

EXTENSION OF THE DEADLINE FOR CONSTRUCTION TO COMMENCE ON A HYDROELECTRIC PROJECT IN ALASKA

The bill (S. 2243) to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska, was considered, read the third time, and passed, as follows:

S. 2243

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

SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT.

Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 11480, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section extend the time period during which the licensee is required to commence the construction of the project for 3 consecutive 2-year periods beyond the date that is 4 years after the date of issuance of the license.

CARPINTERIA AND MONTECITO WATER DISTRIBUTION SYSTEMS CONVEYANCE OF 2003

The bill (H.R. 1648), to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District, was considered, ordered to a third reading, read the third time, and passed.

WILLIAMSON COUNTY WATER RECYCLING ACT OF 2003

The bill (H.R. 1732), to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT TO THE RECLAMATION PROJECT AUTHORIZATION ACT OF 1972

The bill (H.R. 3209), to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project was considered, ordered to a third reading, read the third time, and passed.

NATIONAL AVIATION HERITAGE AREA ACT

The Senate proceeded to consider the bill (S. 180) to establish the National Aviation Heritage Area, and for other purposes, which had been reported from

the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 180

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

[SECTION 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 (in progress) 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 4 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 non-profit 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, and Champaign Counties in Ohio.

[(2) The Neil Armstrong Air & Space Museum, Wapakoneta, Ohio, and the Wilbur Wright Birthplace and Museum, Millville, Indiana.

[(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 Act 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 and encouraging local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the Management Plan;

[(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) assist units of government and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are placed throughout the Heritage Area;

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

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

[(10) for any year in which Federal funds have been received under this Act—

[(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 Act to acquire real property or an interest in real property.

[(2) **OTHER SOURCES.**—Nothing in this Act 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 enactment of this Act, 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 Act.

[(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 Act, the management entity shall be ineligible to receive additional funding under this Act 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 Act 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 Act 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 Act;

[(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. 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) 50 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. 110. SUNSET PROVISION.]

[The authority of the Secretary to provide assistance under this title terminates on the date that is 15 years after the date of enactment of this title.]

[TITLE II—WRIGHT COMPANY FACTORY STUDY]

[SEC. 201. STUDY.]

[(a) 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.

[(b) 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.

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

[SEC. 202. REPORT.]

[Not later than 3 years after funds are first made available for this title, 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 section 201.]

SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:
Sec. 1. Table of contents.

TITLE I—NATIONAL AVIATION HERITAGE AREA

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. National Aviation Heritage Area.

Sec. 104. Management plan.

Sec. 105. Administration.

Sec. 106. Technical and financial assistance; other Federal agencies.

Sec. 107. Authorization of appropriations.

Sec. 108. Termination of authority.

TITLE II—WRIGHT COMPANY FACTORY STUDY

Sec. 201. Definitions.

Sec. 202. Study.

Sec. 203. Report.

TITLE I—NATIONAL AVIATION HERITAGE AREA

SEC. 101. SHORT TITLE.

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

SEC. 102. DEFINITIONS.

In this title:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the National Aviation Heritage Area established by section 103(a).

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

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Heritage Area developed under section 104.

(4) **PARTNER.**—The term “partner” means—

(A) a Federal, State, or local governmental entity; or

(B) an organization, private industry, or person involved in promoting the conservation and

preservation of the cultural and natural resources of the Heritage Area.

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

SEC. 103. NATIONAL AVIATION HERITAGE AREA.

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

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The Heritage Area shall include—

(A) a core area consisting of resources in Montgomery, Greene, Warren, Miami, Clark, Shelby, Auglaize, and Champaign Counties in the State of Ohio;

(B) the Neil Armstrong Air & Space Museum, Wapakoneta, Ohio;

(C) the Wilbur Wright Birthplace and Museum, Millville, Indiana; and

(D) any sites, buildings, and districts within the core area described in subparagraph (A) that are recommended for inclusion in the Heritage Area in the management plan.

(2) **MAP.**—

(A) **IN GENERAL.**—The Secretary shall prepare a map of the Heritage Area for inclusion in the management plan.

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

SEC. 104. MANAGEMENT PLAN.

