating to the themes of the Heritage Area;

(E) ensuring that clear signs identifying access points and sites of interest are put in place throughout the Heritage Area; and

(F) carrying out other actions that the management entity determines to be advisable to fulfill the purposes of this title;

(3) encourage by appropriate means economic viability in the Heritage Area consistent with the goals of the management plan;

(4) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area; and

(5) for any year in which Federal funds have been provided to implement the management plan under subsection (b)—

(A) conduct public meetings at least annually regarding the implementation of the management plan;

(B) submit an annual report to the Secretary setting forth accomplishments, expenses and income, and each person to which any grant was made by the management entity in the year for which the report is made; and

(C) require, for all agreements entered into by the management entity authorizing expenditure of Federal funds by any other person, that the person making the expenditure make available to the management entity for audit all records pertaining to the expenditure of such funds.

(e) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity may not use Federal funds received under this title to acquire real property or an interest in real property.

SEC. 706. DUTIES AND AUTHORITIES OF THE SECRETARY.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—

(A) OVERALL ASSISTANCE.—The Secretary may, upon the request of the management entity, and subject to the availability of appropriations, provide technical and financial assistance to the management entity to carry out its duties under this title, including updating and implementing a management plan that is submitted under section 705(b) and approved by the Secretary and, prior to such approval, providing assistance for initiatives.

(B) OTHER ASSISTANCE.—If the Secretary has the resources available to provide technical assistance to the management entity to carry out its duties under this title (including updating and implementing a management plan that is submitted under section 705(b) and approved by the Secretary and, prior to such approval, providing assistance for initiatives), upon the request of the management entity the Secretary shall provide such assistance on a reimbursable basis. This subparagraph does not preclude the Secretary from providing nonreimbursable assistance under subparagraph (A).

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

(A) implementation of the management plan;

(B) provision of educational assistance and advice regarding land and water management techniques to conserve the significant natural resources of the region;

(C) development and application of techniques promoting the preservation of cultural and historic properties;

(D) preservation, restoration, and reuse of publicly and privately owned historic buildings;

(E) design and fabrication of a wide range of interpretive materials based on the management plan, including guide brochures, visitor displays, audio-visual and interactive

exhibits, and educational curriculum materials for public education; and

(F) implementation of initiatives prior to approval of the management plan.

(3) **DOCUMENTATION OF STRUCTURES.**—The Secretary, acting through the Historic American Building Survey and the Historic American Engineering Record, shall conduct studies necessary to document the industrial, engineering, building, and architectural history of the Heritage Area.

(b) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.**—The Secretary, in consultation with the Governor of Pennsylvania, shall approve or disapprove a management plan submitted under this title not later than 90 days after receiving such plan. In approving the plan, the Secretary shall take into consideration the following criteria:

(1) The extent to which the management plan adequately preserves and protects the natural, cultural, and historical resources of the Heritage Area.

(2) The level of public participation in the development of the management plan.

(3) The extent to which the board of directors of the management entity is representative of the local government and a wide range of interested organizations and citizens.

(c) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions in the management plan. The Secretary shall approve or disapprove a proposed revision within 90 days after the date it is submitted.

(d) **APPROVING CHANGES.**—The Secretary shall review and approve amendments to the management plan under section 705(b) that make substantial changes. Funds appropriated under this title may not be expended to implement such changes until the Secretary approves the amendments.

(e) **EFFECT OF INACTION.**—If the Secretary does not approve or disapprove a management plan, revision, or change within 90 days after it is submitted to the Secretary, then such management plan, revision, or change shall be deemed to have been approved by the Secretary.

SEC. 707. DUTIES OF OTHER FEDERAL ENTITIES.

Any Federal entity conducting or supporting activities directly affecting the Heritage Area shall—

(1) consult with the Secretary and the management entity with respect to such activities;

(2) cooperate with the Secretary and the management entity in carrying out their duties under this title and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

(3) to the maximum extent practicable, conduct or support such activities in a manner that the management entity determines shall not have an adverse effect on the Heritage Area.

SEC. 708. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after the expiration of the 15-year period beginning on the date that funds are first made available for this title.

