

XVIII. NATIONAL HERITAGE AREAS

1. Augusta Canal

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4093

Public Law 104-333  
104th Congress

An Act

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Nov. 12, 1996  
[H.R. 4236]

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

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

\* \* \* \* \*

DIVISION II

110 STAT. 4243

\* \* \* \* \*

TITLE III—AUGUSTA CANAL NATIONAL HERITAGE AREA

110 STAT. 4249  
Georgia.  
16 USC 461 note.

SEC. 301. FINDINGS.

The Congress finds that—

(1) the Augusta Canal National Landmark in the State of Georgia, listed on the National Historic Register of Historic Places, and designated by the Governor of Georgia as one of four regionally important resources in the State, is one of the last unspoiled areas in the State of Georgia;

(2) the Augusta Canal National Historic Landmark possesses excellent water quality, beautiful rural and historic cultural landscapes, architecturally significant mill structures and mill villages, and large acreages of parks and permanent open space;

(3) three national historic districts, the Harrisburg, Laney Walker, and Greene Street districts, and two national historic landmarks, Stallings Island, located in the Savannah River, and Meadow Garden, are connected by the Augusta Canal Area;

(4) the beautiful rural landscapes and historic cultural landscapes, scenic vistas and excellent water quality of the Augusta Canal contain significant undeveloped recreational opportunities for people throughout the United States;

(5) the Augusta Canal and related mill sites, structures, and associated neighborhoods are representatives of the development of the cotton textile industry and associated agriculture and trade in the South;

(6) the transformation of the agrarian economy of the area into an early industrial economy was precipitated by the development and use of the Augusta Canal;

(7) several significant sites associated with the American Revolution, the Civil War, Native Americans, Colonial Americans, African Americans, Chinese Americans, and Irish Americans are located within the Augusta Canal area;

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(8) despite the efforts by the State of Georgia, political subdivisions of the State, volunteer organizations, and private businesses, the cultural, historical, natural, and recreational resources of the area have not realized full potential and may be lost without assistance from the Federal Government;

(9) the Secretary of the Interior considers this landmark to be threatened and has designated it a priority for protection;

(10) many local, regional, and State agencies, businesses, and private citizens have expressed an overwhelming desire to combine forces to work cooperatively to preserve and enhance the resources of the Augusta Canal National Historic Landmark and better plan for its future; and

(11) the Augusta Canal Authority, a public body established under the law of the State of Georgia, would be an appropriate management entity for a National Heritage Area established in the area of the Augusta Canal.

**SEC. 302. PURPOSE.**

110 STAT. 4250

It is the purpose of this title to provide a cooperative management framework to assist the State of Georgia, its units of local government, and area citizens in retaining, enhancing, and interpreting the significant features of the lands, water, and structures of the Augusta Canal, in a manner that is consistent with positive economic impact and development for the benefit and inspiration of present and future generations in the State of Georgia and the United States.

**SEC. 303. DESIGNATION OF AUGUSTA CANAL NATIONAL HERITAGE AREA.**

(a) DESIGNATION.—There is hereby designated in the State of Georgia the Augusta Canal National Heritage Area (referred to in this title as the “Heritage Area”).

(b) BOUNDARIES.—

(1) IN GENERAL.—The Heritage Area shall include the land generally depicted on the map entitled “The Augusta Canal”, numbered AUCA-80,000, and dated August 1994, which shall be on file and available for public inspection in the Office of the Director of the National Park Service, Washington, D.C.

(2) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this title, the Secretary of the Interior (referred to in this title as the “Secretary”) shall prepare and place on file with the map described in paragraph (1) a legal description of the boundaries of the Heritage Area.

**SEC. 304. MANAGEMENT.**

The Secretary, acting through the Director of the National Park Service, shall enter into a cooperative agreement with the Augusta Canal Authority, a public body established under the law of the State of Georgia, providing for the management of the Heritage Area by the Augusta Canal Authority under terms and conditions stated in the cooperative agreement. The Secretary shall consult with the Augusta Canal Authority before carrying out any management authority with respect to the Heritage Area which is not provided for by the cooperative agreement.

**SEC. 305. MANAGEMENT PLAN.**

(a) PREPARATION OF PLAN.—Not later than three years after the date of enactment of this title, the Augusta Canal Authority

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shall prepare and submit to the Secretary for review and approval a plan for the management and administration of the Heritage Area.

(b) CONTENTS.—The plan shall be based on Federal, State, and local plans in existence on the date of enactment of this title, including the Augusta Canal Master Plan. The Augusta Canal Authority shall coordinate and combine such plans and present an integrated and cooperative approach for the protection, enhancement, and interpretation of the cultural, natural, scenic, and recreational resources of the Heritage Area.

(c) ASSISTANCE.—The Secretary may provide technical and financial assistance in the preparation of the management plan.

(d) APPROVAL.—

(1) IN GENERAL.—Not later than 180 days after receipt of the plan submitted under subsection (a), the Secretary shall approve or disapprove the plan.

(2) CRITERIA.—In determining whether to approve a plan, the Secretary shall consider—

(A) whether the plan has strong local support from a diversity of landowners, business interests, nonprofit organizations, and governments within the area;

(B) whether the plan is consistent with and complements continued economic activity in the area;

(C) whether the plan has a high potential for effective partnership mechanisms;

(D) whether the plan improperly infringes on private property rights; and

(E) whether the plan will take appropriate action to ensure private property rights are observed.

(3) DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves the proposed management plan, the Secretary shall notify the Augusta Canal Authority of the disapproval in writing.

(B) CONTENTS.—A notification under subparagraph (A) shall include—

(i) the reasons for the disapproval; and

(ii) recommendations for revision.

(C) REVISED PLAN.—The Augusta Canal Authority shall revise and resubmit the management plan to the Secretary for approval. Not later than 180 days after receipt of the revised plan, the Secretary shall approve or disapprove the plan as provided in paragraph (2). The Augusta Canal Authority shall revise and submit the management plan until the management plan is approved by the Secretary.

(e) IMPLEMENTATION.—

(1) IN GENERAL.—Upon approval of the management plan as provided in subsection (d), the Secretary, in conjunction with the Augusta Canal Authority, shall take appropriate steps to implement the management plan.

(2) COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into cooperative agreements with the State of Georgia, political subdivisions of the State, the Augusta Canal Authority, or any organization or individual to implement the management plan.

(f) ECONOMIC DEVELOPMENT.—It is the sense of Congress that the Augusta Canal Authority, the State of Georgia, the City of Augusta, and other political subdivisions of the State of Georgia

110 STAT. 4251

Notification.

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should encourage, by appropriate means, enhanced economic and industrial development in the area consistent with the goals of the Augusta Canal Master Plan.

**SEC. 306. GRANTS AND TECHNICAL ASSISTANCE.**

The Secretary may provide grants and technical assistance for the purposes of this title.

**SEC. 307. ACQUISITION OF REAL PROPERTY.**

The Augusta Canal Authority may not use any Federal funds that it may receive pursuant to this title to acquire real property or an interest in real property.

**SEC. 308. OCCUPATIONAL, SAFETY, CONSERVATION, AND ENVIRONMENTAL REGULATION.**

Nothing in this title shall be construed to—

(1) impose any occupational, safety, conservation, or environmental regulation on the Heritage Area that is more stringent than the regulations that would be applicable to the Heritage Area but for the designation of the Heritage Area under section 303; or

110 STAT. 4252

(2) authorize any 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 Heritage Area in existence on the date of enactment of this title, solely as a result of the designation of the Heritage Area under section 303.

**SEC. 309. LAND USE REGULATION.**

Nothing in this title shall be construed to—

(1) modify, enlarge, or diminish any authority of Federal, State, and local governments to regulate any use of land as provided for by law or regulation; or

(2) grant powers of zoning or land use to the Augusta Canal Authority.

**SEC. 310. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 311. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated under 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) **50 PERCENT MATCH.**—Federal funding provided under this title, after the designation of the Heritage Area, may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

\* \* \* \* \*

110 STAT. 4281

Approved November 12, 1996.

**LEGISLATIVE HISTORY—H.R. 4236:**

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



**2. Automobile**

PUBLIC LAW 105–355—NOV. 6, 1998

112 STAT. 3247

Public Law 105–355  
105th Congress**An Act**To authorize the Automobile National Heritage Area in the State of Michigan,  
and for other purposes.Nov. 6, 1998  
[H.R. 3910]*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***TITLE I—AUTOMOBILE NATIONAL HERITAGE AREA  
OF MICHIGAN**Automobile  
National  
Heritage Area  
Act.  
16 USC 461 note  
[table].**SEC. 101. SHORT TITLE.**This title may be cited as the “Automobile National Heritage  
Area Act”.**SEC. 102. FINDINGS AND PURPOSES.**(a) **FINDINGS.**—The Congress finds that—(1) the industrial, cultural, and natural heritage legacies  
of Michigan’s automobile industry are nationally significant;(2) in the areas of Michigan including and in proximity  
to Detroit, Dearborn, Pontiac, Flint, and Lansing, the design  
and manufacture of the automobile helped establish and expand  
the United States industrial power;(3) the industrial strength of automobile manufacturing  
was vital to defending freedom and democracy in 2 world wars  
and played a defining role in American victories;(4) the economic strength of our Nation is connected  
integrally to the vitality of the automobile industry, which  
employs millions of workers and upon which 1 out of 7 United  
States jobs depends;(5) the industrial and cultural heritage of the automobile  
industry in Michigan includes the social history and living  
cultural traditions of several generations;(6) the United Auto Workers and other unions played a  
significant role in the history and progress of the labor move-  
ment and the automobile industry;(7) the Department of the Interior is responsible for protect-  
ing and interpreting the Nation’s cultural and historic  
resources, and there are significant examples of these resources  
within Michigan to merit the involvement of the Federal  
Government to develop programs and projects in cooperation  
with the Automobile National Heritage Area Partnership, Incor-  
porated, the State of Michigan, and other local and govern-  
mental bodies, to adequately conserve, protect, and interpret

this heritage for the educational and recreational benefit of this and future generations of Americans;

(8) the Automobile National Heritage Area Partnership, Incorporated would be an appropriate entity to oversee the development of the Automobile National Heritage Area; and

(9) 2 local studies, “A Shared Vision for Metropolitan Detroit” and “The Machine That Changed the World”, and a National Park Service study, “Labor History Theme Study: Phase III; Suitability-Feasibility”, demonstrated that sufficient historical resources exist to establish the Automobile National Heritage Area.

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

(1) foster a close working relationship with all levels of government, the private sector, and the local communities in Michigan and empower communities in Michigan to conserve their automotive heritage while strengthening future economic opportunities; and

(2) conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Automobile National Heritage Area.

**SEC. 103. DEFINITIONS.**

For purposes of this title:

(1) **BOARD.**—The term “Board” means the Board of Directors of the Partnership.

(2) **HERITAGE AREA.**—The term “Heritage Area” means the Automobile National Heritage Area established by section 104.

(3) **PARTNERSHIP.**—The term “Partnership” means the Automobile National Heritage Area Partnership, Incorporated (a nonprofit corporation established under the laws of the State of Michigan).

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

**SEC. 104. AUTOMOBILE NATIONAL HERITAGE AREA.**

(a) **ESTABLISHMENT.**—There is established in the State of Michigan the Automobile National Heritage Area.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the boundaries of the Heritage Area shall include lands in Michigan that are related to the following corridors:

- (A) The Rouge River Corridor.
- (B) The Detroit River Corridor.
- (C) The Woodward Avenue Corridor.
- (D) The Lansing Corridor.
- (E) The Flint Corridor.
- (F) The Sauk Trail/Chicago Road Corridor.

(2) **SPECIFIC BOUNDARIES.**—The specific boundaries of the Heritage Area shall be those specified in the management plan approved under section 106.

(3) **MAP.**—The Secretary shall prepare a map of the Heritage Area which shall be on file and available for public inspection in the office of the Director of the National Park Service.

(4) **NOTICE TO LOCAL GOVERNMENTS.**—The Partnership shall provide to the government of each city, village, and township that has jurisdiction over property proposed to be included in the Heritage Area written notice of that proposal.

## PUBLIC LAW 105-355—NOV. 6, 1998

112 STAT. 3249

(c) ADMINISTRATION.—The Heritage Area shall be administered in accordance with this title.

**SEC. 105. DESIGNATION OF PARTNERSHIP AS MANAGEMENT ENTITY.**

(a) IN GENERAL.—The Partnership shall be the management entity for the Heritage Area.

(b) FEDERAL FUNDING.—

(1) AUTHORIZATION TO RECEIVE FUNDS.—The Partnership may receive amounts appropriated to carry out this title.

(2) DISQUALIFICATION.—If a management plan for the Heritage Area is not submitted to the Secretary as required under section 106 within the time specified in that section, the Partnership shall cease to be authorized to receive Federal funding under this title until such a plan is submitted to the Secretary.

(c) AUTHORITIES OF PARTNERSHIP.—The Partnership may, for purposes of preparing and implementing the management plan for the Heritage Area, use Federal funds made available under this title—

(1) to make grants to the State of Michigan, its political subdivisions, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with or provide technical assistance to the State of Michigan, its political subdivisions, nonprofit organizations, and other organizations;

(3) to hire and compensate staff;

(4) to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money; and

(5) to contract for goods and services.

(d) PROHIBITION OF ACQUISITION OF REAL PROPERTY.—The Partnership may not use Federal funds received under this title to acquire real property or any interest in real property.

**SEC. 106. MANAGEMENT DUTIES OF THE AUTOMOBILE NATIONAL HERITAGE AREA PARTNERSHIP.**

(a) HERITAGE AREA MANAGEMENT PLAN.—

(1) SUBMISSION FOR REVIEW BY SECRETARY.—The Board of Directors of the Partnership shall, within 3 years after the date of the enactment of this title, develop and submit for review to the Secretary a management plan for the Heritage Area.

(2) PLAN REQUIREMENTS, GENERALLY.—A management plan submitted under this section shall—

(A) present comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area;

(B) be prepared with public participation;

(C) take into consideration existing Federal, State, county, and local plans and involve residents, public agencies, and private organizations in the Heritage Area;

(D) include a description of actions that units of government and private organizations are recommended to take to protect the resources of the Heritage Area; and

(E) specify existing and potential sources of Federal and non-Federal funding for the conservation, management, and development of the Heritage Area.

(3) ADDITIONAL PLAN REQUIREMENTS.—The management plan also shall include the following, as appropriate:

112 STAT. 3250

PUBLIC LAW 105-355—NOV. 6, 1998

Records.

(A) An inventory of resources contained in the Heritage Area, including a list of property in the Heritage Area that should be conserved, restored, managed, developed, or maintained because of the natural, cultural, or historic significance of the property as it relates to the themes of the Heritage Area. The inventory may not include any property that is privately owned unless the owner of the property consents in writing to that inclusion.

(B) A recommendation of policies for resource management that consider and detail the application of appropriate land and water management techniques, including (but not limited to) the development of intergovernmental cooperative agreements to manage the historical, cultural, and natural resources and recreational opportunities of the Heritage Area in a manner consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan, including plans for restoration and construction and a description of any commitments that have been made by persons interested in management of the Heritage Area.

(D) An analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this title.

(E) An interpretive plan for the Heritage Area.

Deadlines.

(4) APPROVAL AND DISAPPROVAL OF THE MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 180 days after submission of the Heritage Area management plan by the Board, the Secretary shall approve or disapprove the plan. If the Secretary has taken no action after 180 days, the plan shall be considered approved.

(B) DISAPPROVAL AND REVISIONS.—If the Secretary disapproves the management plan, the Secretary shall advise the Board, in writing, of the reasons for the disapproval and shall make recommendations for revision of the plan. The Secretary shall approve or disapprove proposed revisions to the plan not later than 60 days after receipt of such revisions from the Board. If the Secretary has taken no action for 60 days after receipt, the plan and revisions shall be considered approved.

(b) PRIORITIES.—The Partnership shall give priority to the implementation of actions, goals, and policies set forth in the management plan for the Heritage Area, including—

(1) assisting units of government, regional planning organizations, and nonprofit organizations—

(A) in conserving the natural and cultural resources in the Heritage Area;

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

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

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

(E) in the restoration of historic buildings that are located within the boundaries of the Heritage Area and related to the theme of the Heritage Area; and

## PUBLIC LAW 105-355—NOV. 6, 1998

112 STAT. 3251

(F) in ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the Heritage Area; and

(2) consistent with the goals of the management plan, encouraging economic viability in the affected communities by appropriate means.

(c) CONSIDERATION OF INTERESTS OF LOCAL GROUPS.—The Partnership shall, in preparing and implementing the management plan for the Heritage Area, consider the interest of diverse units of government, businesses, private property owners, and nonprofit groups within the Heritage Area.

(d) PUBLIC MEETINGS.—The Partnership shall conduct public meetings at least annually regarding the implementation of the Heritage Area management plan.

(e) ANNUAL REPORTS.—The Partnership shall, for any fiscal year in which it receives Federal funds under this title or in which a loan made by the Partnership with Federal funds under section 105(c)(1) is outstanding, submit an annual report to the Secretary setting forth its accomplishments, its expenses and income, and the entities to which it made any loans and grants during the year for which the report is made.

(f) COOPERATION WITH AUDITS.—The Partnership shall, for any fiscal year in which it receives Federal funds under this title or in which a loan made by the Partnership with Federal funds under section 105(c)(1) is outstanding, make available for audit by the Congress, the Secretary, and appropriate units of government all records and other information pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure 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.

(g) DELEGATION.—The Partnership may delegate the responsibilities and actions under this section for each corridor identified in section 104(b)(1). All delegated actions are subject to review and approval by the Partnership.

**SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

(a) TECHNICAL ASSISTANCE AND GRANTS.—

(1) IN GENERAL.—The Secretary may provide technical assistance and, subject to the availability of appropriations, grants to units of government, nonprofit organizations, and other persons upon request of the Partnership, and to the Partnership, regarding the management plan and its implementation.

