

2009—Subsec. (c). Pub. L. 111-11 added subsec. (c).

2000—Subsec. (b). Pub. L. 106-356 amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “The park shall consist of the following sites, as generally depicted on a map entitled ‘Proposed Dayton Aviation Heritage National Historical Park’, numbered NHP-DAH 80,000, and dated February 1992:

“(1) A core parcel in Dayton, Ohio, which shall consist of the Wright Cycle Company Building, Hoover Block, and lands between.

“(2) Huffman Prairie Flying Field, Wright-Patterson Air Force Base, Ohio.

“(3) The Wright 1905 Flyer and Wright Hall, Dayton, Ohio.

“(4) The Paul Laurence Dunbar home, Dayton, Ohio.”

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-356, §1, Oct. 24, 2000, 114 Stat. 1391, provided that: “This Act [amending this section and sections 410ww-6 and 410ww-8 of this title] may be cited as the ‘Dayton Aviation Heritage Preservation Amendments Act of 2000’.”

SHORT TITLE

Pub. L. 102-419, §1, Oct. 16, 1992, 106 Stat. 2141, provided that: “This Act [enacting this subchapter] may be cited as the ‘Dayton Aviation Heritage Preservation Act of 1992’.”

PURPOSES

Pub. L. 102-419, §2, Oct. 16, 1992, 106 Stat. 2141, provided that: “The purposes of this Act [this subchapter] are—

“(1) to establish a unit of the National Park System in Dayton, Ohio, consisting of certain lands and structures associated with Wilbur and Orville Wright and the early development of aviation; and

“(2) to create partnerships among Federal, State, and local governments and the private sector to preserve, enhance, and interpret for present and future generations the historic and cultural structures, districts, and artifacts in Dayton and the Miami Valley in the State of Ohio, which are associated with the Wright brothers, the invention and development of aviation, or the life and works of Paul Laurence Dunbar, and which, as a whole, represent a nationally significant resource.”

§ 410ww-1. Protection of historic properties

(a) Acquisition of properties within park

Within the boundaries of the park the Secretary shall, subject to the availability of appropriated funds, acquire Hawthorn Hill, the Wright Company factory, the Wright Cycle Company Building and Hoover Block, and may acquire other properties, or interests therein, referred to in section 410ww(b) of this title, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(b) Cooperative agreements

The Secretary is authorized to enter into cooperative agreements with other Federal agencies, State and local public bodies, and private interests and organizations relating to the preservation, development, use, and interpretation of properties within the boundaries of the park in order to contribute to the appropriate use and management of such properties consistent with the purposes of this subchapter.

(c) Cooperative agreements

The Secretary is authorized to enter into a cooperative agreement with a partner or partners,

including the Wright Family Foundation, to operate and provide programming for Hawthorn Hill and charge reasonable fees notwithstanding any other provision of law, which may be used to defray the costs of park operation and programming.

(d) Conditions

Cooperative agreements under this section shall provide, whenever appropriate, that—

(1) the public may have access to any such property at specified reasonable times for purposes of viewing such property or the exhibits or attending programs established by the Secretary under this subsection; and

(2) the Secretary may make such improvements to any such property as the Secretary deems necessary after consultation with the Aviation Heritage Foundation to enhance the public use and enjoyment of such property and programs.

(Pub. L. 102-419, title I, §102, Oct. 16, 1992, 106 Stat. 2142; Pub. L. 111-11, title VII, §7117(b), Mar. 30, 2009, 123 Stat. 1204.)

Editorial Notes

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-11, §7117(b)(1), inserted “Hawthorn Hill, the Wright Company factory,” before “the Wright Cycle Company Building”.

Subsec. (b). Pub. L. 111-11, §7117(b)(2), redesignated last sentence as subsec. (d).

Subsec. (c). Pub. L. 111-11, §7117(b)(3), added subsec. (c).

Subsec. (d). Pub. L. 111-11, §7117(b)(2), redesignated last sentence of subsec. (b) as (d), inserted heading, and substituted “Cooperative agreements under this section” for “Such agreements” in introductory provisions.

Subsec. (d)(2). Pub. L. 111-11, §7117(b)(4), substituted “Aviation Heritage Foundation” for “Commission”.