SEC. 709. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) **NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.**—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, con-

servation, or promotion to the management entity.

(b) **LANDOWNER WITHDRAW.**—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 710. PRIVATE PROPERTY PROTECTION.

(a) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

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

(c) **RECOGNITION OF AUTHORITY TO CONTROL LAND USE.**—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) **PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.**—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) **EFFECT OF ESTABLISHMENT.**—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.

SEC. 711. USE OF FEDERAL FUNDS FROM OTHER SOURCES.

Nothing in this title shall preclude the management entity from using Federal funds available under Acts other than this title for the purposes for which those funds were authorized.

SEC. 712. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this title—

(1) not more than \$1,000,000 for any fiscal year; and

(2) not more than a total of \$10,000,000.

(b) **50 PERCENT MATCH.**—Financial assistance provided under this title may not be used to pay more than 50 percent of the total cost of any activity carried out with that assistance.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. **SOUDER**) and the gentleman from American Samoa (Mr. **FALEOMAVAEGA**) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. **SOUDER**).

GENERAL LEAVE

Mr. **SOUDER**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **SOUDER**. Mr. Speaker, I yield myself such time as I may consume.

H.R. 280, as amended by the Committee on Resources, contains seven titles, a sort of national heritage area omnibus bill.

Title I of the bill would establish the National Aviation Heritage Area across eight counties in Ohio consisting of historically significant sites, buildings and districts associated with the development of the aviation and aerospace industry in America.

Title II would authorize a special resource study that would update the study required under section 104 of the Dayton Aviation Heritage Preservation Act of 1992 and detail alternatives for incorporating the Wright Company factory as a unit of the Dayton Aviation Heritage National Historical Park.

Title III would establish the Steel Industry National Historic Park in southwestern Pennsylvania encompassing the United States Steel Homestead Works, site of the 1862 bloody Homestead Steel strike, the Carrie Furnace complex from the Homestead Works, and the famous Hot Metal Bridge.

Title IV would authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the St. Croix National Heritage Area in St. Croix, U.S. Virgin Islands.

The fifth title would establish the Arabia Mountain National Heritage Area in the State of Georgia, highlighting the archaeological settlement of the Lithonia region and the unique granite outcroppings that characterize the region's topography.

Title VI would establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, preserving its national contributions in literature, art, music, architecture, iron and paper, and its electrical equipment industries.

Finally, title VII of the bill would establish the Oil Region National Heritage Area in northwestern Pennsylvania, home of the first oil drilling site in North America.

Mr. Speaker, H.R. 280, as amended, is supported by the majority and the minority of the committee. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. **FALEOMAVAEGA**. Mr. Speaker, I yield myself such time as I may consume.

(Mr. **FALEOMAVAEGA** asked and was given permission to revise and extend his remarks.)

Mr. **FALEOMAVAEGA**. Mr. Speaker, I would like to offer my commendation to the gentleman from Ohio for his sponsorship of this legislation, which passed the committee on a bipartisan basis.

Mr. Speaker, H.R. 280 as brought to the House today is a bipartisan package of legislation dealing with several heritage areas and historic sites. All of

the components of the amended H.R. 280 have been considered and approved by the Committee on Resources as stand-alone legislation, but have been combined into one bill to simplify its consideration.

The various provisions of the amended H.R. 280 dealing with private property represent a compromise between the majority and the minority. As with most good compromises, there are elements that we do not wholly agree with, but which overall are acceptable as a means to advance the legislation that is now before us.

Mr. Speaker, H.R. 280, as amended, represents the efforts of many Members and organizations to advance the preservation and interpretation of certain historic resources. I congratulate the sponsors for their work and support the adoption of H.R. 280, as amended, by the House this evening.

Mr. Speaker, I reserve the balance of my time.

Mr. SOUDER. Mr. Speaker, I yield 3 minutes to my friend and near neighbor, the gentleman from Ohio (Mr. HOBSON).

Mr. HOBSON. Mr. Speaker, I want to thank the chairman, the ranking member, and those gentlemen carrying the bill on the floor today for their great work on this piece of legislation. This is, as they said, a combination of a number of pieces of legislation that they have worked very hard to bring together. This is not an easy task to do. The staff did a great job of working this out with everybody involved to where we have a piece of legislation today that I think on a bipartisan fashion works for everybody. That is when I think this legislature is at its best, when we come together and work together to get bills such as this done.