(2) PROHIBITION OF CERTAIN REQUIREMENTS.—The Secretary may not, as a condition of the award of technical assistance or grants under this section, require any recipient of such technical assistance or a grant to enact or modify land use restrictions.

(3) DETERMINATIONS REGARDING ASSISTANCE.—The Secretary shall decide if a unit of government, nonprofit organization, or other person shall be awarded technical assistance or grants and the amount of that assistance. Such decisions shall be based on the relative degree to which the assistance effectively fulfills the objectives contained in the Heritage Area

management plan and achieves the purposes of this title. Such decisions shall give consideration to projects which provide a greater leverage of Federal funds.

(b) **PROVISION OF INFORMATION.**—In cooperation with other Federal agencies, the Secretary shall provide the general public with information regarding the location and character of the Heritage Area.

(c) **OTHER ASSISTANCE.**—The Secretary may enter into cooperative agreements with public and private organizations for the purposes of implementing this subsection.

(d) **DUTIES OF OTHER FEDERAL AGENCIES.**—Any Federal entity conducting any activity directly affecting the Heritage Area shall consider the potential effect of the activity on the Heritage Area management plan and shall consult with the Partnership with respect to the activity to minimize the adverse effects of the activity on the Heritage Area.

**SEC. 108. LACK OF EFFECT ON LAND USE REGULATION AND PRIVATE PROPERTY.**

(a) **LACK OF EFFECT ON AUTHORITY OF LOCAL GOVERNMENT.**—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of Federal, State, or local governments to regulate any use of land under any other law or regulation.

(b) **LACK OF ZONING OR LAND USE POWERS.**—Nothing in this title shall be construed to grant powers of zoning or land use control to the Partnership.

(c) **LOCAL AUTHORITY AND PRIVATE PROPERTY NOT AFFECTED.**—Nothing in this title shall be construed to affect or to authorize the Partnership to interfere with—

(1) the rights of any person with respect to private property;

or

(2) any local zoning ordinance or land use plan of the State of Michigan or a political subdivision thereof.

**SEC. 109. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2014.

**SEC. 110. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated under 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) **50 PERCENT MATCH.**—Federal funding provided under this title, after the designation of the Heritage Area, may not exceed 50 percent of the total cost of any activity carried out with any financial assistance or grant provided under this title.

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**LEGISLATIVE HISTORY—H.R. 3910:**

CONGRESSIONAL RECORD, Vol. 144 (1998):

Oct. 10, considered and passed House.

Oct. 14, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 34 (1998):

Nov. 6, Presidential statement.

**3. Blackstone River Valley National Heritage Corridor**

PUBLIC LAW 104-208—SEPT. 30, 1996

110 STAT. 3009

\*Public Law 104-208  
104th Congress

**An Act**

Making omnibus consolidated appropriations for the fiscal year ending September 30, 1997, and for other purposes.

Sept. 30, 1996  
[H.R. 3610]

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

Omnibus  
Consolidated  
Appropriations  
Act, 1997.

**DIVISION A**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 1997, and for other purposes, namely:

**TITLE I—OMNIBUS APPROPRIATIONS**

**Sec. 101.**

\* \* \* \* \*

(d) For programs, projects or activities in the Department of the Interior and Related Agencies Appropriations Act, 1997, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

110 STAT.  
3009-181

**AN ACT**

Making appropriations for the Department of the Interior, and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 1997.

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

110 STAT.  
3009-198

\* \* \* \* \*

SEC. 115. Section 7 of Public Law 99-647 (16 U.S.C. 461 note) is amended to read as follows:

110 STAT.  
3009-201

\*Note: This is a typeset print of the original hand enrollment as signed by the President on September 30, 1996. The text is printed without corrections. Missing text in the original is indicated by a footnote.

110 STAT. 3009–201 PUBLIC LAW 104–208—SEPT. 30, 1996

**“SEC. 7. TERMINATION OF COMMISSION.**

“The Commission shall terminate on November 10, 1997.”.

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110 STAT.  
3009–749

Approved September 30, 1996.

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**LEGISLATIVE HISTORY—H.R. 3610 (S. 1894):**

**HOUSE REPORTS:** Nos. 104–617 (Comm. on Appropriations) and 104–863 (Comm. on Conference).

**SENATE REPORTS:** No. 104–286 accompanying S. 1894 (Comm. on Appropriations).

**CONGRESSIONAL RECORD, Vol. 142 (1996):**

June 13, considered and passed House.

July 11, 17, 18, considered and passed Senate, amended, in lieu of S. 1894.

Sept. 28, House agreed to conference report.

Sept. 30, Senate agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):**

Sept. 30, Presidential statement.



PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4093

Public Law 104-333  
104th Congress

An Act

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Nov. 12, 1996  
[H.R. 4236]

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

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

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DIVISION I

110 STAT. 4097

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TITLE IX—HERITAGE AREAS

110 STAT. 4201

**SEC. 901. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR.**

Massachusetts.  
Rhode Island.

(a) BOUNDARY CHANGES.—Section 2 of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended by striking the first sentence and inserting the following new sentence: “The boundaries shall include the lands and water generally depicted on the map entitled ‘Blackstone River Valley National Heritage Corridor Boundary Map’, numbered BRV-80-80,011, and dated May 2, 1993.”.

110 STAT. 4202

(b) TERMS.—Section 3(c) of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended by inserting before the period at the end the following: “, but may continue to serve after the expiration of this term until a successor has been appointed”.

(c) REVISION OF PLAN.—Section 6 of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended by adding at the end the following new subsection:

“(d) REVISION OF PLAN.—(1) Not later than 1 year after the date of the enactment of this subsection, the Commission, with the approval of the Secretary, shall revise the Cultural Heritage and Land Management Plan. The revision shall address the boundary change and shall include a natural resource inventory of areas or features that should be protected, restored, managed, or acquired because of their contribution to the understanding of national cultural landscape values.

“(2) No changes other than minor revisions may be made in the approval plan as amended without the approval of the Secretary. The Secretary shall approve or disapprove any proposed changes in the plan, except minor revisions, in accordance with subsection (b).”.

(d) EXTENSION OF COMMISSION.—Section 7 of the Act entitled “An Act to establish the Blackstone River Valley National Heritage

110 STAT. 4202

PUBLIC LAW 104-333—NOV. 12, 1996

Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended to read as follows:

**“SEC. 7. TERMINATION OF COMMISSION.**

“The Commission shall terminate on the date that is 10 years after the date of enactment of this section.”

(e) IMPLEMENTATION OF PLAN.—Subsection (c) of section 8 of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended to read as follows:

“(c) IMPLEMENTATION.—(1) To assist in the implementation of the Cultural Heritage and Land Management Plan in a manner consistent with purposes of this Act, the Secretary is authorized to undertake a limited program of financial assistance for the purpose of providing funds for the preservation and restoration of structures on or eligible for inclusion on the National Register of Historic Places within the Corridor which exhibit national significance or provide a wide spectrum of historic, recreational, or environmental education opportunities to the general public.

“(2) To be eligible for funds under this section, the Commission shall submit an application to the Secretary that includes—

“(A) a 10-year development plan including those resource protection needs and projects critical to maintaining or interpreting the distinctive character of the Corridor; and

“(B) specific descriptions of annual work programs that have been assembled, the participating parties, roles, cost estimates, cost-sharing, or cooperative agreements necessary to carry out the development plan.

“(3) Funds made available pursuant to this subsection shall not exceed 50 percent of the total cost of the work programs.

“(4) In making the funds available, the Secretary shall give priority to projects that attract greater non-Federal funding sources.

“(5) Any payment made for the purposes of conservation or restoration of real property or structures shall be subject to an agreement either—

“(A) to convey a conservation or preservation easement to the Department of Environmental Management or to the Historic Preservation Commission, as appropriate, of the State in which the real property or structure is located; or

“(B) that conversion, use, or disposal of the resources so assisted for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States for reimbursement of all funds expended upon such resources or the proportion of the increased value of the resources attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

“(6) The authority to determine that a conversion, use, or disposal of resources has been carried out contrary to the purposes of this Act in violation of an agreement entered into under paragraph (5)(A) shall be solely at the discretion of the Secretary.”

(f) LOCAL AUTHORITY.—Section 5 of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986

110 STAT. 4203

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4203

(Public Law 99-647; 16 U.S.C. 461 note), is amended by adding at the end the following new subsection:

“(j) LOCAL AUTHORITY AND PRIVATE PROPERTY NOT AFFECTED.—Nothing in this Act shall be construed to affect or to authorize the Commission to interfere with—

“(1) the rights of any person with respect to private property; or

“(2) any local zoning ordinance or land use plan of the Commonwealth of Massachusetts or any political subdivision of the Commonwealth.”.

(g) AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding any other provisions of law regarding limitations on funding for heritage areas, section 10 of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), as amended, is further amended:

(1) in subsection (a), by striking “\$350,000” and inserting “\$650,000”; and

(2) by amending subsection (b) to read as follows:

“(b) DEVELOPMENT FUNDS.—For fiscal year 1996, 1997, and 1998, there is authorized to be appropriated to carry out section 8(c) not to exceed \$5,000,000.”.

Appropriation authorization.

\* \* \* \* \*

Approved November 12, 1996.

110 STAT. 4281

LEGISLATIVE HISTORY—H.R. 4236:

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



112 STAT. 3247

PUBLIC LAW 105–355—NOV. 6, 1998

Public Law 105–355  
105th Congress

An Act

Nov. 6, 1998  
[H.R. 3910]

To authorize the Automobile National Heritage Area in the State of Michigan,  
and for other purposes.

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

\* \* \* \* \*

112 STAT. 3261

TITLE V—OTHER MATTERS

**SEC. 501. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE COR-  
RIDOR, MASSACHUSETTS AND RHODE ISLAND.**

Section 10(b) of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is amended by striking “For fiscal year 1996, 1997, and 1998,” and inserting “For fiscal years 1998, 1999, and 2000,”.

\* \* \* \* \*

112 STAT. 3267

Approved November 6, 1998.

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LEGISLATIVE HISTORY—H.R. 3910:

CONGRESSIONAL RECORD, Vol. 144 (1998):

Oct. 10, considered and passed House.

Oct. 14, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 34 (1998):

Nov. 6, Presidential statement.



**4. Cache La Poudre River Corridor**

PUBLIC LAW 104-323—OCT. 19, 1996

110 STAT. 3889

Public Law 104-323  
104th Congress**An Act**

To establish the Cache La Poudre River Corridor.

Oct. 19, 1996

[S. 342]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*Cache La Poudre  
River Corridor  
Act.  
Colorado.**SEC. 100. SHORT TITLE.**

This Act may be cited as the “Cache La Poudre River Corridor Act”.

**SEC. 101. PURPOSE.**

The purpose of this Act is to designate the Cache La Poudre Corridor within the Cache La Poudre River Basin and to provide for the interpretation, for the educational and inspirational benefit of present and future generations, of the unique and significant contributions to our national heritage of cultural and historical lands, waterways, and structures within the Corridor.

**SEC. 102. DEFINITIONS.**

In this Act:

(1) COMMISSION.—The term “Commission” means the Cache La Poudre Corridor Commission established by section 104(a).

(2) CORRIDOR.—The term “Corridor” means the Cache La Poudre Corridor established by section 103(a).

(3) GOVERNOR.—The term “Governor” means the Governor of the State of Colorado.

(4) PLAN.—The term “Plan” means the corridor interpretation plan prepared by the Commission pursuant to section 108(a).

(5) POLITICAL SUBDIVISION OF THE STATE.—The term “political subdivision of the State” means a political subdivision of the State of Colorado, any part of which is located in or adjacent to the Corridor, including a county, city, town, water conservancy district, or special district.

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

**SEC. 103. ESTABLISHMENT OF THE CACHE LA POUFRE CORRIDOR.**

(a) ESTABLISHMENT.—There is established in the State of Colorado the Cache La Poudre Corridor.

(b) BOUNDARIES.—The boundaries of the Corridor shall include the lands within the 100-year flood plain of the Cache La Poudre River Basin, beginning at a point where the Cache La Poudre River flows out of the Roosevelt National Forest and continuing east along the floodplain to a point  $\frac{1}{4}$  mile west of the confluence of the Cache La Poudre River and the South Platte River in Weld

County, Colorado, comprising less than 35,000 acres, and generally depicted as the 100-year flood boundary on the Federal Flood Insurance maps listed below:

(1) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0146B, April 2, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(2) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0147B, April 2, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(3) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0162B, April 2, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(4) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0163C, March 18, 1986. Federal Emergency Management Agency, Federal Insurance Administration.

(5) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0178C, March 18, 1986. Federal Emergency Management Agency, Federal Insurance Administration.

(6) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080102 0002B, February 15, 1984. Federal Emergency Management Agency, Federal Insurance Administration.

(7) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0179C, March 18, 1986. Federal Emergency Management Agency, Federal Insurance Administration.

(8) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0193D, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(9) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0194D, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(10) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0208C, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(11) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0221C, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(12) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0605D, September 27, 1991. Federal Emergency Management Agency, Federal Insurance Administration.

(13) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080264 0005A, September 27, 1991. Federal Emergency Management Agency, Federal Insurance Administration.

(14) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0608D, September 27,

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1991. Federal Emergency Management Agency, Federal Insurance Administration.

(15) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0609C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

(16) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0628C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

(17) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080184 0002B, July 16, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(18) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0636C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

(19) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0637C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Register a detailed description and map of the boundaries of the Corridor.

(c) PUBLIC ACCESS TO MAPS.—The maps shall be on file and available for public inspection in—

(1) the offices of the Department of the Interior in Washington, District of Columbia, and Denver, Colorado; and

(2) local offices of the city of Fort Collins, Larimer County, the city of Greeley, and Weld County.

#### SEC. 104. ESTABLISHMENT OF THE CACHE LA POUFRE CORRIDOR COMMISSION.

(a) IN GENERAL.—Upon the recommendation of the Governor, the Secretary is authorized to recognize, for the purpose of developing and implementing the plan referred to in section 108, the Cache La Poudre Corridor Commission, as such Commission may be established by the State of Colorado or its political subdivisions.

(b) REFLECTION OF CROSS-SECTION OF INTERESTS.—The Secretary may provide recognition under subsection (a) only if the Commission reflects the following:

(1) MEMBERSHIP.—

(A) COMPOSITION.—The Commission shall be composed of 15 members appointed not later than 6 months after the date of enactment of this Act. Of these 15 members—

(i) 1 member shall be a representative of the Secretary of the Interior which member shall be an ex officio member;

(ii) 1 member shall be a representative of the Forest Service, appointed by the Secretary of Agriculture, which member shall be an ex officio member;

(iii) 3 members shall be recommended by the Governor and appointed by the Secretary, of whom—

(I) 1 member shall represent the State;

(II) 1 member shall represent Colorado State University in Fort Collins; and

(III) 1 member shall represent the Northern Colorado Water Conservancy District;

(iv) 6 members shall be representatives of local governments who are recommended by the Governor and appointed by the Secretary, of whom—

(I) 1 member shall represent the city of Fort Collins;

(II) 2 members shall represent Larimer County, 1 of which shall represent agriculture or irrigated water interests;

(III) 1 member shall represent the city of Greeley;

(IV) 2 members shall represent Weld County, 1 of which shall represent agricultural or irrigated water interests; and

(V) 1 member shall represent the city of Loveland; and

(v) 3 members shall be recommended by the Governor and appointed by the Secretary, and shall—

(I) represent the general public;

(II) be citizens of the State; and

(III) reside within the Corridor.

(B) CHAIRPERSON.—The chairperson of the Commission shall be elected by the members of the Commission from among members appointed under clause (iii), (iv), or (v) of subparagraph (A). The chairperson shall be elected for a 2-year term.

(C) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(2) TERMS OF SERVICE.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), each member of the Commission shall be appointed for a term of 3 years and may be reappointed.

(B) INITIAL MEMBERS.—The initial members of the Commission first appointed under paragraph (1)(A) shall be appointed as follows:

(i) 3-YEAR TERMS.—The following initial members shall serve for a 3-year term:

(I) The representative of the Secretary of the Interior.

(II) 1 representative of Weld County.

(III) 1 representative of Larimer County.

(IV) 1 representative of the city of Loveland.

(V) 1 representative of the general public.

(ii) 2-YEAR TERMS.—The following initial members shall serve for a 2-year term:

(I) The representative of the Forest Service.

(II) The representative of the State.

(III) The representative of Colorado State University.

(IV) The representative of the Northern Colorado Water Conservancy District.

(iii) 1-YEAR TERMS.—The following initial members shall serve for a 1-year term:

(I) 1 representative of the city of Fort Collins.

(II) 1 representative of Larimer County.

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(III) 1 representative of the city of Greeley.

(IV) 1 representative of Weld County.

(V) 1 representative of the general public.

## (C) PARTIAL TERMS.—

(i) FILLING VACANCIES.—A member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which a predecessor was appointed shall be appointed only for the remainder of the member's term.

(ii) EXTENDED SERVICE.—A member of the Commission may serve after the expiration of that member's term until a successor has taken office.

(3) COMPENSATION.—Members of the Commission shall receive no compensation for their service on the Commission.

(4) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

**SEC. 105. STAFF OF THE COMMISSION.**

(a) STAFF.—The Commission shall have the power to appoint and fix the compensation of such staff as may be necessary to carry out the duties of the Commission.

(1) APPOINTMENT AND COMPENSATION.—Staff appointed by the Commission—

(A) shall be appointed without regard to the civil service laws (including regulations); and

(B) shall be compensated without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(b) EXPERTS AND CONSULTANTS.—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(c) STAFF OF OTHER AGENCIES.—

(1) FEDERAL.—Upon request of the Commission, the head of a Federal agency may detail, on a reimbursement basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the Commission's duties. The detail shall be without interruption or loss of civil service status or privilege.