§ 410ww-2. Park general management plan

(a) In general

Not later than 3 complete fiscal years after October 16, 1992, the Secretary, with the advice of the Commission, shall prepare and submit to the Congress a general management plan for the park which includes but is not limited to the information described in section 100502 of title 54, and which takes into account the preservation and development plan developed under section 410ww-22 of this title.

(b) Park partnerships

The management plan shall identify partnership opportunities between the Secretary and other Federal, State, and local governments and the private sector for the development, use, and interpretation of properties within the park.

(Pub. L. 102-419, title I, §103, Oct. 16, 1992, 106 Stat. 2142.)

Editorial Notes

CODIFICATION

In subsec. (a), “section 100502 of title 54” substituted for “section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

§ 410ww-3. Studies

The Secretary shall study the following properties to determine the feasibility and suitability of including them within the park:

(1) Properties within the Wright-Dunbar Historic District.

(2) Wright Company Factory, Dayton, Ohio. A report of the study of such properties shall be submitted as part of the general management plan required by section 410ww-2 of this title.

(Pub. L. 102-419, title I, §104, Oct. 16, 1992, 106 Stat. 2142.)

§ 410ww-4. Administration**(a) In general**

The park shall be administered in accordance with this subchapter and with the provisions of law generally applicable to units of the National Park System, including, but not limited to, the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4).¹

(b) Donations

The Secretary may accept donations of funds, property, or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purposes of managing the park.

(c) Programs

The Secretary may sponsor, coordinate, or enter into cooperative agreements for educational or cultural programs related to the park as the Secretary considers appropriate to carry out the purposes of this subchapter.

(d) Identification and marking of significant historical sites

The Secretary may identify other significant sites related to the Wright brothers, the history of aviation, or Paul Laurence Dunbar in the Miami Valley which are related to the park, and, with the consent of the owner or owners thereof, may mark the sites appropriately and make reference to them in any interpretive literature. The Secretary may provide interpretive markers along transportation routes leading to units of the park.

(e) Interpretation of Huffman Prairie Flying Field

The Secretary may provide interpretation of Huffman Prairie Flying Field on Wright Brothers Hill, Wright-Patterson Air Force Base, Ohio.

(Pub. L. 102-419, title I, §105, Oct. 16, 1992, 106 Stat. 2142.)

Editorial Notes**REFERENCES IN TEXT**

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), referred to in subsec. (a), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park

Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 410ww-5. Cooperation of Federal agencies

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

(1) consult with, cooperate with, and to the maximum extent practicable, coordinate its activities with the Secretary; and

(2) conduct or support such activities in a manner which—

(A) to the maximum extent practicable is consistent with the standards and criteria established pursuant to section 410ww-22(b)(9) of this title; and

(B) to the maximum extent practicable will not have an adverse effect on the historic resources of the park.

(Pub. L. 102-419, title I, §106, Oct. 16, 1992, 106 Stat. 2143.)

§ 410ww-6. Coordination between Secretary and Secretary of Defense

The decisions concerning the execution of this subchapter as it applies to properties under control of the Secretary of Defense shall be made by such Secretary, in consultation with the Secretary of the Interior.

(Pub. L. 102-419, title I, §107, Oct. 16, 1992, 106 Stat. 2143; Pub. L. 106-356, §2(c), Oct. 24, 2000, 114 Stat. 1392.)

Editorial Notes**AMENDMENTS**

2000—Pub. L. 106-356 substituted “Secretary of the Interior” for “Secretary of Interior”.

§ 410ww-7. Assistance**(a) Technical and preservation assistance**

The Secretary may provide to any owner of property within the park, and to any organization having an agreement with the Secretary under section 410ww-1(b) of this title, such technical assistance as the Secretary considers appropriate to carry out the purposes of this subchapter.

(b) Grant assistance

The Secretary is authorized to make grants to the parks’ partners, including the Aviation Trail, Inc., the Ohio Historical Society, and Dayton History, for projects not requiring Federal involvement other than providing financial assistance, subject to the availability of appropriations in advance identifying the specific partner grantee and the specific project. Projects funded through these grants shall be limited to construction and development on non-Federal property within the boundaries of the park. Any project funded by such a grant shall support the purposes of the park, shall be consistent with the park’s general management

¹ See References in Text note below.