I certainly am strong for the part of the bill that relates to the National Aviation Heritage Area, but I also am supportive of all the rest of the bill. I thank all the Members and would urge the passage of the bill.

Mr. Speaker, I rise today in strong support of H.R. 280, the National Aviation Heritage Area Act of 2003. I would first like to thank Chairman POMBO, and the Members of the Resources Committee, as well as the Chairman of the National Parks, Recreation and Public Lands Subcommittee, GEORGE RADANOVICH, for their leadership and cooperation in advancing this bill.

I have introduced this legislation with Representatives MIKE TURNER, JOHN BOEHNER, and virtually all of the Ohio Delegation to create a National Aviation Heritage Area to enhance significant historical resources of interest to all Americans and to further national awareness of Ohio's key role in the history of aviation. I can think of no better way to preserve and carry on the years of hard work and preparation leading up to this year's 100th anniversary of the first powered flight, than to establish this heritage area.

Few technological advances have transformed the world or our Nation's economy, society, culture, and national character as the development of powered flight. Ohioans such as the Wright Brothers, John Glenn, and Neil

Armstrong have been at the forefront of every major development associated with flight. But just as important are the inventors, scientists and engineers that have made it possible in less than 100 years to not only fly between continents, but also to fly to the moon and maintain a presence in space.

This legislation is fully in the spirit of President Bush's recent "Preserve America" executive order which declared, "It is the policy of the Federal Government to provide leadership in preserving America's heritage . . . by promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties."

The Members of Congress from Ohio have a long record of promoting the preservation of aviation sites in Central Ohio. We have previously worked together to secure funding for the U.S. Air Force Museum, the Dayton Aviation Heritage National Historical Park, and the National Aviation Hall of Fame. We have worked closely with the community to make sure that this year's Centennial of Flight celebration was a huge success.

For these reasons, it is vitally important that we move forward with this legislation and I urge a "yes" vote on the National Aviation Heritage Area Act of 2003.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

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Mr. OLVER. Mr. Speaker, I rise today in support of H.R. 280, which includes as title VI the establishment of the Upper Housatonic Valley National Heritage area in Connecticut and Massachusetts.

Let me start by thanking the gentlewoman from Connecticut (Mrs. JOHNSON) for her hard work on this initiative. It has been a pleasure working with her.

During the 106th Congress, H.R. 4312 authorized the Secretary of the Interior to conduct a feasibility study of the Upper Housatonic as a potential national heritage area. That study documents that the Upper Housatonic Valley meets the Interior Department's criteria for such a designation. The Park Service recognizes the valley as "distinctive for having a landscape that includes a blend of industrial innovations, environmental conservation initiatives, and cultural achievements of national significance."

The Upper Housatonic Valley includes 29 communities in western Massachusetts and northwestern Connecticut. And I would like to highlight a few of the many contributions this region of New England brings to our national heritage.

Herman Melville, Nathaniel Hawthorne, Edith Wharton, Oliver Wendell Holmes, Jr.; Norman Rockwell; Suzy Frelinghuessen are just a few of the prominent artists and writers who have made the Housatonic Valley their home and the subject of their work. Today visitors can see these artists' work on display as local museums before taking in a classical music concert at Tanglewood or visiting the magnifi-

cantly restored Shaker Village in Hancock. The Upper Housatonic has a rich cultural heritage and thriving artistic community to this day.

The Members may not be familiar with the name Elizabeth "Mumbet" Freeman today, but her role in our national history is rightfully recognized in the newly reopened National Archives "Charters of Freedom" exhibit. A slave from Sheffield, Massachusetts, Mumbet sued in Massachusetts's court for her freedom, leading to the abolition of slavery in Massachusetts in 1793. Many years later the great civil rights leader W.E.B. DuBois made his home in Great Barrington, Massachusetts. His papers are archived and open to the public today at the University of Massachusetts in Amherst.