(2) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(3) STATE.—The Commission may—

(A) accept the service of personnel detailed from the State, State agencies, and political subdivisions of the State; and

(B) reimburse the State, State agency, or political subdivision of the State for such services.

**SEC. 106. POWERS OF THE COMMISSION.**

(a) **HEARINGS.**—

(1) **IN GENERAL.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out this Act.

(2) **SUBPOENAS.**—The Commission may not issue subpoenas or exercise any subpoena authority.

(b) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(c) **MATCHING FUNDS.**—The Commission may use its funds to obtain money from any source under a program or law requiring the recipient of the money to make a contribution in order to receive the money.

(d) **GIFTS.**—Except as provided in subsection (e)(3), the Commission may, for the purpose of carrying out its duties, seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services received from any source.

(e) **REAL PROPERTY.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Commission may not acquire real property or an interest in real property.

(2) **EXCEPTION.**—Subject to paragraph (3), the Commission may acquire real property in the Corridor, and interests in real property in the Corridor—

(A) by gift or device;

(B) by purchase from a willing seller with money that was given or bequeathed to the Commission; or

(C) by exchange.

(3) **CONVEYANCE TO PUBLIC AGENCIES.**—Any real property or interest in real property acquired by the Commission under paragraph (2) shall be conveyed by the Commission to an appropriate non-Federal public agency, as determined by the Commission. The conveyance shall be made—

(A) as soon as practicable after acquisition;

(B) without consideration; and

(C) on the condition that the real property or interest in real property so conveyed is used in furtherance of the purpose for which the Corridor is established.

(f) **COOPERATIVE AGREEMENTS.**—For the purpose of carrying out the Plan, the Commission may enter into cooperative agreements with Federal agencies, State agencies, political subdivisions of the State, and persons. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Commission of any action that may affect the implementation of the Plan.

(g) **ADVISORY GROUPS.**—The Commission may establish such advisory groups as it considers necessary to ensure open communication with, and assistance from Federal agencies, State agencies, political subdivisions of the State, and interested persons.

(h) **MODIFICATION OF PLANS.**—

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(1) IN GENERAL.—The Commission may modify the Plan if the Commission determines that such modification is necessary to carry out this Act.

(2) NOTICE.—No modification shall take effect until—

(A) any Federal agency, State agency, or political subdivision of the State that may be affected by the modification receives adequate notice of, and an opportunity to comment on, the modification;

(B) if the modification is significant, as determined by the Commission, the Commission has—

(i) provided adequate notice of the modification by publication in the area of the Corridor; and

(ii) conducted a public hearing with respect to the modification; and

(C) the Governor has approved the modification.

**SEC. 107. DUTIES OF THE COMMISSION.**

(a) PLAN.—The Commission shall prepare, obtain approval for, implement, and support the Plan in accordance with section 108.

(b) MEETINGS.—

(1) TIMING.—

(A) INITIAL MEETING.—The Commission shall hold its first meeting not later than 90 days after the date on which its last initial member is appointed.

(B) SUBSEQUENT MEETINGS.—After the initial meeting, the Commission shall meet at the call of the chairperson or 7 of its members, except that the Commission shall meet at least quarterly .

(2) QUORUM.—Ten members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(3) BUDGET.—The affirmative vote of not less than 10 members of the Commission shall be required to approve the budget of the Commission.

(c) ANNUAL REPORTS.—Not later than May 15 of each year, following the year in which the members of the Commission have been appointed, the Commission shall publish and submit to the Secretary and to the Governor, an annual report concerning the Commission's activities.

**SEC. 108. PREPARATION, REVIEW, AND IMPLEMENTATION OF THE PLAN.**

(a) PREPARATION OF PLAN.—

(1) IN GENERAL.—Not later than 2 years after the Commission conducts its first meeting, the Commission shall submit to the Governor a Corridor Interpretation Plan.

(2) DEVELOPMENT.—In developing the Plan, the Commission shall—

(A) consult on a regular basis with appropriate officials of any Federal or State agency, political subdivision of the State, and local government that has jurisdiction over or an ownership interest in land, water, or water rights within the Corridor; and

(B) conduct public hearings within the Corridor for the purpose of providing interested persons the opportunity to testify about matters to be addressed by the Plan.

(3) RELATIONSHIP TO EXISTING PLANS.—The Plan—

(A) shall recognize any existing Federal, State, and local plans;

(B) shall not interfere with the implementation, administration, or amendment of such plans; and

(C) to the extent feasible, shall seek to coordinate the plans and present a unified interpretation plan for the Corridor.

(b) REVIEW OF PLAN.—

(1) IN GENERAL.—The Commission shall submit the Plan to the Governor for the Governor's review.

(2) GOVERNOR.—The Governor may review the Plan and, if the Governor concurs in the Plan, may submit the Plan to the Secretary, together with any recommendations.

(3) SECRETARY.—The Secretary shall approve or disapprove the Plan within 90 days. In reviewing the Plan, the Secretary shall consider the adequacy of—

(A) public participation; and

(B) the Plan in interpreting, for the educational and inspirational benefit of present and future generations, the unique and significant contributions to our national heritage of cultural and historical lands, waterways, and structures within the Corridor.

(c) DISAPPROVAL OF PLAN.—

(1) NOTIFICATION BY SECRETARY.—If the Secretary disapproves the Plan, the Secretary shall, not later than 60 days after the date of disapproval, advise the Governor and the Commission of the reasons for disapproval, together with recommendations for revision.

(A) REVISION AND RESUBMISSION TO GOVERNOR.—Not later than 90 days after receipt of the notice of disapproval, the Commission shall revise and resubmit the Plan to the Governor for review.

(B) RESUBMISSION TO SECRETARY.—If the Governor concurs in the revised Plan, he may submit the revised Plan to the Secretary who shall approve or disapprove the revision within 60 days. If the Governor does not concur in the revised Plan, he may resubmit it to the Commission together with his recommendations for further consideration and modification.

(2) IMPLEMENTATION OF PLAN.—After approval by the Secretary, the Commission shall implement and support the Plan as follows:

(A) CULTURAL RESOURCES.—

(i) IN GENERAL.—The Commission shall assist Federal agencies, State agencies, political subdivisions of the State, and nonprofit organizations in the conservation and interpretation of cultural resources within the Corridor.

(ii) EXCEPTION.—In providing the assistance, the Commission shall in no way infringe upon the authorities and policies of a Federal agency, State agency, or political subdivision of the State concerning the administration and management of property, water, or water rights held by the agency, political subdivision, or private persons or entities, or affect the jurisdiction of the State of Colorado over any property, water, or water rights within the Corridor.

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(3) **PUBLIC AWARENESS.**—The Commission shall assist in the enhancement of public awareness of, and appreciation for, the historical, recreational, architectural, and engineering structures in the Corridor, and the archaeological, geological, and cultural resources and sites in the Corridor—

(A) by encouraging private owners of identified structures, sites, and resources to adopt voluntary measures for the preservation of the identified structure, site, or resource; and

(B) by cooperating with Federal agencies, State agencies, and political subdivisions of the State in acquiring, on a willing seller basis, any identified structure, site, or resource which the Commission, with the concurrence of the Governor, determines should be acquired and held by an agency of the State.

(4) **RESTORATION.**—The Commission may assist Federal agencies, State agencies, political subdivisions of the State, and nonprofit organizations in the restoration of any identified structure or site in the Corridor with consent of the owner. The assistance may include providing technical assistance for historic preservation, revitalization, and enhancement efforts.

(5) **INTERPRETATION.**—The Commission shall assist in the interpretation of the historical, present, and future uses of the Corridor—

(A) by consulting with the Secretary with respect to the implementation of the Secretary's duties under section 110;

(B) by assisting the State and political subdivisions of the State in establishing and maintaining visitor orientation centers and other interpretive exhibits within the Corridor;

(C) by encouraging voluntary cooperation and coordination, with respect to ongoing interpretive services in the Corridor, among Federal agencies, State agencies, political subdivisions of the State, nonprofit organizations, and private citizens; and

(D) by encouraging Federal agencies, State agencies, political subdivisions of the State, and nonprofit organizations to undertake new interpretive initiatives with respect to the Corridor.

(6) **RECOGNITION.**—The Commission shall assist in establishing recognition for the Corridor by actively promoting the cultural, historical, natural, and recreational resources of the Corridor on a community, regional, statewide, national, and international basis.

(7) **LAND EXCHANGES.**—The Commission shall assist in identifying and implementing land exchanges within the State of Colorado by Federal and State agencies that will expand open space and recreational opportunities within the flood plain of the Corridor.

**SEC. 109. TERMINATION OF TRAVEL EXPENSES PROVISION.**

Effective on the date that is 5 years after the date on which the Secretary approves the Plan, section 104 is amended by striking paragraph (4).

Effective date.

**SEC. 110. DUTIES OF THE SECRETARY.**

(a) **ACQUISITION OF LAND.**—The Secretary may acquire land and interests in land within the Corridor that have been specifically identified by the Commission for acquisition by the Federal Government and that have been approved for the acquisition by the Governor and the political subdivision of the State where the land is located by donation, purchase with donated or appropriated funds, or exchange. Acquisition authority may only be used if the lands cannot be acquired by donation or exchange. No land or interest in land may be acquired without the consent of the owner.

(b) **TECHNICAL ASSISTANCE.**—The Secretary shall, upon the request of the Commission, provide technical assistance to the Commission in the preparation and implementation of the Plan pursuant to section 108.

(c) **DETAIL.**—Each fiscal year during the existence of the Commission, the Secretary shall detail to the Commission, on a nonreimbursable basis, 2 employees of the Department of the Interior to enable the Commission to carry out the Commission's duties under section 107.

**SEC. 111. OTHER FEDERAL ENTITIES.**

(a) **DUTIES.**—Subject to section 112, a Federal entity conducting or supporting activities directly affecting the flow of the Cache La Poudre River through the Corridor, or the natural resources of the Corridor shall consult with the Commission with respect to the activities.

(b) **AUTHORIZATION.**—

(1) **IN GENERAL.**—The Secretary or Administrator of a Federal agency may acquire land in the flood plain of the Corridor by exchange for other lands within the agency's jurisdiction within the State of Colorado, based on fair market value, if the lands have been identified by the Commission for acquisition by a Federal agency and the Governor and the political subdivision of the State or the owner where the lands are located concur in the exchange. Land so acquired shall be used to fulfill the purpose for which the Corridor is established.

(2) **CONVEYANCE OF SURPLUS REAL PROPERTY.**—Without monetary consideration to the United States, the Administrator of General Services may convey to the State of Colorado, its political subdivisions, or instrumentalities thereof all of the right, title, and interest of the United States in and to any surplus real property (within the meaning of section 3(g) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(g))) within the State of Colorado which the Secretary has determined is suitable and desirable to meet the purposes for which the Corridor is established. Subparagraph (B) of section 203(k)(3) of such Act shall apply to any conveyance made under this paragraph. For purposes of the preceding sentence, such subparagraph shall be applied by substituting "the purposes for which the Cache La Poudre Corridor is established" for "historic monument purposes".

**SEC. 112. EFFECT ON ENVIRONMENTAL AND OTHER STANDARDS, RESTRICTIONS, AND SAVINGS PROVISIONS.**

(a) **EFFECT ON ENVIRONMENTAL AND OTHER STANDARDS.**—

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(1) VOLUNTARY COOPERATION.—In carrying out this Act, the Commission and Secretary shall emphasize voluntary cooperation.

(2) RULES, REGULATIONS, STANDARDS, AND PERMIT PROCESSES.—Nothing in this Act shall be considered to impose or form the basis for imposition of any environmental, occupational, safety, or other rule, regulation, standard, or permit process that is different from those that would be applicable had the Corridor not been established.

(3) ENVIRONMENTAL QUALITY STANDARDS.—Nothing in this Act shall be considered to impose the application or administration of any Federal or State environmental quality standard that is different from those that will be applicable had the Corridor not been established.

(4) WATER STANDARDS.—Nothing in this Act shall be considered to impose any Federal or State water use designation or water quality standard upon uses of, or discharges to, waters of the State or waters of the United States, within or adjacent to the Corridor, that is more restrictive than those that would be applicable had the Corridor not been established.

(5) PERMITTING OF FACILITIES.—Nothing in the establishment of the Corridor shall abridge, restrict, or alter any applicable rule, regulation, standard, or review procedure for permitting of facilities within or adjacent to the Corridor.

(6) WATER FACILITIES.—Nothing in the establishment of the Corridor shall affect the continuing use and operation, repair, rehabilitation, expansion, or new construction of water supply facilities, water and wastewater treatment facilities, stormwater facilities, public utilities, and common carriers.

(7) WATER AND WATER RIGHTS.—Nothing in the establishment of the Corridor shall be considered to authorize or imply the reservation or appropriation of water or water rights for any purpose.

(b) RESTRICTIONS ON COMMISSION AND SECRETARY.—Nothing in this Act shall be construed to vest in the Commission or the Secretary the authority to—

(1) require a Federal agency, State agency, political subdivision of the State, or private person (including an owner of private property) to participate in a project or program carried out by the Commission or the Secretary under this Act;

(2) intervene as a party in an administrative or judicial proceeding concerning the application or enforcement of a regulatory authority of a Federal agency, State agency, or political subdivision of the State, including, but not limited to, authority relating to—

- (A) land use regulation;
- (B) environmental quality;
- (C) licensing;
- (D) permitting;
- (E) easements;
- (F) private land development; or
- (G) other occupational or access issue;

(3) establish or modify a regulatory authority of a Federal agency, State agency, or political subdivision of the State, including authority relating to—

- (A) land use regulation;
- (B) environmental quality; or

110 STAT. 3900

PUBLIC LAW 104-323—OCT. 19, 1996

(C) pipeline or utility crossings;

(4) modify a policy of a Federal agency, State agency, or political subdivision of the State;

(5) attest in any manner the authority and jurisdiction of the State with respect to the acquisition of lands or water, or interest in lands or water;

(6) vest authority to reserve or appropriate water or water rights in any entity for any purpose;

(7) deny, condition, or restrict the construction, repair, rehabilitation, or expansion of water facilities, including stormwater, water, and wastewater treatment facilities; or

(8) deny, condition, or restrict the exercise of water rights in accordance with the substantive and procedural requirements of the laws of the State.

(c) SAVINGS PROVISION.—Nothing in this Act shall diminish, enlarge, or modify a right of a Federal agency, State agency, or political subdivision of the State—

(1) to exercise civil and criminal jurisdiction within the Corridor; or

(2) to tax persons, corporations, franchises, or property, including minerals and other interests in or on lands or waters within the urban portions of the Corridor.

(d) ACCESS TO PRIVATE PROPERTY.—Nothing in this Act requires an owner of private property to allow access to the property by the public.

#### SEC. 113. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated not to exceed \$50,000 to the Commission to carry out this Act for each of the first 5 fiscal years following the date of enactment of this Act.

(b) MATCHING FUNDS.—Funds may be made available pursuant to this section only to the extent they are matched by equivalent funds or in-kind contributions of services or materials from non-Federal sources.

Approved October 19, 1996.

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#### LEGISLATIVE HISTORY—S. 342:

SENATE REPORTS: No. 104-188 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 142 (1996):

Oct. 3, considered and passed Senate.  
Oct. 4, considered and passed House.



**5. Delaware and Lehigh Navigation Canal National Heritage Corridor**

PUBLIC LAW 105-355—NOV. 6, 1998

112 STAT. 3247

Public Law 105-355  
105th Congress

**An Act**

To authorize the Automobile National Heritage Area in the State of Michigan,  
and for other purposes.

Nov. 6, 1998  
[H.R. 3910]

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

\* \* \* \* \*

**TITLE IV—DELAWARE AND LEHIGH NATIONAL HERITAGE CORRIDOR OF PENNSYLVANIA**

112 STAT. 3258  
16 USC 461 note  
[table].

**SEC. 401. CHANGE IN NAME OF HERITAGE CORRIDOR.**

The Delaware and Lehigh Navigation Canal National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4552; 16 U.S.C. 461 note) is amended by striking “Delaware and Lehigh Navigation Canal National Heritage Corridor” each place it appears (except section 4(a)) and inserting “Delaware and Lehigh National Heritage Corridor”.

**SEC. 402. PURPOSE.**

Section 3(b) of such Act (102 Stat. 4552) is amended as follows:

(1) By inserting after “subdivisions” the following: “in enhancing economic development within the context of preservation and”.

(2) By striking “and surrounding the Delaware and Lehigh Navigation Canal in the Commonwealth” and inserting “the Corridor”.

112 STAT. 3259

**SEC. 403. CORRIDOR COMMISSION.**

(a) MEMBERSHIP.—Section 5(b) of such Act (102 Stat. 4553) is amended as follows:

(1) In the matter preceding paragraph (1), by striking “appointed not later than 6 months after the date of the enactment of this Act”.

(2) By striking paragraph (2) and inserting the following: “(2) three individuals appointed by the Secretary upon consideration of individuals recommended by the Governor, of whom—

“(A) one shall represent the Pennsylvania Department of Conservation and Natural Resources;

“(B) one shall represent the Pennsylvania Department of Community and Economic Development; and

“(C) one shall represent the Pennsylvania Historical and Museum Commission.”.

(3) In paragraph (3), by striking “the Secretary, after receiving recommendations from the Governor, of whom” and all that follows through “Delaware Canal region” and inserting the following: “the Secretary upon consideration of individuals recommended by the Governor, of whom—

112 STAT. 3259

PUBLIC LAW 105-355—NOV. 6, 1998

“(A) one shall represent a city, one shall represent a borough, and one shall represent a township; and

“(B) one shall represent each of the 5 counties of Luzerne, Carbon, Lehigh, Northampton, and Bucks in Pennsylvania”.

(4) In paragraph (4)—

(A) By striking “8 individuals” and inserting “nine individuals”.