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

(b) **REQUIREMENTS.**—The management plan shall—

(1) 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;

(2) take into consideration Federal, State, and local plans;

(3) involve residents, public agencies, and private organizations in the Heritage Area;

(4) include—

(A) an assessment of cultural landscapes in the Heritage Area;

(B) provisions for the protection, interpretation, and enjoyment of the resources of the Heritage Area that are consistent with the purposes of this title;

(C) an interpretation plan for the Heritage Area;

(D) a program for the implementation of the management plan by the management entity that includes—

(i) provisions for facilitating ongoing collaboration among the partners to—

(I) promote heritage tourism; and

(II) develop educational and cultural programs for the public;

(ii) provisions for assisting partners in plans for restoration and construction of the Heritage Area; and

(iii) to the maximum extent practicable, specific commitments from partners for the first 5 years of operation of the Heritage Area; and

(E) an inventory of the resources contained in the core area of the Heritage Area, including—

(i) the Dayton Aviation Heritage Historical Park;

(ii) the sites, buildings, and districts listed in section 202 of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419); and

(iii) any other property that—

(I) is related to the themes of the Heritage Area; and

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

(5) identify sources of funding for the implementation of the management plan; and

(6) describe and evaluate the management entity, including a description and evaluation of—

(A) the membership of the management entity; and

(B) the organizational structure of the management entity.

(c) **FAILURE TO SUBMIT.**—If the management entity fails to submit the management plan by the date described in subsection (a), the Secretary shall not provide any additional funding under this title to the management entity until the date on which the management entity submits a management plan to the Secretary.

(d) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the receipt of the management plan under subsection (a), the Secretary, in consultation with the State of Ohio, shall approve or disapprove the plan.

(2) **DISAPPROVAL AND REVISION.**—If the Secretary disapproves a management plan under paragraph (1), the Secretary shall—

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

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

(C) not later than 90 days after the receipt of any proposed revision of the management plan from the management entity, approve or disapprove the proposed revision.

(e) **AMENDMENTS.**—

(1) **IN GENERAL.**—The Secretary shall review each amendment to the management plan that the Secretary determines may make a substantial change to the management plan.

(2) **USE OF FUNDS.**—Funds made available under this title shall not be expended to implement an amendment described in paragraph (1) until the Secretary approves the amendment.

SEC. 105. ADMINISTRATION.

(a) **IN GENERAL.**—The management entity shall administer the Heritage Area in accordance with this title.

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

(1) make grants to, and enter into cooperative agreements with—

(A) the State of Ohio (including a political subdivision of the State);

(B) a private organization; or

(C) any person;

(2) hire and compensate staff;

(3) contract for goods and services; and

(4) obtain funds from any source (including a program that has a cost-sharing requirement).

(c) **DUTIES OF MANAGEMENT ENTITY.**—In addition to developing the management plan under section 104, in carrying out this title, the management entity shall—

(1) give priority to the implementation of actions set forth in the management plan, including—

(A) assisting units of government and nonprofit organizations in preserving the resources of the Heritage Area; and

(B) encouraging local governments to adopt land use policies that are consistent with—

(i) the management of the Heritage Area; and

(ii) the goals of the management plan;

(2) in developing and implementing the management plan, consider the interests of diverse governmental, business, and nonprofit organizations in the Heritage Area;

(3) maintain a collaboration among the partners to promote heritage tourism;

(4) assist partners in developing educational and cultural programs for the public;

(5) encourage economic viability in the Heritage Area in accordance 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 of the Heritage Area;

(D) installing throughout the Heritage Area, clear, consistent, and environmentally appropriate signs that identify access points and sites of interest; and

(E) 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 to the Secretary for approval substantial amendments to the management plan; and

(9) for any fiscal year for which Federal funds are made available to carry out this Act under section 107—

(A) submit to the Secretary a report that describes, for the fiscal year—

(i) any activities conducted by the management entity with respect to the Heritage Area; and

(ii) any expenses incurred by the management entity in carrying out this title;

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

(C) require, for all agreements authorizing the expenditure of Federal funds by any entity, that the receiving entity make available to the Secretary for audit all records relating to the expenditure of the funds.

(d) **PROHIBITION OF ACQUISITION OF REAL PROPERTY.**—

(1) **USE OF FEDERAL FUNDS.**—The management entity shall not use Federal funds made available under this title to acquire real property or any interest in real property.

(2) **FUNDS FROM OTHER SOURCES.**—The management entity may acquire real property or an interest in real property using non-Federal funds.

SEC. 106. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—

(1) **IN GENERAL.**—On the request of the management entity, the Secretary may provide to the Heritage Area technical assistance, on a reimbursable or nonreimbursable basis, and financial assistance for use in the development and implementation of the management plan.

(2) **COOPERATIVE AGREEMENTS.**—The Secretary may enter into a cooperative agreement with the management entity or other public or private organizations for purposes of providing technical or financial assistance under paragraph (1).

(3) **PRIORITY FOR ASSISTANCE.**—In providing technical or financial assistance under paragraph (1), the Secretary shall give priority to actions that assist in—

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

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

(b) **OPERATIONAL ASSISTANCE.**—Subject to the availability of appropriations, the Secretary may provide to public or private organizations in the Heritage Area such operational assistance as is appropriate to support the implementation of the management plan.