As I hoped to highlight today, the Upper Housatonic Valley is an area rich in culture, history, and innovation against the backdrop of scenic landscapes. Its designation as a National Heritage Area will help preserve this treasure for years to come. I urge an aye vote in support of this legislation.

Mr. SOUDER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON), committee member and also another appropriator.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time, and I would like to thank committee and all those involved in bringing forward this heritage region omnibus bill which includes the Oil Heritage Region bill. I come from the Oil Valley where oil was discovered. In fact, I live 5 miles from Drake's Well where the first oil well that produced oil, ever, in the world was dug. Colonel Drake, in the middle of the 19th Century, came to Titusville, and it was sort of Drake's folly. He was going to drill for oil. They could not get the drilling rigs, and so they actually dug a well 68 feet deep. And one would wonder why they chose that valley. Because that creek was already Oil Creek that ran between Oil City and Titusville, Titusville to Oil City, because that stream always had oil on it. The gas pressure, the oil sand being only 68 feet below the surface, oil was always oozing up into springs and small streams and into Oil Creek; so it was always named Oil Creek because there was always a scum of oil on Oil Creek. That valley changed the world. It changed our whole transportation system. And here 150 years later, we still use for vehicle oil, the same kind of oil that was discovered back when Drake's oil was dug. It was the home base of all the major oil companies. Every major oil company in this country has its roots in Titusville and Oil City. Cities Service and Sunoco, all of those started there. In my lifetime, the companies that used to be there, Quaker State, Pennzoil, and Kennell, were the Penn-grade crude refineries that remained because Pennsylvania-grade crude is a paraffin-based crude, not an asphalt-based crude as in other parts of the world.

I want to make sure that everyone realizes that the Oil Heritage Area in no way threatens private property rights. There are those who believe that a heritage area somehow is going to take away personal private property rights. This legislation speaks clearly to that issue, that those with private property will only be involved in the heritage area if they so choose to. In our area, we have a lot of State land, local land, and Federal properties that are a part of the area, and in 1994 the State started the State Oil Heritage Area, and we are now in the process of making that the National Oil Heritage Area. Why do we want to do that? It is about preserving the history of oil. The one item that I say changed the world more than any other discovery, except, maybe today, the computer, as we look at how the computer has changed the world. Oil changed the whole world in how we travel, how we manufacture. The industrial revolution came from it, and it all started by Colonel Drake's digging a well in Titusville, Pennsylvania, Colonel Drake's Well.

Drake Well Park is there. Oil Creek State Park is there. And Oil Creek today is one of the finest fishing streams in Pennsylvania. Trout and bass propagate there naturally. That is a sign of a pretty good stream. And 150 years ago, that whole area was drilled, oil wells were beside each other, and today it is a pristine State park and a beautiful area, and we just want to tell the story of oil which we think should be told and the whole world should be able to hear it.

Mr. FALEOMAVAEGA. Mr. Speaker, again, I urge my colleagues to support this bill. I have no further requests for time, and I yield back the balance of my time.

Mr. SOUDER. Mr. Speaker, I yield myself such time as I may consume.

I thank all the sponsors of the bill that went into this historic omnibus. It is very important that we preserve the natural sites but also the tremendous history of our country, the oil, the National Aviation Heritage out of Dayton. Alexander Hamilton's home and business are still there in the Virgin Islands Heritage Area that we are looking at. This is an important bill. I hope it receives unanimous support.

Ms. MAJETTE. Mr. Speaker, I am delighted to be here today to discuss Title five of H.R. 280, to establish The Arabia Mountain National Heritage Area. Title five is the bill I previously introduced as H.R. 1618, which the committee agreed to incorporate into this larger bill.

I thank Chairman POMBO and Ranking Member RAHALL and their staffs for their hard work in bringing this bill to the floor today.

I also thank each of the cosponsors of the Arabia Mountain National Heritage Area Act from Georgia for their hard work in this effort. This has been a truly bipartisan endeavor, with 5 Democrat and 5 Republican cosponsors from Georgia. I'd like to particularly recognize JOHN LINDER for his leadership.