(B) By striking “the Secretary, after receiving recommendations from the Governor, who shall have” and all that follows through “Canal region. A vacancy” and inserting the following: “the Secretary upon consideration of individuals recommended by the Governor, of whom—

“(A) three shall represent the northern region of the Corridor;

“(B) three shall represent the middle region of the Corridor; and

“(C) three shall represent the southern region of the Corridor.

A vacancy”.

(b) TERMS.—Section 5 of such Act (102 Stat. 4553) is amended by striking subsection (c) and inserting the following:

“(c) TERMS.—The following provisions shall apply to a member of the Commission appointed under paragraph (3) or (4) of subsection (b):

“(1) LENGTH OF TERM.—The member shall be appointed for a term of 3 years.

“(2) CARRYOVER.—The member shall serve until a successor is appointed by the Secretary.

Deadline.

“(3) REPLACEMENT.—If the member resigns or is unable to serve due to incapacity or death, the Secretary shall appoint, not later than 60 days after receiving a nomination of the appointment from the Governor, a new member to serve for the remainder of the term.

112 STAT. 3260

“(4) TERM LIMITS.—A member may serve for not more than 6 years.”.

#### SEC. 404. POWERS OF CORRIDOR COMMISSION.

(a) CONVEYANCE OF REAL ESTATE.—Section 7(g)(3) of such Act (102 Stat. 4555) is amended in the first sentence by inserting “or nonprofit organization” after “appropriate public agency”.

(b) COOPERATIVE AGREEMENTS.—Section 7(h) of such Act (102 Stat. 4555) is amended as follows:

(1) In the first sentence, by inserting “any nonprofit organization,” after “subdivision of the Commonwealth,”.

(2) In the second sentence, by inserting “such nonprofit organization,” after “such political subdivision,”.

#### SEC. 405. DUTIES OF CORRIDOR COMMISSION.

Section 8(b) of such Act (102 Stat. 4556) is amended in the matter preceding paragraph (1) by inserting “, cultural, natural, recreational, and scenic” after “interpret the historic”.

#### SEC. 406. TERMINATION OF CORRIDOR COMMISSION.

Section 9(a) of such Act (102 Stat. 4556) is amended by striking “on the day occurring 5 years after the date of the enactment of this Act” and inserting “on November 18, 2003”.

**SEC. 407. DUTIES OF OTHER FEDERAL ENTITIES.**

Section 11 of such Act (102 Stat. 4557) is amended in the matter preceding paragraph (1) by striking “the flow of the Canal or the natural” and inserting “directly affecting the purposes of the Corridor”.

**SEC. 408. AUTHORIZATION OF APPROPRIATIONS.**

(a) COMMISSION.—Section 12(a) of such Act (102 Stat. 4558) is amended by striking “\$350,000” and inserting “\$1,000,000”.

(b) MANAGEMENT ACTION PLAN.—Section 12 of such Act (102 Stat. 4558) is amended by adding at the end the following:

“(c) MANAGEMENT ACTION PLAN.—

“(1) IN GENERAL.—To implement the management action plan created by the Commission, there is authorized to be appropriated \$1,000,000 for each of fiscal years 2000 through 2007.

“(2) LIMITATION ON EXPENDITURES.—Amounts made available under paragraph (1) shall not exceed 50 percent of the costs of implementing the management action plan.”.

**SEC. 409. LOCAL AUTHORITY AND PRIVATE PROPERTY.**

Such Act is further amended—

(1) by redesignating section 13 (102 Stat. 4558) as section 14; and

(2) by inserting after section 12 the following:

**“SEC. 13. LOCAL AUTHORITY AND PRIVATE PROPERTY.**

“The Commission shall not interfere with—

“(1) the private property rights of any person; or

“(2) any local zoning ordinance or land use plan of the Commonwealth of Pennsylvania or any political subdivision of Pennsylvania.”.

**SEC. 410. DUTIES OF THE SECRETARY.**

112 STAT. 3261

Section 10 of such Act (102 Stat. 4557) is amended by striking subsection (d) and inserting the following:

“(d) TECHNICAL ASSISTANCE AND GRANTS.—The Secretary, upon request of the Commission, is authorized to provide grants and technical assistance to the Commission or units of government, nonprofit organizations, and other persons, for development and implementation of the Plan.”.

\* \* \* \* \*

Approved November 6, 1998.

112 STAT. 3267

**LEGISLATIVE HISTORY—H.R. 3910:**

CONGRESSIONAL RECORD, Vol. 144 (1998):

Oct. 10, considered and passed House.

Oct. 14, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 34 (1998):

Nov. 6, Presidential statement.



**6. Essex**

110 STAT. 4093

PUBLIC LAW 104-333—NOV. 12, 1996

Public Law 104-333  
104th Congress

## An Act

Nov. 12, 1996  
[H.R. 4236]To provide for the administration of certain Presidio properties at minimal cost  
to the Federal taxpayer, and for other purposes.Omnibus Parks  
and Public Lands  
Management Act  
of 1996.  
16 USC 1 note.*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**This Act may be cited as the “Omnibus Parks and Public  
Lands Management Act of 1996”.

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110 STAT. 4243

## DIVISION II

\* \* \* \* \*

110 STAT. 4257  
Massachusetts.  
16 USC 461 note.

## TITLE V—ESSEX NATIONAL HERITAGE AREA

**SEC. 501. FINDINGS AND PURPOSE.**

(a) FINDINGS.—The Congress finds that—

(1) Essex County, Massachusetts, was host to a series  
of historic events that influenced the course of the early settle-  
ment of the United States; its emergence as a maritime power;  
and its subsequent industrial development;(2) the North Shore of Essex County and the Merrimack  
River valley in Essex County contain examples of significant  
early American architecture and significant Federal-period  
architecture, many sites and buildings associated with the  
establishment of the maritime trade in the United States, the  
site of the witchcraft trials of 1692, the birthplace of successful  
iron manufacture, and the establishment of the textile and  
leather industries in and around the cities of Peabody, Beverly,  
Lynn, Lawrence, and Haverhill;(3) Salem, Massachusetts, has a rich heritage as one of  
the earliest landing sites of the English colonists, the first  
major world harbor for the United States, and an early thriving  
hub of American industries;(4) the Saugus Iron Works National Historic Site is the  
site of the first sustained, integrated iron works in Colonial  
America, and the technology employed at the Iron Works was  
dispersed throughout the Colonies and was critical to the devel-  
opment of industry and technology in America;(5) the Salem Maritime National Historic Site contains  
nationally significant resources that explain the manner in  
which the Nation was settled, its evolution into a maritime  
power, and its development as a major industrial force;(6) the story told at the Salem Maritime and Saugus Iron  
Works National Historic Sites would be greatly enhanced  
through the interpretation of significant theme-related  
resources in Salem and Saugus and throughout Essex County;(7) partnerships between the private and public sectors  
have been created and additional partnerships will be encour-  
aged to preserve the rich cultural heritage of the region, which

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4257

will stimulate cultural awareness, preservation, and economic development through tourism;

(8) a visitors' center that has already been constructed at the Salem Maritime National Historic Site in Salem, Massachusetts, will be available to interpret the themes of the Essex National Heritage Area established by this title and to coordinate the interpretive and preservation activities of the Area; and

(9) the resident and business communities of the region have formed the Essex Heritage Ad Hoc Commission for the preservation, interpretation, promotion, and development of the historic, cultural, and natural resources of the region and are investing significant private funds and energy to develop a plan to preserve the nationally significant resources of Essex County.

(b) PURPOSE.—It is the purpose of this title—

(1) to establish the Essex National Heritage Area to recognize, preserve, promote, interpret, and make available for the benefit of the public the historic, cultural, and natural resources of the North Shore and lower Merrimack River valley in Essex County, Massachusetts, which encompass the three primary themes of the Salem Maritime National Historic Site and Saugus Iron Works National Historic Site (the histories of early settlement, maritime trade, and the textile and leather industries);

110 STAT. 4258

(2) to implement the appropriate alternative as described in the document entitled "The Salem Project: A Study of Alternatives", dated January 1990, within the boundaries of Essex County; and

(3) to provide a management framework to assist the Commonwealth of Massachusetts and its units of local government in the development and implementation of an integrated cultural, historical, and land resource management program in order to retain, enhance, and interpret the significant values of the lands, waters, and structures located in the Essex National Heritage Area.

#### SEC. 502. DEFINITIONS.

For purposes of this title:

(1) The terms "Area" and "National Heritage Area" mean the Essex National Heritage Area established by section 503.

(2) The term "Secretary" means the Secretary of the Interior.

#### SEC. 503. DESIGNATION OF NATIONAL HERITAGE AREA.

(a) DESIGNATION.—For the purpose of preserving and interpreting, 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, natural waterways, and structures within the County of Essex in the Commonwealth of Massachusetts, there is hereby established the Essex National Heritage Area.

(b) BOUNDARIES.—The Area shall comprise the lands generally depicted on the map numbered NAR-51-80,000 and dated August 1994. The map shall be on file and available for public inspection in the office of the Director of the National Park Service.

(c) ADMINISTRATION.—The Area shall be administered in accordance with the provisions of this title.

**SEC. 504. MANAGEMENT ENTITY.**

(a) **IN GENERAL.**—The management entity for the National Heritage Area shall be an entity which is selected by the Essex Heritage Ad Hoc Commission or its designee, reflects a broad cross-section of interests within the Area, and includes—

(1) at least 1 representative of one or more units of government in each State in which the National Heritage Area is located; and

(2) private property owners who reside within the National Heritage Area.

(b) **DUTIES.**—The management entity for the Area shall fulfill each of the following requirements:

(1) **HERITAGE PLAN.**—Not later than 3 years after the date of the designation of the Area as a National Heritage Area, the management entity shall develop and forward to the Secretary, and to the Governor of Massachusetts, a heritage plan for the Area.

110 STAT. 4259

(2) **PRIORITIES.**—The management entity shall give priority to the implementation of action, goals, and policies set forth in the compact and heritage plan for the Area, including assisting units of government and others in—

(A) carrying out programs which recognize important resource values within the Area;

(B) encouraging economic viability in the affected communities;

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

(D) developing recreational and educational opportunities in the Area;

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

(F) restoring historic buildings that are located within the boundaries of the Area and relate to the theme of the Area; and

(G) ensuring that clear, consistent, and appropriate signs identifying public access points and sites of interest are put in place throughout the Area.

(3) **CONSIDERATION OF INTERESTS OF LOCAL GROUPS.**—The management entity shall, in developing and implementing the heritage plan for the Area, consider the interests of diverse units of government, businesses, private property owners, and nonprofit groups within the geographic area.

Notice.

(4) **PUBLIC MEETINGS.**—The management entity shall conduct public meetings at least annually regarding the implementation of the heritage plan for the Area. The management entity shall place a notice of each such meeting in a newspaper of general circulation in the Area and shall make the minutes of the meeting available to the public.

**SEC. 505. DUTIES OF THE SECRETARY.**

(a) **IN GENERAL.**—To carry out the purpose of this title, the Secretary shall assist the management entity in preparing such studies and plans as the Secretary considers appropriate and in implementing the recommendations contained in a study report prepared by the management entity. The Secretary is authorized to enter into agreements with the Commission or with any owner of property with national historic or cultural significance within

the Area for the purpose of facilitating public use and enjoyment of such resources or to otherwise further the objectives of the management entity. Any such agreement shall provide whenever appropriate that—

(1) the public may have access to such resources at specified, reasonable times for the purpose of viewing the property or exhibits or attending programs or other activities, as may be appropriate;

(2) the Secretary may make improvements to such resources as the management entity or the Secretary deem necessary to enhance the public use and enjoyment of the resources, or to render such property usable by the Secretary, the management entity, or any person for the purpose of this title; and

(3) the Secretary may occupy, utilize, and acquire easements or leasehold interests in resources as required to implement the programs and purpose of this title.

110 STAT. 4260

(b) TECHNICAL ASSISTANCE AND GRANTS.—The Secretary may provide, upon request, technical assistance and grants to the management entity to assist the management entity in the performance of its powers and functions as authorized under this title. The Secretary may provide to any owner of property within the Area, to the Commonwealth of Massachusetts, to the City of Salem and other participating municipalities, to any other Federal or State entity, to any institution, or to any person such technical assistance and grants as the Secretary considers appropriate to carry out the purpose of this title.

**SEC. 506. PRIVATE PROPERTY.**

No privately owned property shall be included within the boundaries of the Area unless the government of the county, city, or town in which the property is located agrees to be so included and submits notification of such agreement to the Secretary.

**SEC. 507. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 508. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated under 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 Area under this title.

(b) 50 PERCENT MATCH.—Federal funding provided under this title, after the designation of the Area, may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

\* \* \* \* \*

Approved November 12, 1996.

110 STAT. 4281

**LEGISLATIVE HISTORY—H.R. 4236:**

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



## 7. Hudson River Valley

110 STAT. 4093

PUBLIC LAW 104-333—NOV. 12, 1996

Public Law 104-333  
104th Congress

### An Act

Nov. 12, 1996  
[H.R. 4236]

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

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

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

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110 STAT. 4243

#### DIVISION II

\* \* \* \* \*

110 STAT. 4275  
Hudson River Valley National Heritage Area Act of 1996.  
16 USC 461 note.

#### TITLE IX—HUDSON RIVER VALLEY NATIONAL HERITAGE AREA

##### SEC. 901. SHORT TITLE.

This title may be cited as the “Hudson River Valley National Heritage Area Act of 1996”.

##### SEC. 902. FINDINGS.

The Congress finds the following:

(1) The Hudson River Valley between Yonkers, New York, and Troy, New York, possesses important historical, cultural, and natural resources, representing themes of settlement and migration, transportation, and commerce.

(2) The Hudson River Valley played an important role in the military history of the American Revolution.

Andrew Jackson Downing.  
Alexander Jackson Davis.  
Thomas Cole.

(3) The Hudson River Valley gave birth to important movements in American art and architecture through the work of Andrew Jackson Downing, Alexander Jackson Davis, Thomas Cole, and their associates, and played a central role in the recognition of the esthetic value of the landscape and the development of an American esthetic ideal.

(4) The Hudson River Valley played an important role in the development of the iron, textile, and collar and cuff industries in the 19th century, exemplified in surviving structures such as the Harmony Mills complex at Cohoes, and in the development of early men’s and women’s labor and cooperative organizations, and is the home of the first women’s labor union and the first women’s secondary school.

110 STAT. 4276

(5) The Hudson River Valley, in its cities and towns and in its rural landscapes—

(A) displays exceptional surviving physical resources illustrating these themes and the social, industrial, and cultural history of the 19th and early 20th centuries; and

(B) includes many National Historic Sites and Landmarks.

(6) The Hudson River Valley is the home of traditions associated with Dutch and Huguenot settlements dating to the 17th and 18th centuries, was the locus of characteristic

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4276

American stories such as “Rip Van Winkle” and the “Legend of Sleepy Hollow”, and retains physical, social, and cultural evidence of these traditions and the traditions of other more recent ethnic and social groups.

(7) New York State has established a structure for the Hudson River Valley communities to join together to preserve, conserve, and manage these resources, and to link them through trails and other means, in the Hudson River Greenway Communities Council and the Greenway Conservancy.

**SEC. 903. PURPOSES.**

The purposes of this title are the following:

(1) To recognize the importance of the history and the resources of the Hudson River Valley to the Nation.

(2) To assist the State of New York and the communities of the Hudson River Valley in preserving, protecting, and interpreting these resources for the benefit of the Nation.

(3) To authorize Federal financial and technical assistance to serve these purposes.

**SEC. 904. HUDSON RIVER VALLEY NATIONAL HERITAGE AREA.**

(a) ESTABLISHMENT.—There is hereby established a Hudson River Valley National Heritage Area (in this title referred to as the “Heritage Area”).

(b) BOUNDARIES.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), the Heritage Area shall be comprised of the counties of Albany, Rensselaer, Columbia, Greene, Ulster, Dutchess, Orange, Putnam, Westchester, and Rockland, New York, and the Village of Waterford in Saratoga County, New York.

(2) AREAS EXCLUDED.—The Heritage Area shall not include any of the following:

(A) The counties of Greene and Columbia.

(B) Those portions of the counties of Rensselaer and Dutchess located entirely within the 22d Congressional District of New York (as such district exists on the date of the enactment of this Act).

(c) MANAGEMENT ENTITIES.—The management entities for the Heritage Area shall be the Hudson River Valley Greenway Communities Council and the Greenway Conservancy (agencies established by the State of New York in its Hudson River Greenway Act of 1991, in this title referred to as the “management entities”). The management entities shall jointly establish a Heritage Area Committee to manage the Heritage Area.

**SEC. 905. COMPACT.**

To carry out the purposes of this title, the Secretary of the Interior (in this title referred to as the “Secretary”) shall enter into a compact with the management entities. The compact shall include information relating to the objectives and management of the area, including the following:

(1) A discussion of the goals and objectives of the Heritage Area, including an explanation of a proposed approach to conservation and interpretation, and a general outline of the protection measures committed to by the parties to the compact.

(2) A description of the respective roles of the management entities.

(3) A list of the initial partners to be involved in developing and implementing a management plan for the Heritage Area, and a statement of the financial commitment of such partners.

(4) A description of the role of the State of New York.

**SEC. 906. MANAGEMENT PLAN.**

The management entities shall develop a management plan for the Heritage Area that presents comprehensive recommendations for the Heritage Area's conservation, funding, management and development. Such plan shall take into consideration existing State, county, and local plans and involve residents, public agencies, and private organizations working in the Heritage Area. It shall include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area. It shall specify the existing and potential sources of funding to protect, manage, and develop the Heritage Area. Such plan shall include specifically as appropriate the following:

(1) 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.

(2) A recommendation of policies of resource management which consider and detail application of appropriate land and water management techniques, including but not limited to, the development of intergovernmental cooperative agreements to protect the Heritage Area's historical, cultural, recreational, and natural resources in a manner consistent with supporting appropriate and compatible economic viability.