(c) **DUTIES OF OTHER FEDERAL AGENCIES.**—A Federal agency conducting or supporting any activity directly affecting the Heritage Area shall—

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

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

(3) to the maximum extent practicable, coordinate the activity with the duties of the Secretary and the management entity under this title; and

(4) conduct or support the activity in a manner that, to the maximum extent practicable,

will not have an adverse effect on the Heritage Area, as determined by the management entity.

(d) **COORDINATION BETWEEN THE SECRETARY, THE SECRETARY OF DEFENSE, AND THE ADMINISTRATOR OF NASA.**—Any decision relating to the application of this title to properties under the jurisdiction of the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration shall be made by the Secretary of Defense or the Administrator, respectively, in consultation with the Secretary.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

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

(b) **FEDERAL SHARE.**—The Federal share of the total cost of any activity assisted under this title shall be not more than 50 percent.

SEC. 108. TERMINATION OF AUTHORITY.

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

TITLE II—WRIGHT COMPANY FACTORY STUDY

SEC. 201. DEFINITIONS.

In this title:

(1) **FACTORY.**—The term “Factory” means the Wright Company factory in Dayton, Ohio.

(2) **PARK.**—The term “park” means the Dayton Aviation Heritage National Historical Park in the State of Ohio.

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

SEC. 202. STUDY.

(a) **IN GENERAL.**—The Secretary shall conduct a special resource study that—

(1) updates the study required under section 104 of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419); and

(2) describes alternatives for incorporating the Factory as a unit of the Park.

(b) **CONTENTS.**—The study shall include an analysis of the alternatives described under subsection (a)(2), including an analysis of management and development options and costs.

(c) **CONSULTATION.**—In conducting the study, the Secretary shall consult with—

(1) the Delphi Corporation;

(2) the Aviation Heritage Foundation;

(3) State and local agencies; and

(4) other interested parties in the area in which the Factory is located.

SEC. 203. REPORT.

Not later than 3 years after the date on which funds are first made available to carry out this title, 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 that describes the results of the study conducted under this title.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 180), as amended, was read the third time and passed.

NORTHERN RIO GRANDE NATIONAL HERITAGE AREA ACT

The bill (S. 211), to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, and for other purposes, was considered, read the third time, and passed, as follows:

S. 211

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 “Northern Rio Grande National Heritage Area Act”.

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) northern New Mexico encompasses a mosaic of cultures and history, including eight Pueblos and the descendants of Spanish ancestors who settled in the area in 1598;

(2) the combination of cultures, languages, folk arts, customs, and architecture make northern New Mexico unique;

(3) the area includes spectacular natural, scenic, and recreational resources;

(4) there is broad support from local governments and interested individuals to establish a National Heritage Area to coordinate and assist in the preservation and interpretation of these resources;

(5) in 1991, the National Park Service study *Alternative Concepts for Commemorating Spanish Colonization* identified several alternatives consistent with the establishment of a National Heritage Area, including conducting a comprehensive archaeological and historical research program, coordinating a comprehensive interpretation program, and interpreting a cultural heritage scene; and

(6) establishment of a National Heritage Area in northern New Mexico would assist local communities and residents in preserving these unique cultural, historical and natural resources.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term “heritage area” means the Northern Rio Grande Heritage Area; and

(2) the term “Secretary” means the Secretary of the Interior.

SEC. 4. NORTHERN RIO GRANDE NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is hereby established the Northern Rio Grande National Heritage Area in the State of New Mexico.

(b) **BOUNDARIES.**—The heritage area shall include the counties of Santa Fe, Rio Arriba, and Taos.

(c) **MANAGEMENT ENTITY.**—

(1) The Northern Rio Grande National Heritage Area, Inc., a non-profit corporation chartered in the State of New Mexico, shall serve as the management entity for the heritage area.

(2) The Board of Directors for the management entity shall include representatives of the State of New Mexico, the counties of Santa Fe, Rio Arriba and Taos, tribes and pueblos within the heritage area, the cities of Santa Fe, Espanola and Taos, and members of the general public. The total number of Board members and the number of Directors representing State, local and tribal governments and interested communities shall be established to ensure that all parties have appropriate representation on the Board.

SEC. 5. AUTHORITY AND DUTIES OF THE MANAGEMENT ENTITY.

(a) **MANAGEMENT PLAN.**—

(1) Not later than 3 years after the date of enactment of this Act, the management entity shall develop and forward to the Secretary a management plan for the heritage area.

(2) The management entity shall develop and implement the management plan in cooperation with affected communities, tribal and local governments and shall provide for public involvement in the development and implementation of the management plan.

(3) The management plan shall, at a minimum—

(A) provide recommendations for the conservation, funding, management, and development of the resources of the heritage area;

(B) identify sources of funding;

(C) include an inventory of the cultural, historical, archaeological, natural, and recreational resources of the heritage area;

(D) provide recommendations for educational and interpretive programs to inform