The Arabia Mountain legislation will conserve and protect the natural, cultural, and his-

torical resources of Georgia's granite outcroppings. In addition, this legislation will provide residents and visitors with the opportunity to preserve the wonders that Arabia Mountain has to offer, and we look forward to sharing its history and beauty with all Americans.

The Arabia Mountain Heritage Area is a living history lesson, illustrating the long-standing interaction of human activity with a unique landscape. Incredibly, there has been human settlement in this location for close to 7,000 years. In that time, our relationship with the land has grown and evolved in various ways.

The region encompassed within this Heritage Area is a suburb of Atlanta—one of the fastest growing communities in the world.

Despite its proximity to Atlanta, one portion of the Heritage Area, Panola Mountain, is pristine land untouched by development. And Panola Mountain Conservation Park is a recognized National Landmark. The area features unique granite outcroppings that are more than 400 million years old. And Arabia Mountain itself is topped by endangered mosses and lichens.

Beyond the natural beauty of the area is a rich cultural history that began when Native Americans lived on these lands, and one that continues today. Archaeological evidence indicates that Native Americans quarried these soapstone and granite outcroppings more than 5,000 years ago.

The Heritage Area also includes a nature preserve, the last farm left in what was once the biggest dairy farming area in the state, and remnants of early American developments from the days of European settlement.

By connection the proposed Heritage Area's natural, cultural and historical resources through rivers, greenways and parks, this region will rapidly become a popular recreation area for residents of the fast growing metropolitan Atlanta area, as well as visitors from all over America. This unique cultural and historical haven is a place Georgians want to protect and will continue to enjoy.

I hope my colleagues will join me in recognizing the important combination of natural, cultural and historical resources in the Arabia Mountain Heritage Area. I urge all of my colleagues to support H.R. 280.

Mr. TURNER. Mr. Speaker, I appreciate the opportunity to support H.R. 280, the National Aviation Heritage Area Act.

From the very earliest times, mankind fantasized about flying. Many ancient cultures had their interpretation of this impossible dream, including the Aztecs, the Mayans, and the Native American Indians. In Ancient Greece, there was the story of Icarus, a man who fashioned wings of wax and feathers and thus could fly. During the Renaissance Leonardo da Vinci created highly detailed plans for flying machines.

Although mankind remained flightless for several thousands of years, the dream never weakened. Finally, 100 years ago, next month, brothers, Orville and Wilbur Wright, who owned a bicycle repair shop in Dayton, Ohio built a flying machine they optimistically named the "Flyer" and Dayton became the birthplace of modern aviation.

John Glenn and Neil Armstrong are two more fellow Ohioans, in the tradition of Wright Brothers, that awed and inspired us as they changed the world with their historic space flights—Glenn, the first American to orbit the

Earth and Armstrong, the first to walk on another celestial body.

H.R. 280 will establish a National Heritage Area within the States of Ohio and Indiana that will preserve our nation's aviation heritage by providing the means necessary to protect historic aviation sites and resources.

The Dayton Aviation Heritage Commission has raised awareness and community support for H.R. 280. This legislation has the strong support of local governments and communities throughout southwest Ohio, who have an unwavering commitments to promoting and preserving the history of aviation and its Ohio roots. This bill provides us with a unique opportunity to expand historic aviation sites and protect an extraordinary piece of the world's history.

The Members of Ohio's Congressional delegation have worked diligently over the years to preserve and promote Dayton's aviation history, and H.R. 280 is another important step. As an original co-sponsor of H.R. 280, I am proud to offer my support of this important legislation. I would also like to thank Chairmen DAVE HOBSON and JOHN BOEHNER for their commitment and hard worked on this issue.

Along with the U.S. Air Force at Wright-Patterson, the Dayton Aviation Heritage National Historical Park, NASA Glen Research Center and the National Aviation Hall of Fame, we have worked to preserve many of aviations historical landmarks.

As a native of Dayton, Ohio I grew up surrounded by the history of aviation. As we celebrate 100 years of powered flight, it is my great privilege to offer my support to this important legislation to preserve America's aviation heritage.

Mr. BOEHNER. Mr. Speaker, I rise today in strong support of H.R. 280, the National Aviation Heritage Area Act.