(3) A program for implementation of the management plan by the management entities, including plans for restoration and construction, and specific commitments of the identified partners for the first 5 years of operation.

(4) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this title.

(5) An interpretation plan for the Heritage Area.

**SEC. 907. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITIES.**

(a) **AUTHORITIES OF THE MANAGEMENT ENTITIES.**—The management entities may, for purposes of preparing and implementing the management plan under section 906, use Federal funds made available through this title—

(1) to make loans and grants to, and enter into cooperative agreements with, States and their political subdivisions, private organizations, or any person; and

(2) to hire and compensate staff.

(b) **DUTIES OF THE MANAGEMENT ENTITIES.**—The management entities shall—

(1) develop and submit to the Secretary for approval a management plan as described in section 906 within 5 years after the date of the enactment of this title.

(2) give priority to implementing actions as set forth in the compact and the management plan, including taking steps to—

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110 STAT. 4278

(A) assist units of government, regional planning organizations, and nonprofit organizations in preserving the Heritage Area;

(B) assist units of government, regional planning organizations, and nonprofit organizations in establishing, and maintaining interpretive exhibits in the Heritage Area;

(C) assist units of government, regional planning organizations, and nonprofit organizations in developing recreational resources in the Heritage Area;

(D) assist units of government, regional planning organizations, and nonprofit organizations in increasing public awareness of an appreciation for the natural, historical and architectural resources and sites in the Heritage Area;

(E) assist units of government, regional planning organizations and nonprofit organizations in the restoration of any historic building relating to the themes of the Heritage Area;

(F) encourage by appropriate means economic viability in the corridor consistent with the goals of the plan;

(G) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the plan; and

(H) assist units of government, regional planning organizations and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the Heritage Area;

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

(4) conduct public meetings at least quarterly regarding the implementation of the management plan;

Public information.

(5) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval;

(6) for any year in which Federal funds have been received under this title, submit an annual report to the Secretary setting forth its accomplishments, its expenses and income, and the entities to which any loans and grants were made during the year for which the report is made; and

Reports.

(7) for any year in which Federal funds have been received under this title, make available for audit all records pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

Records.

If a management plan is not submitted to the Secretary as required under paragraph (1) within the specified time, the Heritage Area shall no longer qualify for Federal funding.

110 STAT. 4279

(c) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entities may not use Federal funds received under this title to acquire real property or an interest in real property. Nothing in this title shall preclude any management entity from using Federal funds from other sources for their permitted purposes.

(d) ELIGIBILITY FOR RECEIVING FINANCIAL ASSISTANCE.—

110 STAT. 4279

PUBLIC LAW 104-333—NOV. 12, 1996

(1) **ELIGIBILITY.**—The management entities shall be eligible to receive funds appropriated through this title for a period of 10 years after the day on which the compact under section 905 is signed by the Secretary and the management entities, except as provided in paragraph (2).

(2) **EXCEPTION.**—The management entities' eligibility for funding under this title may be extended for a period of not more than 5 additional years if—

Notification.

(A) the management entities determine such extension is necessary in order to carry out the purposes of this title and notify the Secretary not later than 180 days prior to the termination date;

(B) the management entities, not later than 180 days prior to the termination date, present to the Secretary a plan of their activities for the period of the extension, including provisions for becoming independent of the funds made available through this title; and

(C) the Secretary, with the advice of the Governor of New York, approves such extension of funding.

**SEC. 908. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

(a) **DUTIES AND AUTHORITIES OF THE SECRETARY.**—

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

(A) **IN GENERAL.**—The Secretary may, upon request of the management entities, provide technical and financial assistance to the Heritage Area to develop and implement the management plan. In assisting the Heritage Area, the Secretary shall give priority to actions that in general assist in—

(i) conserving the significant natural historic, and cultural resources which support its themes; and

(ii) providing educational, interpretive, and recreational opportunities consistent with its resources and associated values.

(B) **SPENDING FOR NON-FEDERALLY OWNED PROPERTY.**—The Secretary may spend Federal funds directly on nonfederally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

(2) **APPROVAL AND DISAPPROVAL OF COMPACTS AND MANAGEMENT PLANS.**—

(A) **IN GENERAL.**—The Secretary, in consultation with the Governor of New York, shall approve or disapprove a compact or management plan submitted under this title not later than 90 days after receiving such compact or management plan.

110 STAT. 4280

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

## PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4280

(3) APPROVING AMENDMENTS.—The Secretary shall review substantial amendments to the management plan for the Heritage Area. Funds appropriated pursuant to this title may not be expended to implement the changes until the Secretary approves the amendments.

(4) PROMULGATING REGULATIONS.—The Secretary shall promulgate such regulations as are necessary to carry out the purposes of this title.

(b) DUTIES OF FEDERAL ENTITIES.—Any Federal entity conducting or supporting activities directly affecting the Heritage Area, and any unit of government acting pursuant to a grant of Federal funds or a Federal permit or agreement conducting or supporting such activities, shall to the maximum extent practicable—

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

(2) cooperate with the Secretary and the management entities in carrying out their duties under this title and coordinate such activities with the carrying out of such duties; and

(3) conduct or support such activities in a manner consistent with the management plan unless the Federal entity, after consultation with the management entities, determines there is no practicable alternative.

**SEC. 909. AUTHORIZATION OF APPROPRIATIONS.**

(a) COMPACTS AND MANAGEMENT PLAN.—There is authorized to be appropriated to the Secretary, for grants for developing a compact under section 905 and providing assistance for a management plan under section 906, not more than \$300,000, to remain available until expended, subject to the following conditions:

(1) No grant for a compact or management plan may exceed 75 percent of the grantee's cost for such study or plan.

(2) The total amount of Federal funding for the compact for the Heritage Area may not exceed \$150,000.

(3) The total amount of Federal funding for a management plan for the Heritage Area may not exceed \$150,000.

(b) MANAGEMENT ENTITY OPERATIONS.—There is authorized to be appropriated to the Secretary for the management entities, amounts as follows:

(1) For the operating costs of each management entity, pursuant to section 907, not more than \$250,000 annually.

(2) For technical assistance pursuant to section 908, not more than \$50,000 annually.

The Federal contribution to the operations of the management entities shall not exceed 50 percent of the annual operating costs of the entities.

(c) IMPLEMENTATION.—There is authorized to be appropriated to the Secretary, for grants (and the administration thereof) for the implementation of the management plans for the Heritage Area pursuant to section 908, not more than \$10,000,000, to remain available until expended, subject to the following conditions:

(1) No grant for implementation may exceed 50 percent of the grantee's cost of implementation.

(2) Any payment made shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this title, as determined by the Secretary, shall result in a right of the United States of reimbursement of all funds made available to such project

110 STAT. 4281

110 STAT. 4281

PUBLIC LAW 104-333—NOV. 12, 1996

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.

**SEC. 910. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

Approved November 12, 1996.

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**LEGISLATIVE HISTORY—H.R. 4236:****CONGRESSIONAL RECORD**, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



PUBLIC LAW 105-83—NOV. 14, 1997

111 STAT. 1

Public Law 105-83  
105th Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

Nov. 14, 1997  
[H.R. 2107]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

Department of the Interior and Related Agencies Appropriations Act, 1998.

\* \* \* \* \*

TITLE III—GENERAL PROVISIONS

111 STAT. 47

\* \* \* \* \*

SEC. 317. Section 909(b)(2) of division II, title IX of Public Law 104-333 is amended by striking the following: “For technical assistance pursuant to section 908, not more than \$50,000 annually.”.

111 STAT. 53  
16 USC 461 note.

\* \* \* \* \*

SEC. 324. Notwithstanding section 904(b) of Public Law 104-333, hereafter, the Heritage Area established under section 904 of title IX of division II of Public Law 104-333 shall include any portion of a city, town, or village within an area specified in section 904(b)(2) of that Act only to the extent that the government of the city, town, or village, in a resolution of the governing board or council, agrees to be included and submits the resolution to the Secretary of the Interior and the management entities for the Heritage Area and to the extent such resolution is not subsequently revoked in the same manner.

111 STAT. 55  
16 USC 461 note.

\* \* \* \* \*

Approved November 14, 1997.

111 STAT. 85

LEGISLATIVE HISTORY—H.R. 2107:

HOUSE REPORTS: Nos. 105-163 (Comm. on Appropriations) and 105-337 (Comm. of Conference).

SENATE REPORTS: No. 105-56 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 143 (1997):

July 10, 11, 15, considered and passed House.

Sept. 11, 15-18, considered and passed Senate, amended.

Oct. 24, House agreed to conference report.

Oct. 28, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 33 (1997):

Nov. 14, Presidential statement.

Nov. 20, President’s special message on line item veto.

FEDERAL REGISTER, Vol. 62 (1997):

Nov. 24, Cancellation of items pursuant to the Line Item Veto Act.



## 8. Illinois and Michigan Canal National Heritage Corridor

110 STAT. 4093

PUBLIC LAW 104-333—NOV. 12, 1996

Public Law 104-333  
104th Congress

### An Act

Nov. 12, 1996  
[H.R. 4236]

To provide for the administration of certain Presidio properties at minimal cost  
to the Federal taxpayer, and for other purposes.

Omnibus Parks  
and Public Lands  
Management Act  
of 1996.  
16 USC 1 note.

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

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public  
Lands Management Act of 1996”.

\* \* \* \* \*

110 STAT. 4097

#### DIVISION I

\* \* \* \* \*

110 STAT. 4201

#### TITLE IX—HERITAGE AREAS

\* \* \* \* \*

110 STAT. 4204

#### SEC. 902. ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR.

The Illinois and Michigan Canal National Heritage Corridor  
Act of 1984 (Public Law 98-398; 16 U.S.C. 461 note) is amended  
by inserting after section 117 the following new section:

#### “SEC. 118. STUDY OF POSSIBLE ADDITIONS TO CORRIDOR.

Notification.

“The Commission shall undertake a study to determine whether  
the Joliet Army Ammunition Plant and the Calumet-Sag and  
Chicago Sanitary and Ship Canals should be added to the corridor.  
The study shall specifically examine the relationship between the  
purposes of this Act and the areas proposed for study and shall  
identify any specific resources which are related to the purposes  
for which the corridor was established. The study shall propose  
boundaries which provide for the inclusion of any related resources  
within the corridor. The Commission shall submit the study to  
the Secretary and the appropriate congressional committees. Upon  
receipt of the study, the Secretary shall determine which lands  
(if any) should be added to the corridor and shall so notify the  
appropriate congressional committees.”.

\* \* \* \* \*

110 STAT. 4281

Approved November 12, 1996.

#### LEGISLATIVE HISTORY—H.R. 4236:

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



PUBLIC LAW 105-355—NOV. 6, 1998

112 STAT. 3247

Public Law 105-355  
105th Congress

An Act

To authorize the Automobile National Heritage Area in the State of Michigan,  
and for other purposes.

Nov. 6, 1998  
[H.R. 3910]

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

\* \* \* \* \*

TITLE V—OTHER MATTERS

112 STAT. 3261

\* \* \* \* \*

**SEC. 502. ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR, ILLINOIS.**

(a) EXTENSION OF COMMISSION.—Section 111(a) of the Illinois and Michigan Canal National Heritage Corridor Act of 1984 (Public Law 98-398; 98 Stat. 1456; 16 U.S.C. 461 note) is amended by striking “ten” and inserting “20”.

(b) REPEAL OF EXTENSION AUTHORITY.—Section 111 of such Act (16 U.S.C. 461 note) is further amended—

- (1) by striking “(a) TERMINATION.—”; and
- (2) by striking subsection (b).

\* \* \* \* \*

Approved November 6, 1998.

112 STAT. 3267

LEGISLATIVE HISTORY—H.R. 3910:

CONGRESSIONAL RECORD, Vol. 144 (1998):

Oct. 10, considered and passed House.

Oct. 14, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 34 (1998):

Nov. 6, Presidential statement.



## 9. National Coal

110 STAT. 4093

PUBLIC LAW 104-333—NOV. 12, 1996

### Public Law 104-333 104th Congress

#### An Act

Nov. 12, 1996  
[H.R. 4236]

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

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

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

\* \* \* \* \*

110 STAT. 4243

#### DIVISION II

#### TITLE I—NATIONAL COAL HERITAGE AREA

National Coal Heritage Area Act of 1996.  
West Virginia.  
16 USC 461 note.

#### SEC. 101. SHORT TITLE.

This title may be cited as the “National Coal Heritage Area Act of 1996”.

#### SEC. 102. FINDINGS.

(a) FINDINGS.—The Congress finds as follows:

(1) Certain events that led to the development of southern West Virginia’s coalfields during the latter part of the 19th Century and the early part of the current century are of national historic and cultural significance in terms of their contribution to the industrialization of the United States, the organization of workers into trade unions, and the unique culture of the Appalachian Region.

(2) It is in the national interest to preserve and protect physical remnants of this era for the education and benefit of present and future generations.

(3) There is a need to provide assistance for the preservation and promotion of those vestiges of southern West Virginia’s coal heritage which have outstanding cultural, historic, and architectural value.

#### SEC. 103. ESTABLISHMENT.

(a) IN GENERAL.—For the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations certain lands and structures with unique and significant historic and cultural value associated with the coal mining heritage of the State of West Virginia and the Nation, there is hereby established the National Coal Heritage Area (hereafter in this title referred to as the “Area”).

(b) BOUNDARIES.—The Area shall be comprised of the counties in the State of West Virginia that are the subject of the study by the National Park Service, dated 1993, entitled “A Coal Mining Heritage Study: Southern West Virginia” conducted pursuant to title VI of Public Law 100-699.

(c) ADMINISTRATION.—The Area shall be administered in accordance with this title.

**SEC. 104. CONTRACTUAL AGREEMENT.**

The Secretary of the Interior (hereafter in this title referred to as the “Secretary”) is authorized to enter into a contractual agreement with the Governor of the State of West Virginia, acting through the Division of Culture and History and the Division of Tourism and Parks, pursuant to which the Secretary shall assist the State of West Virginia, its units of local government, and nonprofit organizations in each of the following:

(1) The development and implementation of integrated cultural, historical, and land resource management policies and programs in order to retain, enhance, and interpret the significant values of the lands, water, and structures of the Area.

(2) The preservation, restoration, maintenance, operation, interpretation, and promotion of buildings, structures, facilities, sites, and points of interest for public use that possess cultural, historical, and architectural values associated with the coal mining heritage of the Area.

(3) The coordination of activities by Federal, State, and local governments and private businesses and organizations in order to further historic preservation and compatible economic revitalization.

(4) The development of guidelines and standards for projects, consistent with standards established by the National Park Service, for the preservation and restoration of historic properties, including interpretative methods, that will further history preservation in the region.

110 STAT. 4244

**SEC. 105. ELIGIBLE RESOURCES.**

The resources eligible for the assistance under paragraphs (2) and (5) of section 104 shall include those set forth in appendix D of the study by the National Park Service, dated 1993, entitled “A Coal Mining Heritage Study: Southern West Virginia”, conducted pursuant to title VI of Public Law 100-699. Priority consideration shall be given to those sites listed as “Conservation Priorities” and “Important Historic Resources” as depicted on the map entitled “Study Area: Historic Resources” in such study.

**SEC. 106. COAL HERITAGE MANAGEMENT PLAN.**

(a) **IN GENERAL.**—Pursuant to the contractual agreement referred to in section 104, within three years after the date of enactment of this title, the Governor of the State of West Virginia, acting through the Division of Culture and History and the Division of Tourism and Parks, shall submit to the Secretary a Coal Heritage Management Plan for the Area. The plan shall at a minimum—

(1) set forth the integrated cultural, historical, and land resource management policies and programs referred to in section 104;

(2) describe the guidelines and standards for projects referred to in section 104; and

(3) set forth the responsibilities of the State of West Virginia, units of local government, nonprofit entities, or Secretary to administer any properties acquired pursuant to section 104.

(b) **PLAN APPROVAL.**—The Secretary shall approve the plan submitted under subsection (a) unless he determines that it would meet the objectives of this title.

110 STAT. 4244

PUBLIC LAW 104-333—NOV. 12, 1996

**SEC. 107. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 108. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL**—There is authorized to be appropriated under 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 Area under this title.

(b) **50 PERCENT MATCH**.—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.

\* \* \* \* \*

110 STAT. 4281

Approved November 12, 1996.

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**LEGISLATIVE HISTORY—H.R. 4236:****CONGRESSIONAL RECORD**, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



**10. Ohio & Erie Canal National Heritage Corridor**

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4093

Public Law 104-333  
104th Congress

**An Act**

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Nov. 12, 1996  
[H.R. 4236]

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

\* \* \* \* \*

**DIVISION II**

110 STAT. 4243

\* \* \* \* \*

**TITLE VIII—OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR**

110 STAT. 4267  
Ohio & Erie Canal National Heritage Corridor Act of 1996.  
16 USC 461 note.

**SEC. 801. SHORT TITLE.**

This title may be cited as the “Ohio & Erie Canal National Heritage Corridor Act of 1996”.

**SEC. 802. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds the following:

(1) The Ohio & Erie Canal, which opened for commercial navigation in 1832, was the first inland waterway to connect the Great Lakes at Lake Erie with the Gulf of Mexico via the Ohio and Mississippi Rivers and a part of a canal network in Ohio that was one of America’s most extensive and successful systems during a period in history when canals were essential to the Nation’s growth.

(2) The Ohio & Erie Canal spurred economic growth in the State of Ohio that took the State from near bankruptcy to the third most economically prosperous State in the Union in just 20 years.

(3) A 4-mile section of the Ohio & Erie Canal was designated a National Historic Landmark in 1966 and other portions of the Ohio & Erie Canal and many associated structures were placed on the National Register of Historic Places.

110 STAT. 4268

(4) In 1974, 19 miles of the Ohio & Erie Canal were declared nationally significant under National Park Service new area criteria with the designation of Cuyahoga Valley National Recreation Area.