One hundred years ago, the Wright Brothers made Ohio the "Birthplace of Aviation." It was in their bicycle shop in Dayton that the Wright Brothers researched and designed the first successful, heavier-than-air, manned, powered aircraft. It was there in Dayton, on the Huffman Flying Prairie, where the brothers learned to fly—where they learned to control and maneuver their aircraft.

Today, the tradition of the Wright Brothers lives on in the Miami Valley community. Engineers, scientists, and inventors continue to research, develop, and test the latest advances in air power at the Wright Patterson Air Force laboratories. At the Air Force Institute of Technology, they learn the technical skills to build the aircraft of the future. And at the United States Air Force Museum, three hangars attest to the commitment the community has to preserve the history of the Air Force and its contributions to the advancement of powered flight.

In addition to the public sector efforts, the Miami Valley has been fortunate to have numerous dedicated individuals and private organizations who work to provide an educational and recreational preservation of the area's aviation heritage.

In 2003, the 100th anniversary of Powered Flight, Ohioans have come together in unprecedented ways to celebrate, preserve, and promote the dream of Wilbur and Orville Wright. I can think of no better tribute to their efforts than to establish this heritage area, and I am proud to be an original co-sponsor of this bill.

In the Miami Valley, the legacy of aviation is celebrated for its critical contributions to the

economy, to business and personal travel, and to our military. I join my Miami Valley colleagues, Mr. HOBSON and Mr. TURNER, and other Ohio Members in saluting our constituents' hard work in preserving a nationally important story, a story which captures the dreams and imagination of the young and old alike—the dream and the reality of powered flight.

Mr. DOYLE. Mr. Speaker, I rise today to urge my colleagues to support H.R. 280. This bill would establish a National Historic Site in southwestern Pennsylvania to preserve parts of the former U.S. Steel Homestead Works and educate the public about its importance.

The Homestead Works played an important role in America's economic and industrial history. It was one of the largest and most productive steel mills in the world 100 years ago. Assessing the historical significance of the Homestead Works, New York Times writer William Serrin observed:

Its products helped the nation move west, shaped its skyline, bridged and dammed its waters, helped make it a world naval power, and helped it enter the Space Age. When the mill began, the nation's population was 51.5 million, the Industrial Revolution was in its infancy, and America was innocent and isolated; when the mill went down, the nation's population was 250 million, the Industrial Revolution—based on steel—had changed America and the rest of the world irrevocably, and America was the world's dominant nation in every imaginable way.

The Homestead Works and other steel mills nearby made the United States the economic and military superpower it is today. As a result, Pittsburgh is known for its steel industry around the world. I want to make sure this nation and the world always remember the sacrifices made by the workers who labored in the mills to give Pittsburgh this distinction.

The history of the Homestead Works is much bigger than that of Pittsburgh or even southwestern Pennsylvania—it reflects national trends in industrial development, scientific innovation and technological advancement, our labor and social history, our country's diverse ethnic heritage, and the work ethic that characterizes this nation.

The story of Homestead, its industrial and labor history, continues to attract worldwide interest. The most well-known incident in Homestead's history is the Battle of Homestead, where in 1892 steel workers repulsed a force of Pinkerton detectives sent in to break their strike. More than a hundred years later, the Battle of Homestead still stands as one of the most compelling stories in the long history of the labor movement in the United States.

The Homestead Works' Carrie Furnaces 6 and 7 are also sites of national historical significance. They are rare examples of early production techniques and turn-of-the-century technological advances. These relics are the only remaining pre-World War II era blast furnaces left in the Pittsburgh area, and they represent some of the most important technological accomplishments of the American steel industry. I believe that our nation has an obligation to preserve these unique historical assets.

For nearly a decade I have been working with the Steel Industry Heritage Corporation to preserve the Battle of Homestead site, Carrie Furnaces 6 and 7, and the history of those who toiled there. The Steel Industry Heritage Corporation has been successful in convincing

the property owner, the community, and the National Park Service to support this initiative. The National Park Service recognizes the historical significance of these sites and recently recommended that they be preserved, in a National Historic Site, for future generations.

The legislation before us today would create a new National Historic Site that would include Carrie Furnaces 6 and 7, the Hot Metal Bridge, the Battle of Homestead site, and other historic parts of the Borough of Homestead.

Mr. Speaker, approval of this legislation today will bring us one step closer to the certainty that the remarkable history of the Homestead Works will be remembered for generations to come. I want to thank the Park Service for its work on this initiative, and I want to commend Augie Carlino, President and CEO of the Steel Industry Heritage Corporation, for working with me for many years to move this initiative forward. Finally, I want to thank Chairman POMBO and Ranking Member RAHALL of the Resources Committee for working to bring this bill to the House Floor today.

I urge my colleagues to support this very worthwhile legislation.

Mr. SOUDER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 280, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to establish certain National Heritage Areas, and for other purposes."

A motion to reconsider was laid on the table.

SIERRA NATIONAL FOREST LAND EXCHANGE ACT OF 2003

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1651) to provide for the exchange of land within the Sierra National Forest, California, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sierra National Forest Land Exchange Act of 2003".

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term "Federal land" means the parcels of land and improvements thereon comprising approximately 160 acres and located in township 9 south, range 25 east, section 30, E½SW¼ and W½ SE¼, Mt. Diablo Meridian, California.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means a parcel of land comprising approximately 80 acres and located in township 8 south, range 26 east, section 29, N½NW¼, Mt. Diablo Meridian, California.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 3. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALIFORNIA.

(a) EXCHANGE AUTHORIZED.—

(1) IN GENERAL.—If, during the one-year period beginning on the date of enactment of this Act, the owner of the non-Federal land offers the United States the exchange of the non-Federal land and a cash equalization payment of \$50,000, the Secretary shall convey, by quit claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and under such terms and conditions as the Secretary may prescribe.

(2) ACCEPTABLE TITLE.—Title to the non-Federal land shall conform with the title approval standards of the Attorney General applicable to Federal land acquisitions and shall be acceptable to the Secretary.

(3) CORRECTION AND MODIFICATION OF LEGAL DESCRIPTIONS.—The Secretary, in consultation with the owner of the non-Federal land, may make corrections to the legal descriptions of the Federal land and non-Federal land. The Secretary and the owner of the non-Federal land may make minor modifications to such descriptions insofar as such modifications do not affect the overall value of the exchange by more than five percent.

(b) VALUATION OF LAND TO BE CONVEYED.—For purposes of this section, during the period referred to in subsection (a)(1), the value of the non-Federal land shall be deemed to be \$200,000 and the value of the Federal land shall be deemed to be \$250,000.

(c) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—Once acquired, the Secretary shall manage the non-Federal land in accordance with the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.), and in accordance with the other laws and regulations pertaining to National Forest System lands.

(d) CONDITIONS ON CONVEYANCE OF FEDERAL LAND.—The conveyance by the Secretary under subsection (a) shall be subject to the following conditions:

(1) That the recipient of the Federal land convey all 160 acres of the Federal land to the Sequoia Council of the Boy Scouts of America not later than four months after the date on which the recipient receives the Federal land from the Secretary under subsection (a).

(2) That, as described in section 5, the owner of the easement granted in section 4 have the right of first offer regarding any reconveyance of the Federal land by the Sequoia Council of the Boy Scouts of America.

(e) DISPOSITION AND USE OF CASH EQUALIZATION FUNDS.—The Secretary shall deposit the cash equalization payment received under subsection (a) in the fund established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a). The cash equalization payment shall be available to the Secretary until expended, without further appropriation, for the acquisition of lands and interests in lands for the National Forest System in the State of California.

(f) COST COLLECTION FUNDS.—The owner of the non-Federal land shall be responsible for all direct costs associated with processing the land exchange under this section and shall pay the Secretary the necessary funds, which shall be deposited in a cost collection account. Funds so deposited shall be available to the Secretary until expended, without further appropriation, for the cost associated with the land exchange. Any funds remaining after completion of the land exchange, which are not needed to cover expenses, shall be refunded to the owner of the non-Federal land.

SEC. 4. GRANT OF EASEMENT IN CONNECTION WITH HYDROELECTRIC PROJECT NO. 67.

(a) PURPOSE.—A hydroelectric project, licensed pursuant to the Federal Power Act (16