(5) The National Park Service found the Ohio & Erie Canal nationally significant in a 1975 study entitled “Suitability/Feasibility Study, Proposed Ohio & Erie Canal”.

(6) A 1993 Special Resources Study of the Ohio & Erie Canal Corridor conducted by the National Park Service entitled “A Route to Prosperity” has concluded that the corridor is eligible as a National Heritage Corridor.

(7) Local governments, the State of Ohio, and private sector interests have embraced the heritage corridor concept and

desire to enter into partnership with the Federal Government to preserve, protect, and develop the corridor for public benefit.

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

(1) to 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, waterways, and structures within the 87-mile Ohio & Erie Canal Corridor between Cleveland and Zoar;

(2) to encourage within the corridor a broad range of economic opportunities enhancing the quality of life for present and future generations;

(3) to provide a management framework to assist the State of Ohio, its political subdivisions, and nonprofit organizations, or combinations thereof, in preparing and implementing an integrated Corridor Management Plan and in developing policies and programs that will preserve, enhance, and interpret the cultural, historical, natural, recreation, and scenic resources of the corridor; and

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

**SEC. 803. DEFINITIONS.**

For the purposes of this title:

(1) The term “corridor” means the Ohio & Erie Canal National Heritage Corridor established by section 804.

(2) The term “Committee” means the Ohio & Erie Canal National Heritage Area Committee established by section 805.

(3) The term “Corridor Management Plan” means the management plan developed under section 808.

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

(5) The term “technical assistance” means any guidance, advice, help, or aid, other than financial assistance, provided by the Secretary of the Interior.

(6) The term “financial assistance” means funds appropriated by Congress and made available to the management entity for the purposes of preparing and implementing a Corridor Management Plan.

(7) The term “management entity” means the entity recognized by the Secretary pursuant to section 807(a) to receive, distribute, and account for Federal funds appropriated for the purposes of this title.

**SEC. 804. OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR.**

(a) ESTABLISHMENT.—There is established in the State of Ohio the Ohio & Erie Canal National Heritage Corridor.

(b) BOUNDARIES.—

(1) IN GENERAL.—The boundaries of the corridor shall be composed of the lands that are generally the route of the Ohio & Erie Canal from Cleveland to Zoar, Ohio, as depicted in the 1993 National Park Service Special Resources Study, “A Route to Prosperity”, subject to paragraph (2). The specific boundaries shall be those specified in the management plan submitted under section 808. The Secretary shall prepare a map of the corridor which shall be on file and available for

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4269

public inspection in the office of the Director of the National Park Service.

(2) CONSENT OF LOCAL GOVERNMENTS.—No privately owned property shall be included within the boundaries of the corridor unless the municipality in which the property is located agrees to be so included and submits notification of such agreement to the Secretary.

(c) ADMINISTRATION.—The corridor shall be administered in accordance with the provisions of this title.

**SEC. 805. THE OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR COMMITTEE.**

(a) ESTABLISHMENT.—There is hereby established a Committee to be known as the “Ohio & Erie Canal National Heritage Corridor Committee”, whose purpose shall be to assist Federal, State, and local authorities and the private sector in the preparation and implementation of an integrated Corridor Management Plan.

(b) MEMBERSHIP.—The Committee shall be comprised of 21 members, as follows:

(1) Four individuals, appointed by the Secretary after consideration of recommendations submitted by the Greater Cleveland Growth Association, the Akron Regional Development Board, the Stark Development Board, and the Tuscarawas County Chamber of Commerce, who shall include one representative of business and industry from each of Ohio counties of Cuyahoga, Summit, Stark, and Tuscarawas.

(2) One individual, appointed by the Secretary after consideration of recommendations submitted by the Director of the Ohio Department of Travel and Tourism, who is a director of a convention and tourism bureau within the corridor.

(3) One individual, appointed by the Secretary after consideration of recommendations submitted by the Ohio Historic Preservation Officer, with knowledge and experience in the field of historic preservation.

(4) One individual, appointed by the Secretary after consideration of recommendations submitted by the Director of the National Park Service, with knowledge and experience in the field of historic preservation.

(5) Three individuals appointed by the Secretary after consideration of recommendations submitted by the county or metropolitan park boards in the Ohio counties of Cuyahoga, Summit, and Stark.

(6) Eight individuals appointed by the Secretary after consideration of recommendations submitted by the county commissioners or county chief executive of the Ohio counties of Cuyahoga, Summit, Stark and Tuscarawas, including—

(A) from each county, one representative of the planning offices of the county; and

(B) from each county, one representative of a municipality in the county.

(7) Two individuals appointed by the Secretary after consideration of recommendations submitted by the Governor of Ohio, who shall be representatives of the Directors of the Ohio Department of Natural Resources and the Ohio Department of Transportation.

(8) The Superintendent of the Cuyahoga Valley National Recreation Area, ex officio.

110 STAT. 4270

## (c) APPOINTMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), members of the Committee shall be appointed for terms of three years and may be reappointed.

(2) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Committee within 30 days after the date on which the Secretary has received all recommendations pursuant to subsection (b). Of the members first appointed—

(A) the members appointed pursuant to subsection (b)(6)(B) shall be appointed to a term of two years and may not be reappointed to a consecutive term; and

(B) the member appointed pursuant to subsection (b)(2) shall be appointed to a term of two years and may not be reappointed to a consecutive term.

(d) CHAIR AND VICE CHAIR.—The chair and vice chair of the Committee shall be elected by the members of the Committee. The terms of the chair and vice chair shall be two years.

(e) VACANCY.—A vacancy in the Committee shall be filled in the manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which their predecessor was appointed shall be appointed only for the remainder of such term. Any member of the Committee appointed for a definite term may serve after the expiration of their term until their successor has taken office.

(f) COMPENSATION AND EXPENSES.—Members of the Committee shall serve without compensation for their service on the Committee.

(g) QUORUM.—Eleven members of the Committee shall constitute a quorum.

(h) MEETINGS.—The Committee shall meet at least quarterly at the call of the chairperson or 11 of its members. Meetings of the Committee shall be subject to section 552b of title 5, United States Code (relating to open meetings).

(i) NOT TREATED AS ADVISORY COMMITTEE.—The Committee shall not be treated as an Advisory Committee for purposes of the Federal Advisory Committee Act (5 U.S.C. App.).

**SEC. 806. POWERS AND DUTIES OF THE NATIONAL HERITAGE CORRIDOR COMMITTEE.**

(a) HEARINGS.—The Committee may, for the purpose of carrying out this title, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Committee considers appropriate. The Committee may not issue subpoenas or exercise any subpoena authority.

(b) BYLAWS.—The Committee may make such bylaws and rules, consistent with this title, as it considers necessary to carry out its functions under this title.

(c) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Committee, if so authorized by the Committee, may take any action which the Committee is authorized to take by this title.

(d) CORRIDOR MANAGEMENT PLAN.—Upon submission of a draft Corridor Management Plan to the Committee from the management entity, the Committee shall, within 60 days, review such plan for consistency with the purposes of this title and endorse the plan or return it to the management entity for revision. Upon

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4271

endorsement of the Corridor Management Plan, the Committee shall submit such plan to the Secretary for approval pursuant to section 808.

(e) REVIEW OF BUDGET.—The Committee shall review on an annual basis the proposed expenditures of Federal funds by the management entity for consistency with the purpose of this title and the Corridor Management Plan.

**SEC. 807. MANAGEMENT ENTITY.**

(a) ENTITY.—Upon petition, the Secretary is authorized to recognize the Ohio & Erie Canal Association as the management entity for the Heritage Corridor.

(b) ELIGIBILITY.—To be eligible for designation as the management entity of the corridor, an entity must possess the legal ability to—

- (1) receive Federal funds for use in preparing and implementing the management plan for the corridor;
- (2) disburse Federal funds to other units of government or other organizations for use in preparing and implementing the management plan for the corridor;
- (3) account for all Federal funds received or disbursed; and
- (4) sign agreements with the Federal Government.

(c) FEDERAL FUNDING.—

(1) AUTHORIZATION TO RECEIVE.—The management entity is authorized to receive appropriated Federal funds.

(2) DISQUALIFICATION.—If a management plan for the corridor is not submitted to the Secretary as required under section 808 within the time specified herein, the management entity shall cease to be eligible for Federal funding under this title until such a plan regarding the corridor is submitted to the Secretary.

(d) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity of the corridor may, for purposes of preparing and implementing the management plan for the corridor, use Federal funds made available under this title—

- (1) to make grants and loans to the State of Ohio, its political subdivisions, nonprofit organizations, and other persons;
- (2) to enter into cooperative agreements with, or provide technical assistance to, Federal agencies, the State of Ohio, its political subdivision, nonprofit organizations, and other persons;
- (3) to hire and compensate staff;
- (4) to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money; and
- (5) to contract for goods and services.

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

**SEC. 808. DUTIES OF THE MANAGEMENT ENTITY.**

(a) CORRIDOR MANAGEMENT PLAN.—

(1) SUBMISSION FOR REVIEW BY COMMITTEE.—Within 3 years after the date on which the Secretary has recognized the management entity for the corridor, the management entity

110 STAT. 4272

shall develop and submit for review to the Committee a management plan for the corridor.

(2) PLAN REQUIREMENTS.—A management plan submitted under this title shall present comprehensive recommendations for the conservation, funding, management, and development of the corridor. The plan shall be prepared with public participation. The plan shall take into consideration existing Federal, State, county, and local plans and involve residents, public agencies, and private organizations in the corridor. The plan shall include a description of actions that units of government and private organizations are recommended to take to protect the resources of the corridor. The plan shall specify existing and potential sources of funding for the conservation, management, and development of the corridor. The plan also shall include the following, as appropriate:

(A) An inventory of the resources contained in the corridor, including a list of property in the corridor that should be conserved, restored, managed, developed, or maintained because of the natural, cultural, or historic significance of the property as it relates to the themes of the corridor.

(B) A recommendation of policies for resource management that consider and detail the application of appropriate land and water management techniques, including (but not limited to) the development of intergovernmental cooperative agreements to manage the historical, cultural, and natural resources and recreational opportunities of the corridor in a manner consistent with the support of appropriate and compatible economic viability.

(C) A program, including plans for restoration and construction, for implementation of the management plan by the management entity and specific commitments, for the first six years of operation of the plan by the partners identified in said plan.

(D) An analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this title.

(E) An interpretive plan for the corridor.

(3) APPROVAL AND DISAPPROVAL OF THE CORRIDOR MANAGEMENT PLAN.—

(A) IN GENERAL.—Upon submission of the Corridor Management Plan from the Committee, the Secretary shall approve or disapprove said plan not later than 60 days after receipt of the plan. If the Secretary has taken no action after 60 days upon receipt, the plan shall be considered approved.

(B) DISAPPROVAL AND REVISIONS.—If the Secretary disapproves the Corridor Management Plan, the Secretary shall advise the Committee, in writing, of the reasons for the disapproval and shall make recommendations for revision of the plan. The Secretary shall approve or disapprove proposed revisions to the plan not later than 60 days after receipt of such revision. If the Secretary has taken no action for 60 days after receipt, the plan shall be considered approved.

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110 STAT. 4273

(b) **PRIORITIES.**—The management entity shall give priority to the implementation of actions, goals, and policies set forth in the management plan for the corridor, including—

(1) assisting units of government, regional planning organizations, and nonprofit organizations—

(A) in conserving the corridor;

(B) in establishing and maintaining interpretive exhibits in the corridor;

(C) in developing recreational opportunities in the corridor;

(D) in increasing public awareness of and appreciation for the natural, historical, and cultural resources of the corridor;

(E) in the restoration of historic buildings that are located within the boundaries of the corridor and relate to the themes of the corridor; and

(F) in ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the corridor; and

(2) consistent with the goals of the management plan, encouraging economic viability in the affected communities by appropriate means.

(c) **CONSIDERATION OF INTERESTS OF LOCAL GROUPS.**—The management entity shall, in preparing and implementing the management plan for the corridor, consider the interest of diverse units of government, businesses, private property owners, and nonprofit groups within the geographic area.

(d) **PUBLIC MEETINGS.**—The management entity shall conduct public meetings at least quarterly regarding the implementation of the Corridor Management Plan.

(e) **ANNUAL REPORTS.**—The management entity shall, for any fiscal year in which it receives Federal funds under this title or in which a loan made by the entity with Federal funds under section 807(d)(1) is outstanding, submit an annual report to the Secretary setting forth its accomplishments, its expenses and income, and the entities to which it made any loans and grants during the year for which the report is made.

110 STAT. 4274

(f) **COOPERATION WITH AUDITS.**—The management entity shall, for any fiscal year in which it receives Federal funds under this title or in which a loan made by the entity with Federal funds under section 807(d)(1) is outstanding, make available for audit by the Congress, the Secretary, and appropriate units of government all records and other information pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure 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.

#### **SEC. 809. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

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

(1) **IN GENERAL.**—The Secretary may provide technical assistance and grants to units of government, nonprofit organizations, and other persons, upon request of the management entity of the corridor, and to the management entity, regarding the management plan and its implementation.

(2) **PROHIBITION OF CERTAIN REQUIREMENTS.**—The Secretary may not, as a condition of the award of technical assistance or grants under this section, require any recipient of such technical assistance or grant to enact or modify land use restrictions.

(3) **DETERMINATIONS REGARDING ASSISTANCE.**—The Secretary shall decide if the corridor shall be awarded technical assistance or grants and the amount of that assistance. Such decisions shall be based on the relative degree to which the corridor effectively fulfills the objectives contained in the Corridor Management Plan and achieves the purposes of this title. Such decisions shall give consideration to projects which provide a greater leverage of Federal funds.

(b) **PROVISION OF INFORMATION.**—In cooperation with other Federal agencies, the Secretary shall provide the general public with information regarding the location and character of the corridor.

(c) **OTHER ASSISTANCE.**—Upon request, the Superintendent of Cuyahoga Valley National Recreation Area may provide to public and private organizations within the corridor (including the management entity for the corridor) such operational assistance as appropriate to support the implementation of the Corridor Management Plan, subject to the availability of appropriated funds. The Secretary is authorized to enter into cooperative agreements with public and private organizations for the purposes of implementing this subsection.

(d) **DUTIES OF OTHER FEDERAL AGENCIES.**—Any Federal entity conducting any activity directly affecting the corridor shall consider the potential effect of the activity on the Corridor Management Plan and shall consult with the management entity of the corridor with respect to the activity to minimize the adverse effects of the activity on the corridor.

**SEC. 810. LACK OF EFFECT ON LAND USE REGULATION AND PRIVATE PROPERTY.**

(a) **LACK OF EFFECT ON AUTHORITY OF GOVERNMENTS.**—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of Federal, State, or local governments to regulate any use of land as provided for by law or regulation.

(b) **LACK OF ZONING OR LAND USE POWERS.**—Nothing in this title shall be construed to grant powers of zoning or land use control to the Committee or management entity of the corridor.

(c) **LOCAL AUTHORITY AND PRIVATE PROPERTY NOT AFFECTED.**—Nothing in this title shall be construed to affect or to authorize the Committee to interfere with—

(1) the rights of any person with respect to private property; or

(2) any local zoning ordinance or land use plan of the State of Ohio or a political subdivision thereof.

**SEC. 811. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 812. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated under this title not more than \$1,000,000 for any fiscal year. Not more

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110 STAT. 4275

than a total of \$10,000,000 may be appropriated for the corridor under this title.

(b) 50 PERCENT MATCH.—Federal funding provided under this title, after the designation of this corridor, may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

\* \* \* \* \*

Approved November 12, 1996.

110 STAT. 4281

LEGISLATIVE HISTORY—H.R. 4236:

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



**11. Shenandoah Valley Battlefields National Historic District**

110 STAT. 4093

PUBLIC LAW 104-333—NOV. 12, 1996

Public Law 104-333  
104th Congress

An Act

Nov. 12, 1996  
[H.R. 4236]

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

\* \* \* \* \*

110 STAT. 4097

DIVISION I

\* \* \* \* \*

110 STAT. 4171

TITLE VI—CIVIL AND REVOLUTIONARY WAR SITES

\* \* \* \* \*

110 STAT. 4174  
Shenandoah Valley Battlefields National Historic District and Commission Act of 1996.  
16 USC 461 note.

**SEC. 606. SHENANDOAH VALLEY BATTLEFIELDS.**

(a) **SHORT TITLE.**—This section may be cited as the “Shenandoah Valley Battlefields National Historic District and Commission Act of 1996”.

(b) **CONGRESSIONAL FINDINGS.**—The Congress finds that—

(1) there are situated in the Shenandoah Valley in the Commonwealth of Virginia the sites of several key Civil War battles;

(2) certain sites, battlefields, structures, and districts in the Shenandoah Valley are collectively of national significance in the history of the Civil War;

(3) in 1992, the Secretary of the Interior issued a comprehensive study of significant sites and structures associated with Civil War battles in the Shenandoah Valley, and found that many of the sites within the Shenandoah Valley possess national significance and retain a high degree of historical integrity;

(4) the preservation and interpretation of these sites will make a vital contribution to the understanding of the heritage of the United States;

(5) the preservation of Civil War sites within a regional framework requires cooperation among local property owners and Federal, State, and local government entities; and

(6) partnerships between Federal, State, and local governments, the regional entities of such governments, and the private sector offer the most effective opportunities for the enhancement and management of the Civil War battlefields and related sites in the Shenandoah Valley.

(c) **STATEMENT OF PURPOSE.**—The purposes of this section are to—

(1) preserve, conserve, and interpret the legacy of the Civil War in the Shenandoah Valley;

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110 STAT. 4174

(2) recognize and interpret important events and geographic locations representing key Civil War battles in the Shenandoah Valley, including those battlefields associated with the Thomas J. (Stonewall) Jackson campaign of 1862 and the decisive campaigns of 1864;

110 STAT. 4175

(3) recognize and interpret the effect of the Civil War on the civilian population of the Shenandoah Valley during the war and postwar reconstruction period; and

(4) create partnerships among Federal, State, and local governments, the regional entities of such governments, and the private sector to preserve, conserve, enhance, and interpret the nationally significant battlefields and related sites associated with the Civil War in the Shenandoah Valley.

(d) DEFINITIONS.—As used in this section:

(1) The term “District” means the Shenandoah Valley Battlefields National Historic District established by section 5.

(2) The term “Commission” means the Shenandoah Valley Battlefields National Historic District Commission established by section 9.

(3) The term “plan” means the Shenandoah Valley Battlefields National Historic District Commission plan approved by the Secretary under section 6.

(4) The term “management entity” means a unit of government or nonprofit organization designated by the plan to manage and administer the District.

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

(6) The term “Shenandoah Valley” means the Shenandoah Valley in the Commonwealth of Virginia.

(e) SHENANDOAH VALLEY BATTLEFIELDS NATIONAL HISTORIC DISTRICT.—

(1) ESTABLISHMENT.—To carry out the purposes of this section, there is hereby established the Shenandoah Valley Battlefields National Historic District in the Commonwealth of Virginia.

(2) BOUNDARIES.—(A) The corridor shall consist of lands and interests therein as generally depicted on the map entitled “Shenandoah Valley National Battlefields”, numbered SHVA/80,000, and dated April 1994.

(B) The District shall consist of historic transportation routes linking the units depicted on the map referred to in subparagraph (A).

(C) The map referred to in subparagraph (A) shall be on file and available for public inspection in the offices of the Commission, the management entity, and in the appropriate offices of the National Park Service.

(f) SHENANDOAH VALLEY BATTLEFIELDS NATIONAL HISTORIC DISTRICT PLAN.—

(1) IN GENERAL.—The District shall be managed and administered by the Commission and the management entity in accordance with the purposes of this Act and the Shenandoah Valley Battlefields National Historic District plan developed by the Commission and approved by the Secretary, as provided in this subsection.

(2) SPECIFIC PROVISIONS.—The plan shall include—

110 STAT. 4175

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110 STAT. 4176

(A) an inventory which includes any property in the District which should be preserved, restored, managed, maintained, or acquired because of its national historic significance;

(B) provisions for the protection and interpretation of the natural, cultural, and historic resources of the District consistent with the purposes of this section;

(C) provisions for the establishment of a management entity which shall be a unit of government or a private nonprofit organization that administers and manages the District consistent with the plan, and possesses the legal ability to—

(i) receive Federal funds and funds from other units of government or other organizations for use in preparing and implementing the management plan;

(ii) disburse Federal funds to other units of government or other nonprofit organizations for use in preparing and implementing the plan;

(iii) enter into agreements with the Federal, State, or other units of government and nonprofit organizations;

(iv) acquire lands or interests therein by gift or devise, or by purchase from a willing seller using donated or appropriated funds, or by donation and no lands or interests therein may be acquired by condemnation; and

(v) make such reasonable and necessary modifications to the plan which shall be approved by the Secretary;

(D) recommendations to the Commonwealth of Virginia (and political subdivisions thereof) for the management, protection, and interpretation of the natural, cultural, and historical resources of the District;

(E) identification of appropriate partnerships between the Federal, State, and local governments and regional entities, and the private sector, in furtherance of the purposes of this section;

(F) locations for visitor contact and major interpretive facilities;

(G) provisions for implementing a continuing program of interpretation and visitor education concerning the resources and values of the District;

(H) provisions for a uniform historical marker and wayside exhibit program in the District, including a provision for marking, with the consent of the owner, historic structures and properties that are contained within the historic core areas and contribute to the understanding of the District;

(I) recommendations for means of ensuring continued local involvement and participation in the management, protection, and development of the District; and

(J) provisions for appropriate living history demonstrations and battlefield reenactments.

(3) PREPARATION OF DRAFT PLAN.—(A) Not later than 3 years after the date on which the Commission conducts its first meeting, the Commission shall submit to the Secretary a draft plan that meets the requirements of paragraph (2).

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110 STAT. 4176

(B) Prior to submitting the draft plan to the Secretary, the Commission shall ensure that—

(i) the Commonwealth of Virginia, and any political subdivision thereof that would be affected by the plan, receives a copy of the draft plan; 110 STAT. 4177

(ii) adequate notice of the availability of the draft plan is provided through publication in appropriate local newspapers in the area of the District; and

(iii) at least 1 public hearing in the vicinity of the District is conducted by the Commission with respect to the draft plan.

(4) REVIEW OF THE PLAN BY THE SECRETARY.—The Secretary shall review the draft plan submitted under paragraph (3) and, not later than 90 days after the date on which the draft plan is submitted, shall either—

(A) approve the draft plan as the plan if the Secretary finds that the plan, when implemented, would adequately protect the significant historical and cultural resources of the District; or

(B) reject the draft plan and advise the Commission in writing of the reasons therefore and indicate any recommendations for revisions that would make the draft plan acceptable.

(g) DUTIES OF THE SECRETARY.—

(1) IN GENERAL.—The Secretary may award grants, provide technical assistance and enter into cooperative agreements with the Commission, management entity, other units of government, or other persons to provide for the preservation and interpretation of the natural, cultural, and historical resources within the District.

(2) TECHNICAL ASSISTANCE.—The Secretary may make grants, provide technical assistance, and enter into cooperative agreements for—

(A) the preparation and implementation of the plan pursuant to subsection (f);

(B) interpretive and educational programs;

(C) acquiring lands or interests in lands from willing sellers;

(D) capital projects and improvements undertaken pursuant to the plan; and

(E) facilitating public access to historic resources within the District.

(3) EARLY ACTIONS.—After enactment of this Act but prior to approval of the plan, the Secretary may provide technical and financial assistance for early actions which are important to the purposes of this Act and which protect and preserve resources in imminent danger of irreversible damage but for the fact of such early action.

(4) ACQUISITION OF LAND.—The Secretary may acquire land and interests in lands from a willing seller or donee within the District that have been specifically identified by the Commission for acquisition by the Federal Government. No lands or interests therein may be acquired by condemnation.

(5) DETAIL.—Each fiscal year during the existence of the Commission and upon request of the Commission, the Secretary shall detail to the Commission, on a nonreimbursable basis, 2 employees of the Department of the Interior to enable the

110 STAT. 4177

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110 STAT. 4178

Commission to carry out the Commission's duties under section 9. Such detail shall be without interruption or loss of civil service status, benefits, or privileges.

(6) REPORT.—Not later than 2 years after approval of the plan, the Secretary shall submit to Congress a report recommending whether the District or components thereof meet the criteria for designation as a unit of the National Park Service.

(7) OTHER ASSISTANCE.—Nothing in this section shall be deemed to prohibit the Secretary or units of government from providing technical or financial assistance under any other provision of law.

(h) SHENANDOAH VALLEY BATTLEFIELDS NATIONAL HISTORIC DISTRICT COMMISSION.—

(1) ESTABLISHMENT.—There is hereby established the Shenandoah Valley Battlefields National Historic District Commission.

(2) MEMBERSHIP.—The Commission shall be composed of 19 members, to be appointed by the Secretary as follows:

(A) 5 members representing local governments of communities in the vicinity of the District, appointed after the Secretary considers recommendations made by appropriate local governing bodies.

(B) 10 members representing property owners within the District (1 member within each unit of the battlefields).

(C) 1 member with demonstrated expertise in historic preservation.

(D) 1 member who is a recognized historian with expertise in Civil War history.

(E) The Governor of Virginia, or a designee of the Governor, ex officio.

(F) The Director of the National Park Service, or a designee of the Director, ex officio.

(3) APPOINTMENTS.—Members of the Commission shall be appointed for terms of 3 years. Any member of the Commission appointed for a definite term may serve after the expiration of the term until the successor of the member is appointed.

(4) ELECTION OF OFFICERS.—The Commission shall elect 1 of its members as Chairperson and 1 as Vice Chairperson. The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(5) VACANCY.—Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made, except that the Secretary shall fill any vacancy within 30 days after the vacancy occurs.

(6) QUORUM.—Any majority of the Commission shall constitute a quorum.

(7) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of the members of the Commission, but not less than quarterly. Notice of the Commission meetings and agendas for the meetings shall be published in local newspapers that have a distribution throughout the Shenandoah Valley. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

## PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4178

(8) STAFF OF THE COMMISSION.—The Commission shall have the power to appoint and fix the compensation of such staff as may be necessary to carry out its duties.

(9) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide to the Commission, without reimbursement, such administrative support services as the Commission may request. 110 STAT. 4179

(10) FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal agency may detail to the Commission or management entity, without reimbursement, personnel of the agency to assist the commission or management entity in carrying out its duties and such detail shall be without interruption or loss of civil service status, benefits, or privileges.

(11) SUBPOENAS.—The Commission may not issue subpoenas or exercise any subpoena authority.

(12) EXPENSES.—Members of the Commission shall serve without compensation, but the Secretary may reimburse members for expenses reasonably incurred in carrying out the responsibilities of the Commission under this Act.

(13) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(14) GIFTS.—The Commission may, for purposes of carrying out the duties of the Commission, seek, accept, and dispose of gifts, bequests, or donations of money, personal or real property, or services received from any source.

(15) TERMINATION.—The Commission shall terminate at the expiration of the 45-day period beginning on the date on which the Secretary approves the plan under subsection (f)(4).

(i) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The Commission shall—

(A) develop the plan and draft plan referred to in subsection (f), in consultation with the Secretary;

(B) assist the Commonwealth of Virginia, and any political subdivision thereof, in the management, protection, and interpretation of the natural, cultural, and historical resources within the District, except that the Commission shall in no way infringe upon the authorities and policies of the Commonwealth of Virginia or any political subdivision; and

(C) take appropriate action to encourage protection of the natural, cultural, and historic resources within the District by landowners, local governments, organizations, and businesses.

(j) AUTHORIZATION OF APPROPRIATION.—

(1) IN GENERAL.—From the amounts made available to carry out the National Historic Preservation Act, there are authorized to be appropriated to the Commission not more than \$250,000 annually to remain available until expended.

(2) ASSISTANCE.—(A) From the amounts made available to carry out the National Historic Preservation Act, there are authorized to be appropriated to the Secretary for grants and technical assistance pursuant to subsections (g) (1), (2), and (3) not more than \$2,000,000 annually to remain available until expended.

(B) The Federal share of any funds awarded under subsection (g)(2) may not exceed the amount of non-Federal

110 STAT. 4179

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funds provided for the preservation, interpretation, planning, development, or implementation with respect to which the grant is awarded.

110 STAT. 4180

(3) LAND ACQUISITION.—From the amounts made available to carry out the National Historic Preservation Act, there are authorized to be appropriated for land acquisition pursuant to subsection (g)(4) not more than \$2,000,000 annually to remain available until expended.

(4) MANAGEMENT ENTITY.—From the amounts made available to carry out the National Historic Preservation Act, there are authorized to be appropriated to the management entity not more than \$500,000 annually to remain available until expended.

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110 STAT. 4281

Approved November 12, 1996.

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LEGISLATIVE HISTORY—H.R. 4236:

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



12. South Carolina National Heritage Corridor

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4093

Public Law 104-333  
104th Congress

An Act

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Nov. 12, 1996  
[H.R. 4236]

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

\* \* \* \* \*

DIVISION II

110 STAT. 4243

\* \* \* \* \*

TITLE VI—SOUTH CAROLINA NATIONAL HERITAGE CORRIDOR

110 STAT. 4260  
South Carolina National Heritage Corridor Act of 1996.  
16 USC 461 note.

SEC. 601. SHORT TITLE.

This title may be cited as the “South Carolina National Heritage Corridor Act of 1996”.

SEC. 602. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the South Carolina National Heritage Corridor, more than 250 miles in length, possesses a wide diversity of significant rare plants, animals, and ecosystems, agricultural and timber lands, shell-fish harvesting areas, historic sites and structures, and cultural and multicultural landscapes related to the past and current commerce, transportation, maritime, textile, agricultural, mining, cattle, pottery, and national defense industries of the region, which provide significant ecological, natural, tourism, recreational, timber management, educational, and economic benefits;

(2) there is a national interest in protecting, conserving, restoring, promoting, and interpreting the benefits of the Corridor for the residents of, and visitors to, the Corridor area;

(3) a primary responsibility for conserving, preserving, protecting, and promoting the benefits resides with the State of South Carolina and the units of local government having jurisdiction over the Corridor area; and

110 STAT. 4261

(4) in view of the longstanding Federal practice of assisting States in creating, protecting, conserving, preserving, and interpreting areas of significant natural and cultural importance, and in view of the national significance of the Corridor, the Federal Government has an interest in assisting the State of South Carolina, the units of local government of the State, and the private sector in fulfilling the responsibilities described in paragraph (3).

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

(1) to protect, preserve, conserve, restore, promote, and interpret the significant land and water resource values and functions of the Corridor;

(2) to encourage and support, through financial and technical assistance, the State of South Carolina, the units of local government of the State, and the private sector in the development of a heritage plan for the Corridor to ensure coordinated public and private action in the Corridor area in a manner consistent with subsection (a);

(3) to provide, during the development of an integrated heritage plan, Federal financial and technical assistance for the protection, preservation, and conservation of land and water areas in the Corridor that are in danger of being adversely affected or destroyed;

(4) to encourage and assist the State of South Carolina and the units of local government of the State to identify the full range of public and private technical and financial assistance programs and services available to implement the heritage plan;

(5) to encourage adequate coordination of all government programs affecting the land and water resources of the Corridor; and

(6) to develop a management framework with the State of South Carolina and the units of local government of the State for—

(A) planning and implementing the heritage plan; and

(B) developing policies and programs that will preserve, conserve, protect, restore, enhance, and interpret the cultural, historical, natural, economic, recreational, and scenic resources of the Corridor.

#### **SEC. 603. DEFINITIONS.**

For purposes of this title—

(1) **CORRIDOR.**—The term “Corridor” means the South Carolina National Heritage Corridor established by section 604.

(2) **GOVERNOR.**—The term “Governor” means the Governor of the State of South Carolina.

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

#### **SEC. 604. SOUTH CAROLINA NATIONAL HERITAGE CORRIDOR.**

(a) **ESTABLISHMENT.**—There is established in the State of South Carolina the South Carolina National Heritage Corridor.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The boundaries of the Corridor are generally the boundaries of the western counties of the State of South Carolina, extending from the western Piedmont along the Savannah Valley to Augusta, Georgia, along the route of the old Southern Railroad, along the Ashley River to Charleston.

(2) **INCLUDED COUNTIES.**—The Corridor shall consist of the following counties of South Carolina, in part or in whole, as the heritage plan may specify on the recommendations of the units of local government with the Corridor area:

(A) Oconee.

(B) Pickens.

(C) Anderson.

(D) Abbeville.

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- (E) Greenwood.
- (F) McCormick.
- (G) Edgefield.
- (H) Aiken.
- (I) Barnwell.
- (J) Orangeburg.
- (K) Bamberg.
- (L) Dorchester.
- (M) Colleton.
- (N) Charleston.

(3) **DETAIL.**—The boundaries shall be specified in detail in the heritage plan.

**SEC. 605. MANAGEMENT ENTITY.**

(a) **IN GENERAL.**—The management entity for the National Heritage Corridor shall be an entity selected by the Governor of the State of South Carolina which reflects a broad cross-section of interests within the Corridor and which includes—

- (1) at least 1 representative of one or more units of government in South Carolina; and
- (2) private property owners who reside within the National Heritage Corridor.

(b) **DUTIES.**—The management entity for the National Heritage Corridor shall fulfill each of the following requirements:

(1) **HERITAGE PLAN.**—Not later than 3 years after the date of the designation of the area as a National Heritage Corridor, the management entity shall develop and forward to the Secretary, and to the Governor of South Carolina, a heritage plan.

(2) **PRIORITIES.**—The management entity shall give priority to the implementation of actions, goals, and policies set forth in the compact and heritage plan for the Corridor, including assisting units of government and others in—

- (A) carrying out programs which recognize important resource values within the National Heritage Corridor;
- (B) encouraging economic viability in the affected communities;
- (C) establishing and maintaining interpretive exhibits in the Corridor;
- (D) developing recreational and educational opportunities in the Corridor;
- (E) increasing public awareness of and appreciation for the natural, historical, and cultural resources of the Corridor;

(F) restoring historic buildings that are located within the boundaries of the Corridor and relate to the theme of the Corridor; and

(G) ensuring that clear, consistent, and appropriate signs identifying public access points and sites of interest are put in place throughout the Corridor.

(3) **CONSIDERATION OF INTERESTS OF LOCAL GROUPS.**—The management entity shall, in developing and implementing the heritage plan for the Corridor, consider the interest of diverse units of government, businesses, private property owners, and nonprofit groups within the geographic area.

(4) **PUBLIC MEETINGS.**—The management entity shall conduct public meetings at least annually regarding the implementation of the heritage plan for the Corridor. The

110 STAT. 4263

Notice.

management entity shall place a notice of each such meeting in a newspaper of general circulation in the Corridor and shall make the minutes of the meeting available to the public.

**SEC. 606. DUTIES OF THE SECRETARY.**

(a) ASSISTANCE.—On request of the management entity, and subject to the availability of funds appropriated specifically for the purpose, or made available on a reimbursable basis, the Secretary shall provide administrative, technical, financial, development, and operations assistance for the purposes of this title. The assistance may include—

(1) general administrative support in planning, finance, personnel, procurement, property management, environmental and historical compliance, and land acquisition;

(2) personnel;

(3) office space and equipment;

(4) planning and design services for visitor use facilities, trails, interpretive exhibits, publications, signs, and natural resource management;

(5) development and construction assistance, including visitor use facilities, trails, river use and access facilities, scenic byways, signs, waysides, and rehabilitation of historic structures; and

(6) operations functions, including interpretation and visitor services, maintenance, and natural resource management services conducted within the boundaries of the Corridor.

(b) LOANS, GRANTS, AND COOPERATIVE AGREEMENTS.—For the purposes of assisting in the development and implementation of the heritage plan, the Secretary may, in consultation with the management entity, make loans and grants to, and enter into cooperative agreements with, the State of South Carolina (or a political subdivision of the State), private nonprofit organizations, corporations, or other persons.

(c) APPROVAL OF HERITAGE PLAN.—

(1) IN GENERAL.—Not later than 180 days after receipt of the plan submitted under section 605(b), the Secretary shall approve or disapprove the plan.

(2) CRITERIA.—In determining whether to approve a plan under this title, the Secretary shall consider—

(A) whether the plan has strong local support from a diversity of landowners, business interests, nonprofit organizations, and governments within the area;

(B) whether the plan is consistent with and complements continued economic activity in the area;

(C) whether the plan has a high potential for effective partnership mechanisms;

(D) whether the plan improperly infringes on private property rights; and

(E) whether the plan will take appropriate action to ensure private property rights are observed.

(3) DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves the proposed heritage plan, the Secretary shall notify the management entity.

(B) CONTENTS.—A notification under subparagraph (A) shall include—

(i) the reasons for the disapproval; and

(ii) recommendations for revision.

(C) REVISED PLAN.—The management entity shall revise and resubmit the heritage plan to the Secretary for approval. Not later than 180 days after receipt of the revised plan, the Secretary shall approve or disapprove the plan as provided in paragraph (2). The management entity shall revise and submit the heritage plan until the heritage plan is approved by the Secretary.

**SEC. 607. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 608. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated under 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 Corridor under this title.

(b) 50 PERCENT MATCH.—Federal funding provided under this title, after the designation of this Corridor, may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

\* \* \* \* \*

Approved November 12, 1996.

110 STAT. 4281

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**LEGISLATIVE HISTORY—H.R. 4236:**

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



### 13. Steel Industry American Heritage Area

110 STAT. 4093

PUBLIC LAW 104-333—NOV. 12, 1996

Public Law 104-333  
104th Congress

#### An Act

Nov. 12, 1996  
[H.R. 4236]

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

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

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

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110 STAT. 4243

#### DIVISION II

\* \* \* \* \*

110 STAT. 4252  
Steel Industry American Heritage Area Act of 1996.  
Pennsylvania.  
16 USC 461 note.

#### TITLE IV—STEEL INDUSTRY HERITAGE PROJECT

##### SEC. 401. SHORT TITLE.

This title may be cited as the “Steel Industry American Heritage Area Act of 1996”.

##### SEC. 402. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the industrial and cultural heritage of southwestern Pennsylvania, including the city of Pittsburgh, and the counties of Allegheny, Armstrong, Beaver, Fayette, Greene, Washington, and Westmoreland, related directly to steel and steel-related industries, is nationally significant;

(2) these industries include steelmaking, ironmaking, aluminum, specialty metals, glass, coal mining, coke production, machining and foundries, transportation, and electrical industries;

(3) the industrial and cultural heritage of the steel and related industries in this region includes the social history and living cultural traditions of the people of the region;

(4) the labor movement of the region played a significant role in the development of the Nation, including the formation of many key unions such as the Congress of Industrial Organizations (CIO) and the United Steel Workers of America (USWA), and crucial struggles to improve wages and working conditions, such as the Rail Strike of 1877, the Homestead Strike of 1892, and the Great Steel Strike of 1919;

110 STAT. 4253

(5) the Department of the Interior is responsible for protecting the Nation’s cultural and historic resources, and there are significant examples of these resources within this seven-county region to merit the involvement of the Federal Government to develop programs and projects, in cooperation with the Steel Industry Heritage Corporation, the Commonwealth of Pennsylvania, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization; and

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4253

(6) the Steel Industry Heritage Corporation would be an appropriate management entity for a Heritage Area established in the region.

(b) STATEMENT OF PURPOSE.—The objectives of the Steel Industry American Heritage Area are—

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities in the steel industry region of southwestern Pennsylvania and empower the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the seven-county region of southwestern Pennsylvania.

**SEC. 403. STEEL INDUSTRY AMERICAN HERITAGE AREA.**

(a) ESTABLISHMENT.—There is hereby established the Steel Industry American Heritage Area (in this title referred to as the “Heritage Area”).

(b) BOUNDARIES.—The Heritage Area shall be comprised of the counties of Allegheny, Armstrong, Beaver, Fayette, Greene, Washington, and Westmoreland in Pennsylvania.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Steel Industry Heritage Corporation.

**SEC. 404. COMPACT.**

(a) IN GENERAL.—To carry out the purposes of this title, the Secretary of the Interior (in this title referred to as the “Secretary”) shall enter into a compact with the management entity. The compact shall include information relating to the objectives and management of the area, including the following:

(1) A delineation of the boundaries of the proposed Heritage Area.

(2) A discussion of the goals and objectives of the proposed 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 partners referred to in paragraph (4).

(3) An identification and description of the management entity that will administer the proposed Heritage Area.

(4) A list of the initial partners to be involved in developing and implementing the management plan for the proposed Heritage Area, and a statement of the financial commitment of the partners.

(5) A description of the role of the Commonwealth of Pennsylvania.

(b) ADDITIONAL REQUIREMENTS.—The compact shall be prepared with public participation. Actions called for in the compact shall be likely to be initiated within a reasonable time after designation of the proposed Heritage Area and shall ensure effective implementation of the State and local aspects of the compact.

110 STAT. 4254

**SEC. 405. MANAGEMENT PLAN.**

The management entity shall develop a management plan for the Heritage Area that presents comprehensive recommendations for the Heritage Area’s conservation, funding, management and development. Such plan shall take into consideration existing State, county, and local plans and involve residents, public agencies, and

private organizations working in the Heritage Area. It shall include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area. It shall specify the existing and potential sources of funding to protect, manage, and develop the Heritage Area. Such plan shall include, as appropriate, the following:

(1) 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.

(2) A recommendation of policies for resource management which considers and details application of appropriate land and water management techniques, including but not limited to, the development of intergovernmental cooperative agreements to protect the Heritage Area's historical, cultural, recreational, and natural resources in a manner consistent with supporting appropriate and compatible economic viability.

(3) A program for implementation of the management plan by the management entity, including plans for restoration and construction, and specific commitments of the identified partners for the first 5 years of operation.

(4) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of the title.

(5) An interpretation plan for the Heritage Area.

**SEC. 406. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.**

(a) **AUTHORITIES OF THE MANAGEMENT ENTITY.**—The management entity may, for purposes of preparing and implementing the management plan under section 405, use Federal funds made available through this title—

(1) to make loans and grants to, and enter into cooperative agreements with, States and their political subdivisions, private organizations, or any person; and

(2) to hire and compensate staff.

(b) **DUTIES OF THE MANAGEMENT ENTITY.**—The management entity shall—

(1) develop and submit to the Secretary for approval a management plan as described in section 405 within 3 years after the date of the enactment of this title;

(2) give priority to implementing actions set forth in the compact and the management plan, including taking steps to—

(A) assist units of government, regional planning organizations, and nonprofit organizations in preserving the Heritage Area;

(B) assist units of government, regional planning organizations, and nonprofit organizations in establishing and maintaining interpretive exhibits in the Heritage Area;

(C) assist units of government, regional planning organizations, and nonprofit organizations in developing recreational resources in the Heritage Area;

(D) assist units of government, regional planning organizations, and nonprofit organizations in increasing public awareness of and appreciation for the natural,

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4255

historical and architectural resources and sites in the Heritage Area;

(E) assist units of government, regional planning organizations and nonprofit organizations in the restoration of any historic building relating to the themes of the Heritage Area;

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

(G) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the plan; and

(H) assist units of government, regional planning organizations and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the Heritage Area;

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

(4) conduct public meetings at least quarterly regarding the implementation of the management plan;

Public information.

(5) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval;

(6) for any year in which Federal funds have been received under this title, submit an annual report to the Secretary setting forth its accomplishments, its expenses and income, and the entity to which any loans and grants were made during the year for which the report is made; and

Reports.

(7) for any year in which Federal funds have been received under this title, make available for audit all records pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

Records.

If a management plan is not submitted to the Secretary as required under paragraph (1) within the specified time, the Heritage Area shall no longer qualify for Federal funding.

(c) 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. Nothing in this title shall preclude any management entity from using Federal funds from other sources for their permitted purposes.

**SEC. 407. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary may, upon request of the management entity, provide technical and financial assistance to the Heritage Area to develop and implement the management plan. In assisting the Heritage Area, the Secretary shall give priority to actions that in general assist in—

110 STAT. 4256

(A) conserving the significant natural, historic, and cultural resources which support its themes; and

(B) providing educational, interpretive, and recreational opportunities consistent with its resources and associated values.

(2) SPENDING FOR NON-FEDERALLY OWNED PROPERTY.—The Secretary may spend Federal funds directly on non-federally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places. The Historic American Building Survey/Historic American Engineering Record shall conduct those studies necessary to document the industrial, engineering, building, and architectural history of the region.

(b) APPROVAL AND DISAPPROVAL OF COMPACTS AND MANAGEMENT PLANS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governor of Pennsylvania shall approve or disapprove a compact or management plan submitted under this title not later than 90 days after receiving such compact or management plan.

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

(c) APPROVING AMENDMENTS.—The Secretary shall review substantial amendments to the management plan for the Heritage Area. Funds appropriated pursuant to this title may not be expended to implement the changes made by such amendments until the Secretary approves the amendments.

**SEC. 408. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 409. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated under 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) 50 PERCENT MATCH.—Federal funding provided under this title, after the designation of this Heritage Area, may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

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**LEGISLATIVE HISTORY—H.R. 4236:**

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.

14. Tennessee Civil War

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4093

Public Law 104-333  
104th Congress

An Act

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Nov. 12, 1996  
[H.R. 4236]

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

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

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DIVISION II

110 STAT. 4243

\* \* \* \* \*

TITLE II—TENNESSEE CIVIL WAR HERITAGE AREA

110 STAT. 4245  
16 USC 461 note.

SEC. 201. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) there are situated in the State of Tennessee the sites of several key Civil War battles, campaigns, and engagements;

(2) certain sites, battlefields, structures, and areas in Tennessee are collectively of national significance in the history of the Civil War;

(3) the Civil War Sites Advisory Commission, established by Congress in 1991, identified 38 sites in Tennessee as significant;

(4) the preservation and interpretation of these sites will make an important contribution to the understanding of the heritage of the United States;

(5) the preservation of Civil War sites within a regional framework requires cooperation among local property owners and Federal, State, and local government entities; and

(6) partnerships between Federal, State, and local governments and their regional entities, and the private sector, offer the most effective opportunities for the enhancement and management of the Civil War battlefields and related sites located in Tennessee.

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

(1) to preserve, conserve, and interpret the legacy of the Civil War in Tennessee;

(2) to recognize and interpret important events and geographic locations representing key Civil War battles, campaigns, and engagements in Tennessee;

(3) to recognize and interpret the effect of the Civil War on the civilian population of Tennessee during the war and postwar reconstruction period; and

(4) to create partnerships among Federal, State, and local governments and their regional entities, and the private sector to preserve, conserve, enhance, and interpret the battlefields and associated sites associated with the Civil War in Tennessee.

110 STAT. 4245

PUBLIC LAW 104-333—NOV. 12, 1996

**SEC. 202. DEFINITIONS.**

For purposes of this title:

(1) The term “national heritage area” means the Tennessee Civil War Heritage Area as designated pursuant to section 203.

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

(3) The term “compact” means the compact approved under section 204.

(4) The term “management plan” means the management plan submitted under section 205.

**SEC. 203. TENNESSEE CIVIL WAR HERITAGE AREA.**

Federal Register,  
publication.

(a) DESIGNATION.—Upon publication by the Secretary in the Federal Register of notice that a compact regarding the Tennessee Civil War Heritage Area has been approved by the Secretary in accordance with this title, there is hereby designated the Tennessee Civil War Heritage Area.

110 STAT. 4246

(b) BOUNDARIES.—The Tennessee Civil War Heritage Area shall be comprised of areas of the State of Tennessee depicted on the map entitled “Tennessee Civil War Heritage Area”. The map shall be on file and available for public inspection in the office of the Director of the National Park Service.

(c) ADMINISTRATION.—The national heritage area shall be administrated in accordance with the compact and the management plan.

**SEC. 204. COMPACT.**

(a) COMPACT.—The compact referred to in section 203(a) shall include information relating to the objectives and management of the area proposed for designation as the national heritage area. Such information shall include (but not be limited to) each of the following:

(1) A delineation of the boundaries of the proposed national heritage area.

(2) A discussion of the goals and objectives of the proposed national heritage area, including an explanation of the approach proposed by the partners referred to in paragraph (4), to conservation and interpretation of resources.

(3) An identification and description of the management entity that will administer the proposed national heritage area.

(4) A list of the initial partners to be involved in developing and implementing the management plan for the proposed national heritage area, and a statement of the financial commitment of the partners.

(5) A description of the role of the State of Tennessee.

(b) PREPARATION OF AND ACTIONS CALLED FOR IN COMPACT.—The compact shall be prepared with public participation. Actions called for in the compact shall be likely to be initiated within a reasonable time after designation of the proposed national heritage area and shall ensure effective implementation of the State and local aspects of the compact.

(c) APPROVAL AND DISAPPROVAL OF COMPACTS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governor of Tennessee, shall approve or disapprove the proposed compact not later than 90 days after receiving such compact.

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4246

(2) PROCEDURES IF DISAPPROVED.—If the Secretary disapproves a proposed compact, the Secretary shall advise, in writing, of the reasons for the disapproval and shall make recommendations for revisions of the proposed compact. The Secretary shall approve or disapprove a proposed revision to such a compact within 90 days after the date on which the revision is submitted to the Secretary.

**SEC. 205. MANAGEMENT.**

(a) MANAGEMENT PLANS.—A management plan submitted under this title for the national heritage area shall present comprehensive recommendations for the conservation, funding, management, and development of the area. The management plan shall—

(1) be prepared with public participation;

(2) take into consideration existing Federal, State, county, and local plans and involve residents, public agencies, and private organizations in the area;

(3) include a description of actions that units of government and private organizations are recommended to take to protect the resources of the area;

(4) specify existing and potential sources of funding for the conservation, management, and development of the area; and

(5) include the following, as appropriate:

(A) An inventory of the resources contained in the national heritage area, including a list of property in the area that should be conserved, restored, managed, developed, or maintained because of the natural, cultural, or historic significance of the property as it relates to the themes of the area.

(B) A recommendation of policies for resource management that consider and detail the application of appropriate land and water management techniques, including (but not limited to) the development of intergovernmental cooperative agreements to manage the historical, cultural, and natural resources and the recreational opportunities of the area in a manner consistent with the support of appropriate and compatible economic viability.

(C) A program, including plans for restoration and construction, for implementation of the management plan by the management entity specified in the compact for the area and specific commitments, for the first 5 years of operation of the plan, by the partners identified in the compact.

(D) An analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this title.

(E) An interpretive plan for the national heritage area.

(b) MANAGEMENT ENTITIES.—The management entity for the national heritage area shall do each of the following:

(1) Develop and submit to the Secretary a management plan not later than three years after the date of the designation of the area as a national heritage area.

(2) Give priority to the implementation of actions, goals, and policies set forth in the compact and management plan for the area, including—

110 STAT. 4247

110 STAT. 4247

PUBLIC LAW 104-333—NOV. 12, 1996

(A) assisting units of government, regional planning organizations, and nonprofit organizations—

(i) in conserving the national heritage area;

(ii) in establishing and maintaining interpretive exhibits in the area;

(iii) in developing recreational opportunities in the area;

(iv) in increasing public awareness of and appreciation for the natural, historical, and cultural resources of the area;

(v) in the restoration of historic buildings that are located within the boundaries of the area and relate to the themes of the area; and

(vi) in ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the area; and

110 STAT. 4248

(B) consistent with the goals of the management plan, encouraging economic viability in the affected communities by appropriate means.

(3) In developing and implementing the management plan for the area, consider the interests of diverse units of government, businesses, private property owners, and nonprofit groups within the geographic area.

Public information.

(4) Conduct public meetings at least quarterly regarding the implementation of the management plan for the area.

(c) CLEARING HOUSE.—The Congress recognizes the Center for Historic Preservation at Middle Tennessee State University as the clearing house for the Tennessee Civil War Heritage Area.

#### SEC. 206. DUTIES AND AUTHORITIES OF SECRETARY.

The Secretary—

(1) may provide technical assistance and grants to units of government and private nonprofit organizations regarding the compact and, upon request of the management entity for the national heritage area, regarding the management plan and its implementation;

(2) may not, as a condition of the award of technical assistance or grants under this section, require any recipient of such technical assistance or grants to enact or modify land use restrictions; and

(3) may not make limitations on fishing, hunting, or trapping a condition for the approval of the compact or the determination of eligibility for technical assistance or grants under this section.

#### SEC. 207. SAVINGS PROVISIONS.

(a) LACK OF EFFECT ON AUTHORITY OF GOVERNMENTS.—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of the Federal, State, or local governments to regulate any use of land as provide for by law or regulation.

(b) LACK OF ZONING OR LAND USE POWERS OF ENTITY.—Nothing in this title shall be construed to grant powers of zoning or land use to any management entity for the national heritage area.

(c) FISH AND WILDLIFE.—The designation of the national heritage area shall not diminish the authority of the State of Tennessee to manage fish and wildlife, including the regulation of fishing and hunting within such area.

**SEC. 208. SUNSET.**

The Secretary may not make any grant or provide any assistance under this title after September 30, 2012.

**SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated under 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 national heritage area under this title.

(b) **50 PERCENT MATCH.**—Federal funding provided under this title, after the designation of the national heritage area, may not exceed 50 percent of the total cost of any assistance or grant provided or authorized under this title.

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Approved November 12, 1996.

110 STAT. 4281

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